

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	06.06.202
Planning Manager / Team Leader authorisation:	JJ	08/06/2023
Planning Technician final checks and despatch:	ER	08/06/2023

Application: 23/00548/FULHH **Town / Parish:** Brightlingsea Town Council

Applicant: Mr and Mrs Smith

Address: West Cottage High Street Brightlingsea

Development: Proposed single storey side/infill extension to form link to garage conversion (alteration to planning approval 22/00261/FULHH).

1. Town / Parish Council

Brightlingsea Town Council Supports application

2. Consultation Responses

Not applicable

3. Planning History

06/01116/FUL	Front porch and side extension	Approved	01.09.2006
18/01706/FUL	Proposed detached garage.	Approved	12.12.2018
22/00261/FULHH	Proposed two storey side extension and glazed link to existing garage.	Approved	20.05.2022
23/00548/FULHH	Proposed single storey side/infill extension to form link to garage conversion (alteration to planning approval 22/00261/FULHH).	Current	

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

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

PPL2 Coastal Protection Belt

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 single storey side / infill extension to form link to garage conversion (alteration to planning approval 22/00261/FULHH).

The previous planning application on this site (22/00261/FULHH) gave permission for a two storey side extension and glazed link to existing garage. This current application effectively removes the first floor element and glazed link to existing garage, whilst also incorporating a garage conversion and external changes to the existing garage.

Application Site

The application site is located to the south of the High Street. The site is well pushed-back from the public views of the main streetscene due to its access via a shared private driveway. The site, as indicated on the location plan (red line) is very extensive however the LPA accepted this area as 'the site' as part of the location plan submitted with the previous (approved) application – it will therefore be unreasonable to seek an amended to the site plan now especially in light of the fact that the previously approved application can still be lawfully implemented. The site serves a detached dwelling, located outside of any defined settlement development boundary. The site does fall within the Coastal Protection Belt.

Assessment

Design and Appearance

Due to the siting of the dwelling the proposal will be shielded to the public views of the streetscene. The extension is of a single storey nature, the exterior walls will be finished in weatherboarding and

painted render, with UPVC windows and doors to match the design of the host dwelling. the roof will be pitched and finished in a matching roof tile. The use of matching materials will help the proposal to blend with the host dwelling and lessen any impact on visual amenities. The proposed extension is therefore considered to be of an acceptable design and appearance.

The proposed garage conversion is considered to have minor impacts on the visual appearance of the dwelling. The existing garage doors will be removed and three front facing windows will be installed. However given the set back location of the site, dwelling and garage, the garage conversion is deemed to be of an acceptable design and appearance.

The application site can easily accommodate for the proposed development whilst retaining adequate private amenity space. The development is therefore deemed to be of an acceptable size and scale.

Impact on Coastal Protection Belt.

The proposed is deemed to be of an acceptable size, scale and appearance in relation to the host dwelling and its locality. The development has a compelling operational requirement to be here because the intent behind the application is clearly to extend and expand an existing residential dwelling. The extension and alterations are also considered to have no significant harmful impact on the open character of the Coastal Protection Belt.

Impact on Listed Buildings

The proposal is located within the vicinity of a number of listed buildings. However, in this instance it has not been deemed necessary to consult Essex County Councils heritage department (Place Services) due to the single storey nature and siting of the proposal it is not deemed to have any significant impact on the setting of the listed buildings over and above the previous approval for a larger extension. Furthermore, in the previous planning approval (22/00261/FULHH) Place Services confirmed the proposal is not visible from the High Street and does not affect the setting of the Listed Buildings.

The proposal therefore is deemed to have a neutral effect on the setting and special architectural character of the nearby listed buildings.

Highway Considerations

The proposal will result in the loss of parking spaces at the site due to the garage conversion, however the site benefits from a large plot of land with adequate space to accommodate for off-road parking. The Local Planning Authority therefore deem the application acceptable in terms of highway safety.

Other Considerations

Brightlingsea Town Council support this application

No other letters of representation have been received.

Conclusion

The proposed development is considered to comply with the above-mentioned National and Local Policies. In the absence of material harm the proposal is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing No. P01

Drawing No. P02

Drawing No. P03

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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