

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	JR	05.06.2023
Planning Manager / Team Leader authorisation:	ML	05.06.2023
Planning Technician final checks and despatch:	CC	05.06.2023

Application: 23/00473/FULHH **Town / Parish:** Brightlingsea Town Council

Applicant: Mr Ayman Rostom

Address: 26 Manor House Way Brightlingsea Colchester

Development: Proposed rear extension, new replacement windows on front elevation, new high level side window and 24 1600x1000mm solar roof panels to front roof plane

1. Town / Parish Council

Brightlingsea Town Council Support Application

2. Consultation Responses

None

3. Planning History

None

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)

SP1 Presumption in Favour of Sustainable Development
SP7 Place Shaping Principles

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

SPL3 Sustainable Design
PPL10 Renewable Energy Generation
CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

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

Site Description

The application site is located on the north western side of Manor House Way within the defined settlement development boundary of Brightlingsea. The site comprises of a detached two storey dwelling with an integral garage and parking to the frontage. The surrounding area is residential in nature and the dwellings in the streetscene are largely of a very similar style and design.

Proposal

This application seeks planning permission for the erection of a single storey rear extension and pergola, alterations to the front and side windows and the installation of solar panels to the front roof slope.

Assessment

Principle of Development

The application site is located within the defined settlement development boundary of Brightlingsea as identified within the adopted Local Plan. The proposal relates to an extension/addition to a residential dwelling and therefore the principle of development is considered to be acceptable subject to the detailed policy considerations discussed below.

Design and Appearance

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Policy SP7 states that all new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Policy SPL3 seeks to provide new development which is well designed and maintains or enhances local character and distinctiveness.

The proposed extension is located to the rear of the main and therefore has limited visibility within the public realm. The extension is small scale in nature measuring some 1.7m in depth and some 8m in width and a maximum height of approximately 2.5m. The extension would provide a dining area and separate store room. The proposed pergola is of a similar height but extends across the full width of the dwelling and has a depth of some 3.4m. The extension is single storey in nature with a flat roof design and a central roof lantern. The proposed external materials are white timber panels to the front and brick work for the rear extension, with aluminium windows and doors. The external materials are considered to harmonise well with the main dwelling.

The window alterations comprise of the installation of larger windows to the front of the property, whilst this has some impact on the visual amenity of the dwelling and alters the fenestration in relation to the neighbouring properties, the windows are generally within the same locations as the existing and the overall character and appearance of the dwelling is maintained within the streetscene. Additionally a ground floor side window is added to the eastern flank elevation.

The solar panels run the full width of the front roof plane in a double row. Whilst visible within the streetscene they are considered to be acceptable and are in keeping with the roof slope of the dwelling and also comply with the aims of Policy PPL10 which seeks to encourage renewable energy generation and energy efficient measures within new development.

The proposed development is considered to be of an acceptable design and appearance with no significant harmful effects on visual amenities.

Impacts on Neighbouring Amenities

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. Policy SPL 3 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 proposed extension is of a single storey nature and is of a limited depth. The proposed pergola is some 3.5m in depth but this is open at the sides and overall it is not considered that the proposed extensions would result in any overlooking or loss of privacy, light or outlook to the adjacent neighbouring dwellings, retaining adequate separation distance from the shared boundaries.

The window alterations to the front and the window to the side at ground floor are not considered to result in any overlooking impacts.

Highway and parking impacts

The Essex County Council Parking Standards 2009 set out the parking requirements for new development. For a dwelling in excess of two bedrooms, 2 parking spaces are required measuring 5.5m x 2.9m.

The proposal does not impact on the parking provision required or provided at the site. The frontage for parking remains unaltered.

Third Party Consultation Responses

No representations have been received following a public consultation which included a site notice posted at the site and neighbouring consultation letters sent out to the adjacent properties.

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

1. COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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: 104 P001 - Location Plan
- Drawing No: 104 P011 - Proposed Block Plan
- Drawing No: 104 P010 Rev B - Proposed Elevations and Floor Plan

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:		NO
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**Are there any third parties to be informed of the decision?
If so, please specify:**

NO