

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	14/3/19
Planning Development Manager authorisation:	AN	14/3/19
Admin checks / despatch completed	ER	14/3/19

Application: 19/00081/FUL **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Mr W Banks

Address: May House Vicarage Lane Thorpe Le Soken

Development: Proposed detached garage.

1. Town / Parish Council

Thorpe Le Soken Parish Council No comments received.

2. Consultation Responses

N/a

3. Planning History

00/00834/FUL	Proposed detached residence	Approved	21.07.2000
99/01835/OUT	Detached 2 storey house with double garage	Approved	09.03.2000
14/01759/FUL	Proposed granny annexe, detached garage and change of use of part of land to garden.	Approved	27.01.2015
15/00768/FUL	Proposed granny annexe, garage/store outbuilding and change of use of plot of land to garden. (Resubmission of 14/01759/FUL amendment of location of outbuilding).		23.07.2015
15/00806/FUL	Proposed granny annexe, outbuildings and change of use of plot of land to garden.	Approved	
15/01507/FUL	Proposed detached garage and store.	Approved	25.11.2015
19/00081/FUL	Proposed detached garage.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

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

EN1 Landscape Character

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks planning permission for a single storey outbuilding to serve as a garage within the extended garden area of a detached dwelling. While the dwelling itself is within the Development Boundary of Thorpe-le-Soken, the site of the proposed outbuilding is outside (but

adjacent to) the development boundary. Planning permission was granted in 2015 for the same proposal, but has not been implemented within the 3 year time limit.

Design and Appearance

The outbuilding is located in the extended garden area to the rear of May House, behind a fence and mature trees and hedges. The adjacent neighbour has an outbuilding in a similar position. The single storey nature of the outbuilding and its low flat roof means the proposal will not be prominent. Adequate space is retained around the dwelling and the proposed outbuilding to protect the open character of the countryside.

Impact on Neighbours

The proposal is sited to the rear of the site, away from neighbouring dwellings. Its single storey nature and the separation from the adjacent neighbours means there will be no impact on neighbouring outlook, daylight or privacy.

Other Considerations

Thorpe Le Soken Parish Council has made no comment on the application.

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. 4 B.

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