

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	05.05.2022
Planning Development Manager authorisation:	AN	5/5/22
Admin checks / despatch completed	DB	05.05.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	05.05.2022

Application: 22/00344/FULHH **Town / Parish:** Brightlingsea Town Council

Applicant: Mr and Mrs Smith

Address: 4 Hall Cut Brightlingsea Colchester

Development: Proposed first floor front extension above existing porch to form en-suite.

1. Town / Parish Council

Brightlingsea Town Council
01.04.2022 Supports Application

2. Consultation Responses

Essex County Council Heritage The application is for proposed first floor side extension above existing porch to form en-suite.
The proposed site is a 1970s dwelling within the Brightlingsea Conservation Area. the current proposal is a revision of previously approved application 21/00520/FUL.
I will not support the use of fibre cement weatherboarding as this will introduce an incongruous material which will not be in keeping with the character and appearance of the Conservation Area.
In its current form, the proposal does not preserve or enhance the character or appearance of the Conservation Area and fails to make a positive contribution to local character and distinctiveness, as set out in Paragraphs 206 and 197c of the NPPF. The harm to the significance of the Conservation Area is 'less than substantial' and paragraph 202 of the NPPF is relevant.
Should the cement cladding be replaced with timber or brick, then there would be no objection to the proposals.

3. Planning History

91/01092/OUT	One dwelling and garage.	Approved	17.12.1991
97/00243/OUT	(Land off Hall Cut, (Rear of 10 Wellington Street), Brightlingsea) Proposed dwelling and garage	Approved	08.05.1997
98/00169/FUL	(Land off Hall Cut (rear of No. 10 Wellington Street) Brightlingsea)	Approved	19.05.1998

	Proposed dwelling and garage		
03/00225/FUL	Conservatory	Approved	04.04.2003
21/00520/FUL	Proposed first floor side extension above existing porch to form en-suite.	Approved	17.05.2021
22/00344/FULHH	Proposed first floor side extension above existing porch to form en-suite.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

PPL8 Conservation Areas

Local Planning Guidance

Essex Design Guide

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

This application seeks permission for the erection of a first floor front extension above the existing porch to form en-suite.

Amended plans have since been received changing the proposed material from fibre cement weatherboarding to cream painted render. This was due to the fact that fibre cement weatherboarding is not considered to be a traditional material and is not acceptable in the Conservation Area.

This application also follows from previous planning permission 21/00520/FULHH for an extension of the same size and scale and in the same location as the proposal but finished in red brickwork. The current proposal seeks permission for the use of cream painted render.

Application Site

The application site serves a detached two storey brick-built dwelling with a pitched tiled roof. The sites boundaries are treated with a brick wall, fencing and shrubbery. The front of the site serves a paved hardstanding. The surrounding streetscene is comprised from dwellings of a similar design, materials and appearance. The site also falls within the settlement development boundary of Brightlingsea, as defined in the Tendring District Local Plan 2013-2033, and the Brightlingsea Conservation Area.

Assessment

Design and Appearance

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design. Policies SP1, SP7 and SPL 3 of the Tendring District Local Plan 2013-2033 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties.

The proposed first floor extension will be situated on the front principal elevation of the host dwelling. The extension will measure 1.6 metres deep by 3.7 metres wide, with a maximum height of 6.4 metres from ground level. The extension will be finished in a cream painted render, with a pitched tiled roof design. The front facing window will be UPVC to match those of the existing dwelling. Due to its location at the front of the dwelling the extension will be visible to the streetscene of Hall Cut. The use of cream painted render will blend with the surrounding area as neighbouring dwellings along Hall Cut also include painted render at first floor level. The use of render can therefore not be said to be out of character with the surrounding area. Furthermore, the proposed extension is located back from the highway and will not appear overly dominant within the area. The extension is considered to be of an appropriate size, scale and appearance in relation to the host dwelling and its locality. The proposal is therefore not considered to have any significant adverse effects on the visual amenities of the area.

Impact on Conservation Area

Policy PPL8 of the Tendring District Local Plan seeks to ensure that any new development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area, especially in terms of: any important views into, out of, or within the Conservation Area.

Due to its location within the Brightlingsea Conservation Area, Essex County Council's Built Heritage Consultant for Place Services has been consulted. Place Services submitted an objection to the application when the proposal was including the use of weatherboarding, as this is not considered a traditional material and is not in keeping or appropriate in the Conservation Area. Communications have since been held regarding the amendment to use cream painted render, for which Place Services were not opposed. Cream painted render is considered acceptable in this instance, it is a traditional material and can be seen on neighbouring dwellings throughout Hall Cut. The proposals design and appearance is therefore in keeping with its locality and is considered acceptable. It has no significant harmful effects on the amenities of the Conservation Area.

Impact to Neighbouring Amenities

The NPPF, Paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy SPL 3 of the Tendring District Local Plan 2013-2033 states that all new development must meet practical requirements, it must be designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents. The development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The proposal is located an adequate distance from the adjacent neighbouring dwellings and has no significant harmful impact on the loss of light to these neighbouring properties.

The proposal will include the installation of one front facing window at first floor level which will provide the dwelling with views overlooking the neighbouring dwelling to the east of the site (No. 8 Hall Cut). However, the existing dwelling does already have two bedroom windows located along this elevation and therefore the proposal is not providing any new additional views, which significantly lessens its effects on the loss of privacy to this neighbouring property. Furthermore the window will be serving an en-suite and likely to therefore be obscure glazed, this is not considered to be a primary living space and therefore further reduces its impact on the loss of privacy. The proposal can therefore not be said to have an adverse impact on the privacy to the adjacent neighbouring dwellings so significant as to justify refusing planning permission.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

Other Considerations

Brightlingsea Town Council support this application

Essex County Council Heritage support this application following the use of cream painted render in replacement of weatherboarding.

No other letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans;

Drawing No. P02 B
Drawing No. P01 d

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO