

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | LN | 10/01/2019 |
| Planning Development Manager authorisation: | SCE | 11.01.19 |
| Admin checks / despatch completed | SB | 14/01/19 |

Application: 18/01942/FUL **Town / Parish:** Mistley Parish Council

Applicant: Mr A Little

Address: 43 Harwich Road Mistley Manningtree

Development Single storey side extension.

1. Town / Parish Council

Mistley Parish Council Mistley Parish Council's only objection is to the material to be used for the front of the proposed extension and suggest that brick should be used instead, otherwise has no objection to the planning application.

2. Consultation Responses

N/A

3. Planning History

| | | | |
|--------------|-------------------------------|----------|------------|
| 02/00618/FUL | Two storey rear extension | Approved | 23.05.2002 |
| 12/00491/FUL | First floor rear extension. | Approved | 25.06.2012 |
| 18/01942/FUL | Single storey side 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
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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Site Description

The application site is located to the north of Harwich Road, inside the development boundary of Mistley. It serves a detached two storey dwelling constructed with red brick at ground floor level and textured render at first floor. A detached garage is located to the east of the dwelling with gated access between the garage and dwelling, leading to the rear garden. The rear of the site is predominantly laid to lawn with a patio area adjacent to the dwelling and fencing and hedgerow on the boundaries. The front of the site is gravelled and a brick wall is located on the front boundary.

Proposal

The application proposes a single storey side extension, to replace the existing detached garage and create an enlarged kitchen/diner and a ground floor bedroom. It will measure 3.5m wide by 10.5m deep with a roof with eaves height of 2.8m and maximum height of 4.4m. It will be constructed of render, painted to match the existing dwelling, and a slate roof.

Representations

Mistley Parish Council raised an objection over the material to be used and suggested brick instead. Otherwise, they raised no objection to the planning application. *(The original application submission included the use of Cedral Cladding as the facing material. As a result of the Parish's concerns the facing material has been amended to render to blend more acceptably with the render on the existing dwelling).*

No letters of representation have been received.

Assessment

The main considerations of this application are the design, the impact upon residential amenity and parking.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design

The proposed single storey side extension is considered to be of a scale and nature appropriate to the site and the surrounding area. The extension will replace the existing garage and is of a

design that is in keeping with the host dwelling. It is set back from the front elevation of the property by 0.3m making it appear as a subservient addition. Whilst the extension will be publicly visible it will be set back from the road by approximately 9.3m. Furthermore, the use of render and slate will blend the development with the host dwelling and surrounding development, resulting in a neutral impact upon the street scene.

Impact on Residential Amenity

The proposed extension will only affect the neighbour to the east of the application site, No. 45 Harwich Road. It will be located 0.4m from the side boundary shared with this neighbour. The garage that the extension is replacing is built on the boundary with this neighbour. Whilst the eaves will be 30cm higher than the overall height of the garage the roof of the extension slopes away from the neighbour resulting in no significant impact.

No windows are proposed in the side elevation and the roof lights do not cause any concern with regards to overlooking. The proposed development is therefore considered to be a modest single storey development that will not cause any significant adverse impact to the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Parking

The proposed extension will result in the loss of the existing garage. Notwithstanding this, the front of the site consists wholly of gravel to enable the parking of two cars. There is no objection to the level of off street parking provided at the site in line with the current parking standards.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the 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. 2132-01, Drawing No. 2132-02A and Drawing No. 2132-03B.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.