

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 45 Sladbury's Lane, Holland on Sea a north easterly facing two storey dwelling located within the development boundary of Holland on Sea. The host dwelling is situated with a residential area predominately constructed from detached single storey and two storey dwelling.

Proposal

The application seeks planning permission for the erection of a double garage measuring 5 metres in width, 6 metres in depth with an overall height of 4.3 metres.

The proposal has been amended to incorporate a hipped roof to be in keeping with the host dwelling.

Assessment

The main considerations for this application are the design and appearance, impact upon residential amenity, parking provision and impact upon trees.

Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed garage will be sited to the front of the host dwelling and therefore it will be visible from the street scene of Sladbury's Lane. However, the garage will be situated approximately 9 metres from the highway and it will be constructed from; red facing brick plinth, smooth render, redish brown plain tiles, white UPVC pedestrian side door and grey roller shutter garage entrance door, which will match the materials used within the host dwelling. The garage is single storey with a hipped roof to be in keeping with the host dwelling. The council do not usually accept garages to the front elevation of a dwelling, however, due to the garage being set back from the highway, the dwelling being located at the end of the street scene as well as a corner location; it is considered that the impact of the proposal is not significant enough to warrant a reason for refusal.

The design of the proposed extension is therefore considered acceptable in terms of the design and appearance and policies within Tendring District Local Plan (2007).

Impact upon Residential Amenity

The garage will be visible to the neighbouring dwelling number 43 Sladburys Lane however, due to the approximate distance of 15.2 metres to the neighbouring boundary as well as the single storey nature of the proposal with a hipped roof, it is considered that the garage will not cause any significant impact upon neighbouring amenities. Due to the rural location of the host dwelling there are no residential properties located to the north east.

Parking Provision

The proposed garage will measure 5 metres by 6 metres which falls just short of the Essex Parking Standards requirements of 7 metres by 3 metres. To the front of the host dwelling there is sufficient parking available to accommodate two parking spaces and therefore the proposal is considered acceptable in terms of parking amenity.

Impact upon trees

The Tree and Landscape Officer has been consulted on this application and has stated that although there is poor quality hedging to the north west boundary, it provides some degree of screening. The proposal will not cause any impact upon any trees or vegetation and therefore the proposal is acceptable in terms of trees and landscaping.

Other Considerations

Clacton is non parished.

No letters of representation have been received.

Conclusion

In the absence of any 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: Drawing No. 01, Drawing No. 2 Revision A, Drawing No. 3

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