

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	03/08/2018
Planning Development Manager authorisation:	SCE	06.08.18
Admin checks / despatch completed	RWS	7/8/18

Application: 18/00841/FUL **Town / Parish:** Elmstead Market Parish Council

Applicant: Mrs Sally Fairley

Address: Rose Croft Chapel Lane Elmstead

Development: Installation of a concrete sectional garage onto a hardstanding.

1. Town / Parish Council

Elmstead Parish Council No Comments received.

2. Consultation Responses

Not Applicable

3. Planning History

93/01398/FUL	(Drofemor, Old School Lane, Elmstead Market) Extension comprising one extra bedroom enlarged dining room and a detached garage	Approved	20.01.1994
05/01092/FUL	Erection of a bungalow and garage	Refused	15.08.2005
07/00219/FUL	Demolish extension to existing bungalow and raise roof of remaining building. Erect chalet bungalow to side curtilage.	Withdrawn	01.04.2007
07/00757/FUL	Demolition of extension to existing bungalow and erect a single storey rear extension. Construction of side curtilage.	Approved	03.07.2007
18/00841/FUL	Installation of a concrete sectional garage onto a hardstanding.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018
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
TR1A Development Affecting Highways
TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design

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

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 48 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 48 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)

Application Site

The application site comprises of a south facing detached single storey dwelling "Rosecroft." The dwelling is located on a corner plot with its principle elevation facing Chapel Lane. Sited to the rear, beyond the rear garden, is an existing access and large area comprising of gravel currently used for parking, this area is accessed from Old School Lane.

Proposal

This application seeks permission for the erection of a concrete garage to the land to the rear.

Assessment

Design and Appearance

The proposal will be sited rearward of the dwelling and will not be publicly visible from Chapel Lane.

The proposal will be visible from Old School Lane however as a result of its low height and set back of 9m from its front boundary would not appear prominent within the streetscene.

Old School Lane comprises of a variety of two storey and single storey brick and rendered finished properties. The use of concrete in this instance would not be inkeeping with the area however as a result of its set back from the highway reducing its prominence and the variation in materials used

in the area the use of this material would not result in such a harmful impact to warrant refusing planning permission.

The proposal is of a low height and would not be a dominate feature when viewing the host dwelling and single storey neighbouring dwelling.

Highway Safety

The Essex County Council Parking Standards state that new garages should have an internal measurement of 3m by 7m and that where a dwelling has 2 or more bedrooms 2 parking spaces should be accommodated which measure 5.5m by 2.9m.

Whilst the proposed garage is undersized in comparison to the aforementioned standards there will still be sufficient parking retained around the building in line with the relevant parking standards. It is therefore considered that the proposal would not result in a detriment to highway safety.

Impact to Neighbours

The proposal will be visible to the neighbouring properties however as a result of its distance away from the dwellings, the proposals low height and existing screening by way of boundary fencing and outbuildings sited to the rear of these neighbouring dwellings rear gardens would not result in a significant loss of residential amenities to this neighbour.

Other Considerations

Elmstead Parish Council have not commented on this application.
No letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed development 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 Block Plan 1:500 and Drawing No A20x09.

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.