

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	23/10/2018
Planning Development Manager authorisation:	SCE	25.10.18
Admin checks / despatch completed	<del>SA</del> SB	26/10/18

**Application:** 18/01460/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mrs Tanya Lovelock-Austin

**Address:** 1 Deben Walk Clacton On Sea Essex

**Development:** Proposed conversion of garage into a dining room.

**1. Town / Parish Council**

Clacton Non Parished

**2. Consultation Responses**

Not applicable

**3. Planning History**

93/01065/FUL	(Gerard Road, Clacton on Sea) Residential Development and Public Open Space	Approved	02.11.1993
18/01460/FUL	Proposed conversion of garage into a dining 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

### Proposal

This application seeks permission for a conversion of the existing integral garage on a dwelling inside the settlement development boundary of Clacton on Sea. The conversion will involve the replacement of the garage door with a brick wall and window.

Whilst a proposal of this scale would not normally require planning permission the permitted development rights which allow garage conversions have been removed upon the original consent of the house under condition 06 of planning permission 93/01065/FUL to ensure adequate parking is retained at the site.

### Assessment

#### Design and Appearance

The proposal is of a minor nature which is appropriate to the existing house and will be finished in materials which match the existing dwelling as well as incorporate similar window detailing. The alterations will be set back from the highway to reduce its prominence and will be consistent with other garage conversions within the area. The design and scale of the alterations are acceptable in relation to the host property and would result in no material harm to visual amenity.

#### Highway Safety

The proposal will reduce the parking at the site however there is still sufficient space for the parking of two vehicles at the front of the site in line with the Essex County Council Parking Standards. The proposal will therefore not result in a harmful impact to highway safety.

#### Impact on Neighbours

Due to its minor nature the proposal would not result in a loss of residential amenities to neighbouring properties.

#### Other Considerations

Clacton is non parished and therefore no comments are required. No further comments have been received.

### Conclusion

In the absence of material harm resulting from the proposed development the application is still 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: 1862-101 and drawing entitled "Proposed Garage Conversion."

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.