

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	23/10/2018
Planning Development Manager authorisation:	SCE	23.10.18
Admin checks / despatch completed	ER	24/10/18

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Application: 18/01470/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Hurved

Address: 104 Jaywick Lane Clacton On Sea Essex

Development: Garage conversion to form room.

1. Town / Parish Council

Clacton non parished

2. Consultation Responses

Not applicable

3. Planning History

18/01470/FUL Garage conversion to form room. 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 east facing detached dwelling known as 104 Jaywick Lane. The dwelling is set back from the road with an area for parking to the front and brick wall and railings situated along the front boundary. The dwelling comprises of a render finish with one dormer window at first floor level. Located to the rear of the dwelling is a large garden area with sizable outbuilding and there is also fencing sited along each neighbouring boundary.

Proposal

This application seeks permission to convert the existing outbuilding to the rear of the property to form living accommodation.

Assessment

Design and Appearance

The existing outbuilding is sited to the rear and therefore the proposal will not be publicly visible from Jaywick Lane.

The alterations are of an appropriate design and scale to the site with the size of the outbuilding not changing. The materials used will match those present on the existing outbuilding ensuring that they relate well to the site.

The neighbouring dwellings already have a number of outbuildings varying in design and size located to the rear of their plots.

The conversion will create a bedroom, living room, and kitchen and bathroom area to be used in conjunction with the existing house. Should the occupants wish to use this outbuilding as a separate dwelling separate planning permission will need to be obtained from the Local Planning Authority and therefore an informative to this effect has been placed upon the planning permission.

As a result of the aforementioned reasons it is considered that the proposed conversion of this outbuilding would not result in a harmful impact to the appearance or character of the dwelling or area.

Highway safety

Whilst the proposal to convert the existing garage will result in loss of parking at the site the garage is sited to the rear and is not easily accessible by vehicles. Located to the front of the site is an area of hardstanding which is of a large enough size to facilitate the parking of two vehicles in line

with the Essex County Council Parking Standards. The proposal would therefore not result in a harmful impact to highway safety.

Impact on Neighbours

As the overall height and size of the existing outbuilding is not changing the proposal would not result in a loss of light or outlook to the neighbouring properties. The proposal will also be sited away 25m from the host dwelling reducing its impact further.

The plans provided show that new windows will be placed along the side elevations which would result in overlooking into the neighbouring properties rear gardens. The highest part of these windows will measure 2.1m and will be predominantly screened by existing boundary fencing which under permitted development could be increased in height to 2m. It is also noted that the application dwelling has existing dormer windows to the rear at first floor level which already overlook into the neighbouring sites rear gardens. It is therefore considered that the loss of privacy in this instance is not so significant to justify refusing planning permission.

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: 05 and 04.

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.

Please note that the converted garage may only be occupied as ancillary accommodation to the main dwelling, known as 104 Jaywick Lane Clacton on Sea CO16 8BB. Any separate residential use would require planning permission.