

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	15/6/18
Planning Development Manager authorisation:	SCE	18.06.18
Admin checks / despatch completed	EB	18/06/18

KE 18/6/18

Application: 17/02116/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr Jamie Page

Address: Freemasons Arms 8 Sydney Street Brightlingsea

Development: Proposed loft conversion with 2 no. rear dormers, rear external staircase, and ground floor fire escape to pub.

1. Town / Parish Council

Brightlingsea Town Council

Comments:

Why is there a fire escape application when this is only necessary for guests and not for private accommodation. We await with interest the comments from the Fire Officer.

2. Consultation Responses

Building Control and Access Officer

No comments at this time.

3. Planning History

88/01459/FUL	Extns and alterations to form new internal public toilets and lounge kitchen utility room for owners private use	Approved	30.08.1988
17/02116/FUL	Proposed loft conversion with 2 no. rear dormers, rear external staircase, and ground floor fire escape to pub.	Current	

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

EN17 Conservation Areas

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

SPL3 Sustainable Design

PPL8 Conservation Areas

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. 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 (including Site Description and Proposal)

Site Description

The application site is Freemasons Arms, 8 Sydney Street, Brightlingsea which is a two storey semi-detached public house, located within the development boundary of Brightlingsea. The application site is also located within the Brightlingsea Conservation Area. The property is Victorian with modern alterations.

Proposal

The application seeks planning permission for a loft conversion with two rear dormers and two rooflights, rear external staircase including the creation of a door at first floor level, and ground floor fire escape to the pub.

Assessment

The main considerations for this application are the design and appearance, impact upon neighbouring amenities and heritage impact.

Design and Appearance

Policies QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed two rear dormers will be situated to the rear of the application building and therefore will not cause any significant impact upon the street scene of Sydney Street or the character of the area. The dormers will be constructed from render and slates to match the host building which is in keeping with the character of the area. The dormers are considered to be of a size and scale which do not dominate the rear roof slope of the building and therefore will not be harmful to the appearance of the area. The two roof lights are modest in size and will not dominate the roof area and therefore will not appear prominent or harmful to visual amenity.

The proposed external staircase and door will be to the rear of the application building and will serve a bedroom to the first floor, therefore not being visible to the street scene of Sydney Street. The staircase will be constructed from steel and will extend out by 3.7 metres from the building. The proposal is necessary to allow a secondary escape for the tenants from first floor level without necessitating the need to escape through the pub's ground floor trading area. The proposal is of a functional design and as it will not cause any impact to the street scene due to its location to the rear of the building, it is considered to not cause any significant impact upon the character of the area.

The proposed french doors to the ground floor, north eastern elevation will open out onto the courtyard to the rear of the pub and therefore will not be visible or impact upon the street scene of Sydney Street. The doors will be white timber framed with all bar glazing to match the existing to ensure that the proposal is in keeping with the character of the building.

Impact upon neighbouring amenities

The proposed two dormer windows will be visible to the neighbouring dwelling to the north east, however due to the dormer windows being centralised on the rear roof plane as well as the neighbouring dwelling being deeper in form than the public house, any views will be partially screened or at an oblique angle. It is considered that the impact of the proposal is not significant enough to warrant a refusal. The dormer windows will be visible to the neighbouring dwelling to the south west however views will be further to the rear of the neighbouring garden, in an area less likely to be occupied and as a result will not cause any significant impact upon the neighbouring amenity. The proposal will be visible to number 11 and 13 New Street, however due to the approximate distance of 25 metres; it is not considered that the proposal will cause any significant impact upon the neighbouring dwellings, as it meets the recommended back to back distance set out in the Essex Design Guide.

The rear roof lights are high level meaning that there will be no overlooking or loss of privacy to neighbouring properties from these windows and are for light purposes only and therefore will not cause any significant impact upon neighbouring amenities.

The proposed staircase will not be visible to the neighbouring dwelling to the south west however it will be visible to the neighbouring dwelling to the north east. The proposed door and the staircase will allow for views into the neighbouring garden however due to the neighbouring dwelling being a further 6 metres deeper as well as the proposal being used for a fire escape, it is considered that it will not cause any significant harm to neighbouring amenities.

The proposed ground floor French doors will not be visible to the neighbouring dwelling to the south west. The French doors may be visible to the neighbouring dwelling to the north east however due to the proposal replacing an existing door; it is not considered that the proposal will cause any impact upon the neighbouring amenities.

Heritage Impact

Policy EN17 of the Tendring District Local Plan 2007 and Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) state that development within a Conservation Area must preserve or enhance the special character or appearance of the Conservation Area.

The proposals are all located to the rear of the application site and will not impact upon the streetscene of Sydney Street. The proposals are considered to have a neutral impact as they are not considered to preserve or enhance Brightlingsea Conservation Area. The proposals are using materials which match those within the host building and as a result it is considered that the proposals are sympathetic to the Conservation Area. As a result the proposed design is in keeping with the criteria set out in Policy EN17.

Other Considerations

Brightlingsea Parish Council have made comments neither objecting or supporting the application. The concerns are regarding why there is a fire escape when this is only necessary for guests and not for private accommodation.

The concern raised by the parish council is not a material planning consideration and therefore has not been taken into consideration for this application.

No letters of representation have been received.

Conclusion

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

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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 and document: Drawing No.01 and Heritage Impact Statement dated March 2018.

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.

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