

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	02/04/2019.
Planning Development Manager authorisation:	AN	11/4/19
Admin checks / despatch completed	SB	12/04/19

**Application:** 19/00259/FUL **Town / Parish:** Elmstead Market Parish Council

**Applicant:** Mr Ian Thompson

**Address:** Carorama Old School Lane Elmstead

**Development:** Proposed ground floor rear extension, demolition of existing garage and rebuild.

### 1. Town / Parish Council

No comments received

### 2. Consultation Responses

n/a

### 3. Planning History

19/00259/FUL	Proposed ground floor rear extension, demolition of existing garage and rebuild.	Current
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### 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  
HG9 Private Amenity Space

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Proposal

This application seeks permission for the erection of a single storey rear extension and detached double garage to a bungalow located within the development boundary of Elmstead.

### Design and Appearance

The single storey rear extension will span the width of the bungalow at the rear and form two small hipped pitched roofs ensuring the height of the roof is kept low and which also mirrors the pitch of the roof used at the front of the bungalow tying all the elements together. The materials to be used in the rear extension will match the existing dwelling. The proposed detached double garage and adjoining shed will be sited at the eastern end of the rear garden following the demolition of the existing detached single garage. The low pitched roof of the garage and sloping roof of the shed will reduce its significance in terms of the impact on visual amenity. The garage will be finished with a brick plinth and light cream render, while the shed will be clad in black timber weatherboarding. The extension and garage will be glimpsed from Old School Lane, although due to the single storey nature of the proposed structures and the positioning at the rear of the bungalow, set back substantially from the highway there will be no significant impact to the street scene.

The design and scale of the extension and detached garage is acceptable in relation to the host property and would result in no material harm to visual amenity.

### Impact upon Residential Amenity

The single storey rear extension is a distance of 4.10 metres from the southern side boundary shared with Casa Mia ensuring that this neighbour will not be significantly affected by loss of light, outlook or privacy. The proposal is a distance of 1.00 metre from the northern side boundary shared with Steplyn.

The bungalow of the next door neighbour at Steplyn is a distance of 2.4 metres from the proposal. Due to the close proximity to the boundary the proposal has the potential to result in loss of light to the rooms served by the side facing windows and door and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would intercept the obscure glazed side bathroom window and the side kitchen window and door of Steplyn, however in elevation it would not intercept these side windows and door at Steplyn. It is therefore considered that the loss of light is not so significant to justify refusing planning permission. Furthermore, due to the single storey nature of the proposal, it is not considered to cause any significant loss of outlook or privacy to the neighbour at Steplyn.

The detached double garage and attached shed is a distance of 0.75 metres from the rear eastern boundary shared with 27 Hatchcroft Gardens and a distance of 0.60 metres from the southern side boundary shared with Casa Mia. The flat roof height of the attached shed is 2.35 metres, the garage eaves height is 2.5 metres with an overall pitched roof height of 3.6 metres. The position in

the rear garden and the low level of the pitched roof of the garage and flat roof of the shed, along with its distance from neighbouring properties will not have a significant impact on the neighbouring amenities in terms of loss of light, outlook and privacy.

At least 200 square metres of private amenity space will remain following the construction of the proposal. The existing garage provided one parking space which met the garage parking standards of internal dimensions of 7 metres x 3 metres. The proposed garage also meets the standard for a single garage, the equivalent of one parking space. Additional off road car parking which meets the parking standards where one space measures 2.9 metres x 5.5 metres is available for at least three cars on the driveway alongside the bungalow

Other Considerations

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**

- 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: drg. no. A1-101901-7S, A1-101901-7PE and A1-101901-7G.

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.

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