

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	30/05/18
Planning Development Manager authorisation:	AN	6/6/18
Admin checks / despatch completed	AS AP	11/6/18 11/6/18

**Application:** 18/00600/FUL **Town / Parish:** Brightlingsea Town Council

**Applicant:** Mr Stephen Dart

**Address:** The Geedons 31 Regent Road Brightlingsea

**Development:** Alterations and extension to existing detached garage to form first floor office accommodation, for use ancillary to the main dwelling.

### 1. Town / Parish Council

Brightlingsea Town Council

Whilst having no objection to the current application, we would like it made clear that should they wish it to be a habitable dwelling, they would need to apply for further planning consent.

### 2. Consultation Responses

N/A

### 3. Planning History

93/00681/FUL	One detached bungalow	Approved	10.08.1993
93/01094/FUL	Revision of detailed approval TEN/93/0681 dated 10th August 1993	Approved	02.11.1993
95/00297/FUL	Detached four bedroom chalet bungalow	Withdrawn	10.05.1995
95/00678/FUL	Detached four bedroom chalet bungalow	Approved	25.07.1995

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16<sup>th</sup> June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

## **5. Officer Appraisal**

### **Site Description**

The application site is The Geedons, 31 Regent Road, Brightlingsea. The main property is a 1.5 storey traditional style dwelling and is sited to the rear of Numbers 29 and 33 Regent Road following planning permission 95/00678/FUL. The focus of the application is a single storey detached outbuilding to the east of the site, currently serving as a garage, which is constructed with black weatherboarding and white render. The character of the surrounding area is dominated by urban built form, with large areas of residential development to all sides. The site falls within the Settlement Development Boundary for Brightlingsea within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

### **Proposal**

This application seeks planning permission for the alteration to the existing detached garage, which will see the overall height increase from 4.8m to 6.2m and the width increase from 8.6m to 11.2m. In doing so the proposal will accommodate a first floor and four front-facing pitched roof dormers, with the ground floor continuing its use as garage and store area and the first floor being used for office purposes. All works are ancillary to the host dwelling.

### **Assessment**

The main considerations in this instance are the design and appearance of the amended outbuilding and its impact on residential amenities.

### **Design and Appearance**

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposal seeks amendments to the height, width and design of the existing detached garage/store area. However, given that the building is sited approximately 50 metres to the west of the nearest street scene along Regent Road and is largely already in existence, the visual impacts to the character of the surrounding area are neutral. Whilst the proposed changes will see the inclusion of four front-facing dormers, which gives a slightly congested look to the building, these will not be visible from the street scene and do not bring significant harm to the design of the

building, and all materials proposed are in-keeping. It would therefore not be reasonable to recommend refusal on that basis.

### Impact on Neighbours

The NPPF, at 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 QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Whilst the application site is surrounded by residential properties, the proposed works are sited approximately 50 metres to neighbouring properties to the west. Whilst the neighbouring residents to the east are located closer, approximately 25 metres, the first floor does not include any rear windows that could overlook, whilst the boundary is well vegetated and will reduce some of the potential impact. Therefore there is not considered to be significant harm to existing amenities that would warrant a reason for refusal.

### Other Considerations

Brightlingsea Town Council neither supports nor objects to the application, however clarifies that should the building wish to be used as a habitable dwelling, further planning consent would need to be applied for.

There have been no letters of representation received.

### Conclusion

In the absence of any material harm resulting from the proposed amended scheme, the application is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions**

- 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 number 798:01 and the untitled letter with reference number KJH/798/7305.

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 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.