

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	07/01/2019
Planning Development Manager authorisation:	SCE	08.01.19
Admin checks / despatch completed	Am	8/1/19

Application: 18/01891/FUL **Town / Parish:** Thorrington Parish Council

Applicant: Mr & Mrs E Obia

Address: Borel House Church Road Thorrington

Development: Proposed garage/annexe conversion.

1. Town / Parish Council

Thorrington Parish Council have not commented on this application.

2. Consultation Responses

Not applicable

3. Planning History

17/00944/FUL	Proposed two storey and single storey extensions.	Approved	02.08.2017
17/02020/FUL	Resubmission of approval 17/00944/FUL to allow enlarged ground floor rear extensions and porch.	Approved	15.01.2018
18/01263/FUL	Proposed alterations & extensions to dwelling house.	Approved	05.10.2018
18/01891/FUL	Proposed garage/annexe conversion.	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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 Borel House, a two storey detached dwelling located within the development boundary of Thorrington. The host dwelling is situated within a residential area predominately constructed from detached dwellings.

The application has had three previous permissions; 18/01263/FUL for proposed alterations and extensions the dwelling house for a new entrance lobby/porch, two storey front stairwell extension, first floor extension, single storey utility room and a two storey rear extension. Planning permission 17/00944/FUL was for a proposed two storey and single storey extensions. This application is to enlarge the ground floor rear extension and incorporate a porch. Application 17/02020/FUL proposed a resubmission of 17/00944/FUL to allow for the enlarged ground floor rear extensions and porch.

Proposal

This application seeks planning permission for a proposed garage/annexe conversion. The existing garage measures 5.1 metres in width, 7 metres in depth with an overall height of 4.1 metres. The proposed extension will wrap around the front and side of the existing garage. The front element will measure 1.45 metres in width, 4.9 metres in depth with an overall height of 2.7 metres. The

side element will measure 4.8 metres in width, 1.45 metres in depth with an overall height of 2.7 metres.

Assessment

The main considerations for this application are the design and appearance, impact upon neighbours and highway safety.

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 conversion to an annexe will be situated to the rear of the host dwellings garden and as a result there will not be any views from the street scene of Church Road. The conversion includes an extension which will wrap around the front and side of the existing garage. The extension will be single storey with a flat roof addition and a roof height set lower than the existing building to appear as an extension. The annexe will be constructed from hardieplank cladding, existing roof tiles with smooth render and a high performance flat roof to the extension. It is considered that the proposal is acceptable in terms of design and appearance.

The annexe will be restricted to ancillary accommodation by condition as the level of accommodation proposed could amount to a "dwelling" in its own right. Adequate garden area remains for the host property. The development is therefore considered acceptable.

Impact upon neighbours

The proposal will be located approximately 17 metres to the neighbouring dwelling to the south 'Willowtrees' which is considered a sufficient enough distance to not cause any significant impact upon neighbouring amenities. The proposal will be located approximately 1 metre away from the neighbouring dwelling to the north 'Farm View'. Due to the siting of the building at the end of the garden away from any neighbouring windows or main sitting out areas, the low eaves and ridge height of the annexe, the single storey nature of the proposal and the existing fencing and landscaping which will help to screen the proposal, it is considered that there will be no harm to residential amenities.

Highway safety

The conversion of the garage will result in the loss of one car parking space. Notwithstanding this the front of the site has a large paved area which is able to accommodate the parking of 2 no. cars away from the adopted highway. The proposal is therefore considered acceptable in terms of highway safety.

Other considerations

Thorrington Parish Council have not commented on this application.

No 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 / 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 and document: Drg No. 123, Drg No. 122/A, Planning Statement dated November 2018

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The annexe hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Borel House, Church Road, Thorrington.

Reason - The site is unsuitable for an independent residential unit because of the shared facilities and relationship to the host dwelling.

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.

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