

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	20/11/2018
Planning Development Manager authorisation:	GON.	21/11/2018.
Admin checks / despatch completed	AP	2/11/18

*[Handwritten signature]*

**Application:** 18/01625/FUL **Town / Parish:** Weeley Parish Council

**Applicant:** Mr and Mrs J Choat

**Address:** 1 Ivy Cottage Clacton Road Weeley Heath

**Development:** Single storey porch and W.C. extension.

### 1. Town / Parish Council

Weeley Parish Council      Has no objection to this application

### 2. Consultation Responses

Environmental Protection      No comments to make.

### 3. Planning History

02/00769/FUL	Proposed conservatory	Approved	19.06.2002
91/00435/FUL	Two storey side extension - bedroom, bathroom, study and enlarged living room.	Approved	23.05.1991
18/01625/FUL	Single storey porch and W.C. extension.	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

PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is 1 Ivy Cottage, Clacton Road, Weeley Heath, a detached dwelling located on the north easterly side of Clacton Road. The application site is located outside the settlement development boundary of Weeley.

Proposal

The application seeks planning permission for the erection of a single storey porch which will measure 2.9 metres in width, 2.25 metres in depth with an overall height of 3.9 metres.

Assessment

The main considerations for this application are the design and appearance and the impact upon neighbouring amenities.

Design and Appearance

Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007) seek to ensure that new development relates well to its site and surroundings and the size, scale, design and appearance of new development are in keeping. Emerging policy SPL3 of Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) states that new buildings should be well designed and maintain or enhance local character and distinctiveness and should relate well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials.

The porch will be located to the front of the host dwelling and therefore will be visible from the street scene of Clacton Road. Due to the proposal being set back from the street scene by approximately 1 metre as well as the single storey nature of the proposal with a mono pitched roof which will slope away from the highway and be in keeping with the host dwelling, it is considered that the proposal will not cause any significant impact upon the street scene.

#### Impact upon neighbouring amenities

The proposal will be visible to the neighbouring dwelling to the north west and it will be located approximate distance of 8 metres to the neighbouring boundary. The proposal will also be visible to the neighbouring dwelling to the north east however the proposal is located approximately 6 metres to the neighbouring boundary. Due to the single storey nature of the proposal and the mono pitched roof, it is considered that the porch will not cause any significant impact upon neighbouring amenities.

#### Other considerations

Weeley Parish Council have no objection to this application.

No letters of representation have been received.

#### Conclusion

In the absence of material harm resulting from the development the application is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions / Reasons for Refusal**

- 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: Site Layout scale 1:500, Drawing Number 1838/3 and 1838/4

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.

<b>Are there any letters to be sent to applicant / agent with the decision?</b> <b>If so please specify:</b>	<b>Are there any letters to be sent to applicant / agent with the decision?</b>	YES	NO
<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	<b>Are there any third parties to be informed of the decision?</b>	YES	NO