

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	22/08/2018
Planning Development Manager authorisation:	SCE	29.08.18
Admin checks / despatch completed	ER SF	30/8/18 30/08/18

Application: 18/00933/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mrs Joy Cleasby

Address: 13 Hawthorn Road Clacton On Sea Essex

Development: Conversion of garage to room with the addition of a window.

1. Town / Parish Council

Clacton non Parished

2. Consultation Responses

Not Applicable

3. Planning History

18/00933/FUL Conversion of garage to room with Current
the addition of a window.

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
TR7 Vehicle Parking at New Development
TR1A Development Affecting Highways

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 bungalow "13 Hawthorn Road." The dwelling has been constructed from brick and comprises of an integral garage. Sited to the front and side of the dwelling is an existing area of hardsurfacing with a vehicular access.

Proposal

This application seeks permission for the conversion of the existing garage.

The proposal will result in the removal of the garage door and replacement with a brick wall and window.

Permitted Development Rights

Whilst permission would not normally be required for a proposal like this a condition was imposed upon the original consent of the dwelling removing its right to convert the garage without planning permission. The condition is detailed below;

Condition 04 of planning permission 88/02111fTEN (Demolition of bungalow and erection of two detached bungalows each with integral garage) states;

Notwithstanding the provisions of Article 3 of the Town and Country Planning General Development Order 1977 as amended there shall be no alternative use of any integral garage without planning permission having first being granted on the application made in that behalf.

Reason - To ensure that adequate vehicle parking facilities are retained on the site.

Assessment

Design and Appearance

The proposal will be sited to the front and therefore publicly visible.

The proposed alterations are of a size and scale which are appropriate to the host dwelling and whilst it would be a noticeable change would not be detrimental to its appearance.

The proposed alterations will be set back from the front of the site by 6m and will be finished in materials which match the host dwelling to prevent it from appearing as a harmful feature to the existing house and area.

Highway Safety

The Essex County Council Parking Standards states that garages should have a minimum internal measurement of 7m by 3m. The existing garage does not currently meet these standards and its conversion would result in a loss of a parking space at the site.

The Essex County Council Parking Standards also state that where a property comprises of two or more bedrooms that two spaces measuring 5.5m by 2.9m should be retained at the site. Sited to the front and side of the host dwelling is an area of hardsurfacing large enough to accommodate two parking spaces in line with the aforementioned standards.

In conclusion the proposal would not result in a harmful impact in terms of highway safety.

Impact on Neighbours

The proposal is of a minor alteration which will be visible to the neighbouring properties however as a result of its minor nature would not result in a significant impact to existing residential amenities.

Other Considerations

Clacton is non parished and therefore no comments are required.
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 1:200, Proposed Floor Plan and Proposed Front Elevation.

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.