

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	23/04/2019
Planning Development Manager authorisation:	AN	23/4/19
Admin checks / despatch completed	M	23/4/19

EM

Application: 19/00323/FUL **Town / Parish:** Manningtree Town Council

Applicant: Ms Amy Spreull

Address: 11 Mill Lane Manningtree Essex

Development: Proposed rear extension and garage conversion.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

03/00075/FUL	Demolition of the existing hall and erection of a detached house	Refused	13.03.2003
03/00118/CON	Demolition of existing hall	Refused	19.03.2003
03/00631/FUL	Demolition of existing hall and erection of a detached house.	Approved	13.08.2003
19/00323/FUL	Proposed rear extension and garage conversion.	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

HG9 Private Amenity Space

EN5A Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB

EN17 Conservation Areas

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

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

The application seeks permission for a single storey rear extension, part garage and car port conversion at 11 Mill Lane which is situated within the development boundary of Manningtree, within the area proposed as an Extension to Suffolk Coast and Heaths Area of Outstanding Natural Beauty and within the Mistleley and Manningtree Conservation Area. The conversion of part of the garage and car port do not require planning permission as they are considered to fall under permitted development.

Design and Appearance and Heritage

The proposed extension will form an infill between the existing garage and car port. The eaves and ridge height of the extension will match that of the existing garage to ensure a continuous line. In addition matching brickwork will ensure that it will blend with the existing dwelling and there will be no significant impact to the character of the existing dwelling or immediate area.

11 Mill Lane is in the area proposed as an Extension to Suffolk Coasts and Heaths Area of Outstanding Natural Beauty. The existing AONB is a landscape rich in history but largely spared from modern development. The proposal to increase the area seeks to protect the natural beauty of the landscape within this area and views towards it. Due to the low level nature of the extension to 11 Mill Lane in an already built up area of Manningtree, there will be no significant impact to the area proposed as an extension to the AONB.

The application site lies within the Mistleley and Manningtree Conservation Area. The Conservation area appraisal does not mention the immediate area surrounding 11 Mill Lane, just makes comment of the modern houses opposite.

A heritage statement has been submitted to support the planning application which states "*The site is behind the property and the rear elevation on ground floor level will not be seen from the road and therefore is not detrimental to the conservation area*". The design of the extension and alterations is considered to be of a scale and nature that is appropriate to the locality and will not cause any significant harm to the conservation area.

Impact upon Residential Amenity

The areas immediately south east and south west of the application site are driveways and parking areas which will not be impacted by the proposal which is on the north eastern side of the application site. A small terrace of cottages lies to the north east of the application site. Planning application number 18/00928/FUL has recently been approved for the end terrace, 8 Mill Lane which lies next door to the application site, to construct a garage at ground floor level with a room in the roof serving a study. There will be two roof lights on the south eastern roof slope. The nature of the single storey infill extension and garage conversion at 11 Mill Lane will have no significant impact on the neighbour at 8 Mill Lane in terms of overlooking, loss of privacy or loss of light.

The existing single garage and car port do not meet the required standard as per the Essex County Council Parking Standards where the internal dimensions of a single garage should measure 7 metres x 3 metres and a parking space should measure 5.5 metres x 2.9 metres, therefore the conversion of the garage and the loss of part of the car port will not have a significant impact on the off road parking provision. Following construction of the extension and conversion, two spaces which meet the minimum parking standards remain at the property.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a three bedroomed property. The original private amenity space is measured at just over 100 square metres. The construction of the proposal would not affect this as the extension is an infill between the current garage and car port, and does not encroach on the main back garden space available.

Other Considerations

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

- 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. 3, drawing no. 4 and email of 16/04/2019 confirming use of timber windows and doors.

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