

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	RC	05/09/2023
Planning Manager / Team Leader authorisation:	ML	06/09/2023
Planning Technician final checks and despatch:	ER	08/09/2023

**Application:** 23/01042/FULHH **Town / Parish:** Brightlingsea Town Council

**Applicant:** Mr and Mrs Cross

**Address:** 10 Walnut Way Brightlingsea Colchester

**Development:** Proposed single storey rear extension.

### **1. Town / Parish Council**

Brightlingsea Town Council made comments in support of the Planning Application.

### **2. Consultation Responses**

No comments received.

### **3. Planning History**

23/01042/FULHH Proposed single storey rear extension. 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):

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

Supplementary Planning Guidance:

Essex Design Guide

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), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

### **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

## **5. Officer Appraisal (including Site Description and Proposal)**

### **Summary**

Planning permission is sought for the erection of single storey rear extension following the demolition of the existing conservatory to 10 Walnut Way, Brightlingsea, Colchester.

This application can be determined at officer level in accordance with the scheme of delegation, as none of the committee referral triggers have been met.

The applicant is not an elected member or member of staff or close relative, the land is not owned by the district council and in terms of consultation responses received, the Parish Council does not object and the ward member has not commented.

Approval is recommended.

### **Site Description**

10 Walnut Way is a detached bungalow situated within the Settlement Development Boundary of Brightlingsea. The property lies within a cul-de-sac, which is characterised by mixed dwelling houses with two-storey and bungalows. The property is neither listed nor is it within a conservation/designated area.

### **Proposal**

Permission is sought for the erection of a single storey rear extension following the demolition of an existing conservatory to the property. The proposal would protrude from the rear wall of the property, with a depth of 4m. The external appearance of the proposal would have a pitched roof of concrete interlocking tiles to match the existing dwelling house and face brick with fenestrations and doors of UPVC.

### **Planning Considerations**

The proposed rear extension would have a subservient height to the existing dwelling house and its location on the property would obscure it from the cul-de-sac, thereby mitigating its visual impact to the wider area.

The development would merge with the dwelling house, as its external appearance would derive from the original dwelling house. The overall scheme would be a complementary addition to the dwelling house, that would not have detrimental impact to the visual aesthetic of the property. Therefore, it would comply with design considerations.

## Residential Amenity

The scheme would maintain a single storey scale and it would have no windows on either side elevation of the development. The extension would set away from the residential curtilage boundary towards the neighbouring properties. Therefore, it is the planning officer's view, that loss of residential amenity is unlikely to be an issue of concern.

## Conclusion

The proposed single storey rear extension is deemed to comply with the relevant policies, legislation, and guidance. Therefore, the scheme is considered to be acceptable, subject to controlling conditions.

## **6. Recommendation**

Approval - Full

## **7. Conditions / Reasons for Refusal**

### 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.

P01 - BLOCK PLAN, EXISTING AND PROPOSED ELEVATIONS AND FLOOR PLANS  
P02 - SITE PLAN

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

## **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.

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