

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	26/04/2019
Planning Development Manager authorisation:	SCE	26.04.19
Admin checks / despatch completed	PN	29/4/19

Application: 19/00365/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr Hopkins

Address: 47 Mill Lane Weeley Heath Essex

Development: Single storey rear extension following demolition of existing garage to form annex.

1. Town / Parish Council

Mrs Nicola Baker

Weeley Parish Council notes that, although this application is for a large extension, there will be no appreciable difference to the street scene. Therefore the parish council has no objection to this application, subject to the views of neighbours.

2. Consultation Responses

N/A

3. Planning History

15/01390/FUL	Single storey rear and side extension with hipped roof including 2 no. velux rooflights (following demolition of existing conservatory) and new pitched roof to existing porch.	Approved	03.11.2015
19/00365/FUL	Single storey rear extension following demolition of existing garage to form annex.	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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site is within the development boundary of Weeley Heath. It serves a detached two storey dwelling constructed of brick and tiled roof with an existing conservatory and outbuildings to the rear. The rear garden is laid to lawn, with a patio, decked area and close boarding fencing on the boundaries. The front of the site is entirely paved for parking with fencing and planting along the front boundary.

Proposal

This application seeks planning permission for a single storey rear and side extension. The single storey rear and side extension measures 9.8m deep by 16.2m wide, projecting beyond the side elevation of the existing property by 3.5m and projecting from the rear elevation of the existing dwelling by 3.6m. The proposed hipped roof will have an eaves height of 2.4m, and a ridge height of 4.3m. The proposed materials will consist of bricks and concrete roof tiles.

Assessment

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

Policy Considerations

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 and Appearance

The proposal will be sited to the rear and side and will therefore be publicly visible. Whilst publicly visible the proposal will be set back from the front of the site by 12.4m and as a result of its single storey design and use of matching materials it is of a size and scale appropriate to the existing dwelling and would not appear as a dominant feature within the streetscene.

The site is of a large enough size to support an extension of this size and scale and still retain sufficient private amenity space.

It is therefore considered that as a result of the aforementioned reasons that the proposal would not result in an adverse impact to the appearance of the dwelling or character of the area.

Highway Safety

Essex County Council Parking Standards states that where a property comprises of 2 or more bedrooms that a minimum of two spaces should be retained measuring at 5.5m by 2.9m each. Whilst the proposal will result in the loss of parking by way of existing garage which is intended to be demolished there is sufficient space at the front of the site to accommodate appropriate parking in line with the aforementioned standards. The proposal would therefore not result in a harmful impact to highway safety.

Impact on Neighbours

Located to the west of the site is a detached dwelling known as 49 Mill Lane. The single storey front/side extension is proposed to be 1.5m away from the neighbouring boundary and is hipped away from the side boundary shared with the neighbouring property 49 Mill Lane. The eaves at the point at which the extension is closest to the neighbour only measures 2.4m. Furthermore, a pitched roof garage is already in situ where part of the proposal is to be positioned; it is therefore considered that the proposal would not result in loss of neighbouring amenity to 49 Mill Lane.

Located to the east of the site is a detached dwelling known as 43 Mill Lane. The side element of the proposal will not be visible to this neighbour as they will be screened by the existing dwelling. The rear element of the proposal will be visible to this neighbour however as a result of its distance of 1.7m from the neighbouring boundary and that there is an existing conservatory in situ it is considered that the proposal would not result in loss of neighbouring amenity to 43 Mill Lane.

The proposal is therefore not considered to result in any significant adverse impact on the privacy, daylight and other amenities currently enjoyed by neighbouring property.

Other Considerations

Weeley Parish Council has no objections to the proposal. No letters of representation have been received.

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 / 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 plan: Drawing no. P01b.

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.

Please note that the annexe may only be occupied as ancillary accommodation to the main dwelling, known as 47 Mill Lane, Weeley, Clacton on Sea, CO16 9BZ. Any separate residential use would require planning permission.

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