

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

EN1 Landscape Character

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

SPL3 Sustainable Design

PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Site Description

The application site is situated on the south side of Frating Road, outside the housing settlement limits and in close proximity to the Great Bromley cross road. The property is a detached bungalow with rendered walls and red terracotta roof tiles. There is a detached garage on the west side of the site. The dwelling house is set back by approximately 15 metres from the highway.

Proposal

The application seeks planning permission for the erection of a cart lodge to the front of the property. The proposal will measure 6.2 metres in width, 5.6 metres in depth with an overall height of 4.1 metres.

Assessment

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

Design and Appearance

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 proposal will be situated to the front of the host dwelling and therefore will be visible from Frating Road. There will be views of the proposal along the street scene of Frating Road however, due to the existing landscaping along the front boundary, the street scene not having a linear form, as well as the approximate 6.5 metres distance from the highway, the proposal is not considered to create a significant adverse impact upon the street scene.

The materials proposed; stained timber boarding and tiles to match the host dwelling are not considered to have a detrimental impact upon the street scene.

Impact upon neighbouring amenities

There is no neighbouring dwelling to the west of the application site and therefore the proposal will not cause any impact.

The proposal will be visible to the neighbouring dwelling to the east, 'Harwin Cottage', however the proposal will be located approximately 8.7 metres from the neighbouring boundary and due to the single storey nature it is considered that the proposed cart lodge will not cause any significant impact upon the neighbouring amenities.

Tree and Landscape Impact

The Tree and Landscape officer has been consulted as part of this application and has stated that although the proposal is located within the root protection area of a large and mature single oak, the proposal can be implemented without causing significant harm to the health or long term viability of retained trees.

A condition will be imposed to retain the existing landscaping to the front boundary to help screen the proposal.

Highways

The proposed cart lodge will measure 6.2 metres in width, 5.6 metres in depth which falls short of the Essex Parking Standards requirements of 7 metres by 3 metres. However, due to the existing front driveway being able to accommodate more than 2 parking spaces measuring 5.5 metres by 2.9 metres, it is considered that the proposal is acceptable in terms of highway safety and sufficient off street parking is provided.

Other Considerations

Great Bromley Parish Council have no objection this application.

No letters of representation have been received.

Conclusion

In the absence of any significant 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: Drg No. 18.08:PP1, Drg No. 18.08:PP2 and Drg No. 18.08:PP3

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The existing hedgerow and trees along the northern boundary of the application site shall be retained. If any of the trees or shrubs die, or are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - In the interests of visual amenity and the character of the area.

3. 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.