

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	24/08/2018
Planning Development Manager authorisation:	SCE	24.08.18
Admin checks / despatch completed	NH	24/08/18

PW

Application: 18/00895/FUL **Town / Parish:** Elmstead Market Parish Council

Applicant: Mr & Mrs Lee Straughan

Address: Shamal Colchester Road Elmstead

Development: Erection of a new two storey and single storey extension following demolition of existing front garage. Alterations to front boundary access and wall.

1. Town / Parish Council

Elmstead Parish Council
have not commented.

2. Consultation Responses

Essex County Council
Highways Raises an objection to the original proposal due to the vehicular access being excessively widened and is likely to cause obliquely angled access manoeuvres into and out of the highway or reversing onto the highway.

3. Planning History

18/00895/FUL	Erection of a new two storey and single storey extension following demolition of existing front garage. Alterations to front boundary access and wall.	Current
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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

HG14 Side Isolation

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 relates to Shamal, Colchester Road, Elmstead Market which is a two storey semi-detached dwelling located within the development boundary of Elmstead Market. The application site is located within a residential area predominately constructed from detached and semi-detached dwellings.

Proposal

The application seeks planning permission for the erection of a two storey front extension following the demolition of the existing front garage.

The proposed extension will measure 4.5 metres in width, 2.45 metres in depth with an overall height of 6.5 metres.

Assessment

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

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 proposed two storey extension will be located to the front of the host dwelling and therefore visible to the street scene of Colchester Road. The proposal will be situated approximately 9.5 metres away from the highway which is considered to be a sufficient distance to not cause any impact upon the street scene. The extension is a gable projection with a pitched roof and has a ridge height set lower in order to clearly distinguish it as an extension. Therefore it is considered that the proposal would not create a cramped appearance and is considered acceptable in terms of design.

The proposal seeks to use matching materials to those of the host dwelling; concrete tiles, facing brickwork and UPVC windows. It is therefore considered that the proposal will be in keeping with the host dwelling.

Impact upon neighbouring amenities

The two storey extension will be visible to the neighbouring dwelling to the east 'Healthland'. There is a 1.5 metre distance to the neighbouring boundary which complies with Policy HG14 of the Tendring District Local Plan as well as the neighbouring dwelling being set back and therefore it is considered that the front extension will not cause any impact upon 'Healthlands amenities'.

The proposal will be visible to the neighbouring dwelling 'Sichelle' and it will be situated approximately 1 metre away from the neighbouring boundary complying with Policy HG14 of the Tendring District Local Plan 2007. The impact in terms of sunlight and daylight lost is not considered to be harmful, as per the Essex Design Guide, which states that the obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone.

The test was carried out and does not fail the criteria. The neighbour to the west, 'Sichelle' will be affected however only a small proportion of light will be lost to the front of the house. It is therefore felt that although the plans do cause some impact on the neighbouring amenities of 'Sichelle', they are not detrimental enough to warrant the application being refused.

Highway Safety

Essex Highways have been consulted on this application and raised an objection to the original proposal due to the vehicular access being excessively widened and is likely to cause obliquely angled access manoeuvres into and out of the highway or reversing onto the highway. The plans have now been amended to retain the existing wall and as a result the parking arrangements will be unchanged. X

The proposed extension extends from the front of the host dwelling and it will replace the existing garage. Although the proposal has lost the existing garage, the driveway can still accommodate two parking spaces measuring 5.5 metres by 2.9 metres which complies with Essex Parking Standards.

It is therefore considered that the proposal is acceptable in terms of highway safety.

Other Considerations

Elmstead Parish Council have not commented on 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: File: 06 Rev A - Site plan, File: 05 Rev A - Proposed First Floor, File: 04 Rev A - Proposed Ground Floor, File 03 Rev A: Existing and Proposed Elevations

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