

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AS	12/11/18
Planning Development Manager authorisation:	SCE	12.11.18
Admin checks / despatch completed	SB	12/11/18.

Application: 18/01546/FUL **Town / Parish:** Ardleigh Parish Council

Applicant: Mr Allan Mitchell

Address: Pen Y Lan Fox Street Ardleigh

Development: Proposed extension to garage building in rear garden.

1. Town / Parish Council

Ardleigh Parish Council No comments received.

2. Consultation Responses

n/a

3. Planning History

04/00803/FUL	Demolish existing sun-lounge and rebuild rear extension.	Approved	23.08.2004
07/00422/FUL	Demolish existing sun lounge and re-build rear extension.	Approved	18.05.2007
18/01546/FUL	Proposed extension to garage building in rear garden.	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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks planning permission for a single storey extension to an existing outbuilding, within the curtilage of a dwelling situated outside of the development boundary. The proposal extends towards the rear of the site - away from neighbouring dwellings. Alterations to the roof are also proposed at the side adjacent to the neighbouring property - but no additional height or footprint is proposed.

Design & Appearance

The proposed outbuilding extension is sited to the rear of the site and will not be prominent in the Fox Street street scene. A public right of way runs adjacent to the site, which will allow clear view of the proposal - but the design relates well to the existing outbuilding and character of the site and there will be no harm to the visual amenity. Adequate parking provision and private amenity space will be retained.

Impact on Neighbours

Due to the proposal's siting to the rear of the site, screened by the existing outbuilding, there will be no harm to neighbouring amenities with regards to daylight, outlook or privacy.

Other Considerations

Ardleigh Parish Council have made no comment on the application.

Comments from adjacent neighbour, The Chimes, highlight differences between the original outbuilding and its current form (as shown on the 'existing plans' submitted with this application). This application is considering the proposed addition and alterations to the outbuilding - and it is considered that there will be no significant harm as a result of the development.

No other letters of representation have been received.

Conclusion

In the absence of material harm as a result of the proposed development, this 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: Drawing no. 05.18.200 and 05.18.500.

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.