

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	RC	14/09/2023
Planning Manager / Team Leader authorisation:	AN	14/09/23
Planning Technician final checks and despatch:	JJ	18/09/23

Application: 23/01080/FULHH **Town / Parish:** St Osyth Parish Council

Applicant: Mr Nigel Jeskins

Address: Dower Court 73 Mill Street St Osyth

Development: Proposed removal of 1 no. garage shutter and replace with new window.

Town / Parish Council

St Osyth Parish Council No objections.

1. Consultation Responses

Essex County Council
Heritage
23.08.2023

The application is for proposed removal of 1 no. garage shutter and replace with new window.

The proposal site is a 20th century dwelling within the St Osyth Conservation Area and in close proximity to a number of designated heritage assets, including but not limited to:

- Grade II Listed White Hart Inn;
- Grade ii Listed The Old Bakery;
- Grade II Listed The Old Mill House.

The proposal is not considered to affect the character and appearance of the Conservation Area and those elements of the setting that make a positive contribution to the identified heritage assets, or which better reveal their significance.

There is no objection to this application.

2. Planning History

06/01824/TCA	1 No. False Acacia - fell to ground	Approved	12.12.2006
10/00672/FUL	Conservatory extension.	Refused	12.08.2010
12/00815/FUL	Erection of white PVCU conservatory.	Refused	24.09.2012
07/60043/HOUEN Q	enclosing existing patio in between each end of building at rear - going		01.03.2007

out 76 cm beyond building line to create conservatory

16/01757/TCA	Tree B - Prunus(Purple Leaved Plum) - fell. Tree C - Box Elder - Prune by 30% and re-balance. Tree D - Apple tree - prune by 30% and re-balance. Tree F - Large Beech tree - prune by 30%.	Approved	22.11.2016
21/00163/TCA	1 No. Amelanchier - remove, 1 No. Box Elder - balance by cutting off southern facing branches.	Approved	02.03.2021
23/01080/FULHH	Proposed removal of 1 no. garage shutter and replace with new window.	Current	

3. Relevant Policies / Government Guidance

NATIONAL:

National Planning Policy Framework July 2023 (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
[PPL8 Conservation Areas](#)

Supplementary Planning Guidance:
Essex Design Guide

Local Planning Guidance:
Essex County Council Car Parking Standards - Design and Good Practice

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>

4. Officer Appraisal (including Site Description and Proposal)

Planning permission is sought for the removal of an existing shutter garage door to be enclosed and replaced with brick and a new window at Dower Court, 73 Mill Street. The proposed material usage would match the existing dwelling house.

Dower Court, 73 Mill Street is a two-storey dwelling house situated within the Settlement Development Boundary of St Osyth. The property lies within the conservation area. The application site is accessible via a shared private driveway and lies within a cul-de-sac.

Third-party representatives were consulted, and no comments were received.

The proposal would be a minor cosmetic alteration to the dwelling house. The development would not result in an adverse impact to the visual characteristics of the cul-de-sac, and wider area, given the minimal nature of the development. The proposed window addition would create visual symmetry to the property, allowing the alterations to enhance the character of the property.

As aforementioned, the dwelling is situated within [the St Osyth](#) conservation area, the proposed alterations to the dwelling house would not result in a detrimental impact to the wider landscape, as they would be minor and would preserve the visual amenity of the surrounding area. Comments were received from Essex Heritage and they are as follows;

The proposal site is a 20th century dwelling within the St Osyth Conservation Area and in close proximity to a number of designated heritage assets, including but not limited to:

- Grade II Listed White Hart Inn;
- Grade II Listed The Old Bakery;
- Grade II Listed The Old Mill House.

The proposal is not considered to affect the character and appearance of the Conservation Area and those elements of the setting that make a positive contribution to the identified heritage assets or which better reveal their significance.

[In accordance with the NPPF and TDLP Policy PPL8 the proposal would preserve the special character and appearance of the area.](#)

The proposal would result in a loss of integral parking; however, the property bodes a generous front curtilage, which allow provision for parking. Therefore, the scheme is deemed acceptable in this regard.

Given the nature of the proposal, impact to residential amenity would not be an issue of concern.

The proposed scheme complies with the relevant legislation, policies, and guidance, therefore, it deemed acceptable, subject to controlling conditions.

5. Recommendation

Approval - Full

6. 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

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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.

The approved red line plan drawing is 0113-A-001 00 - Site and Block Plan received 31 July 2023

0113-A-100 00 - Proposed and Existing Floor Plans and Elevations

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.

7. 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

