

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	18/09/2018
Planning Development Manager authorisation:	AN	18/9/18
Admin checks / despatch completed	SB	19/09/18

AN

Application: 18/01247/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr Trevor Clark

Address: 8 Fields Close Weeley Clacton On Sea

Development: New detached garage in rear garden. - Revised drawings for approved planning application 18/00533/FUL.

1. Town / Parish Council

Weeley Parish Council Weeley Parish Council has no comment to make on this revised application

2. Consultation Responses

n/a

3. Planning History

14/01629/FUL	Proposed single storey entrance lobby.	Approved	16.12.2014
17/30292/PREAPP	Carport and garage.		29.11.2017
18/00533/FUL	New detached garage in rear garden.	Approved	30.05.2018
18/01247/FUL	New detached garage in rear garden. - Revised drawings for approved planning application 18/00533/FUL.	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
HG9 Private Amenity Space

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is north west facing and situated within development boundary 1 of Weeley Heath. The main property is a brick built detached bungalow with a concrete tile roof. A flat roof single garage is attached to the south western side of the house, while a car port is attached to the north eastern side. A large block paved driveway sweeps in front of the bungalow with an in and out access onto the road. To the rear a lawned garden is enclosed with 1.8 metre high fencing on all sides.

Description of Proposal

The application proposes the erection of a single garage with a pitched roof sited in the back garden. The construction of the garage is underway following approval under planning permission 18/00533/FUL. The garage will measure a maximum of 7 metres in depth, 4 metres in width with an overall ridge height of 4 metres. The height to the eaves is 2.4 metres. The garage will have two windows and French doors on the south west side elevation overlooking the garden, a roller shutter door on the front elevation facing north west and a small window facing south east. The proposal will use materials that match the existing bungalow.

Assessment

The design and appearance, impact on neighbouring properties and residential amenity are the main considerations for this application.

Design and Appearance

The single garage will be barely visible from Fields Close and will only be glimpsed when travelling to the end of this cul de sac, ensuring there is no significant impact to the street scene. The use of matching materials such as brickwork, roof tiles and Hardie Plank cladding on the gables will ensure that the garage ties in with the existing bungalow and there will be no significant impact to the character of the bungalow or the immediate area. The proposal is of a size and scale which is in keeping with the existing bungalow and the proportions of the application site.

Impact upon Residential Amenity

The single garage will be sited a distance of 1.2 metres from the rear boundary and 0.6 metres from the north east side boundary allowing the applicant to maintain the garage and ensuring that it does overbear neighbouring properties. 8 Fields Close has neighbouring properties adjoining

each side boundary and the rear boundary and the top of the garage will be visible above the fence line to these neighbours. The garage will be closest to the boundaries shared with 12 Bentley Road and 10 Fields Close. The property of 10 Fields Close has a pitched roof double garage sited a distance of 4 metres from the north eastern side boundary which provides a divide between the dwellings of numbers 8 and 10 and which ensures there will be no significant impact to this neighbour. The amendment to the plans includes one window on the south east elevation; the top of this window will sit level with the existing fence line. The rear elevation of the bungalow at 12 Bentley Road is a distance of at least 10 metres away from the shared rear boundary with 8 Fields Close. This distance combined with the position of the garden shed at 12 Bentley Road, creating screening and a division, and the orientation of the dwelling at 12 Bentley Road there is no significant impact in terms of loss of light, loss of privacy or outlook to this neighbour. The other neighbours surrounding 8 Fields Close are considerable distances from the proposal and therefore there will be no significant impact to these neighbours.

Over 160 square metres of private amenity space remain following the construction of the proposal which is considered more than adequate. In addition, the current provision for off road car parking has not been affected.

Other Considerations

One letter of objection has been received which raises concerns about the affect the garage will have on loss of privacy, light as well as being overbearing and visually intrusive. These concerns have been addressed in the report.

Weeley Parish Council had no comments to make on the revised application.

Conclusion

In the absence of any material harm resulting from the 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: Drg No. 378/01A

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
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Are there any third parties to be informed of the decision? If so, please specify:	YES	NO