

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	07/05/19
Planning Development Manager authorisation:	SCE	07.05.19
Admin checks / despatch completed	PW	1/5/19

gk

Application: 19/00404/FUL

Town / Parish: Thorpe Le Soken Parish
Council

Applicant: Mr Moor

Address: Greenlands Colchester Road Thorpe Le Soken

Development: Proposed conversion of existing attached garage, construction of first floor extension over garage and construction of new detached double garage.

1. Town / Parish Council

Thorpe Le Soken Parish Council No objection.

2. Consultation Responses

Not Applicable

3. Planning History

01/00689/FUL	Garage, stabling and library	Approved	18.06.2001
94/00291/FUL	Demolition of existing house and adjacent outbuildings and erection of new house and garage.	Approved	20.04.1994
94/00691/FUL	Demolition of existing house and adjacent outbuildings and erection of new house and garage (revision to approval TEN/94/0291)	Approved	11.07.1994
10/01131/FUL	Erection of single storey rear and two storey rear extensions.	Approved	26.11.2010
19/00404/FUL	Proposed conversion of existing attached garage, construction of first floor extension over garage and construction of new detached double 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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

HG14 Side Isolation

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site relates to Greenlands, Colchester Road, Thorpe Le Soken, a two storey detached dwelling located outside the settlement development boundary of Thorpe Le Soken. The application site is set back from the highway and is set in a large area of land denoted by fencing along the boundary.

Proposal

This application seeks planning permission for the conversion of the existing attached garage, construction of first floor extension over the existing garage and construction of a new detached double garage. The proposed garage conversion will be converted into a new lounge. The first floor extension will measure 7.85 metres in width, 6.7 metres in depth with an overall height of 7.6 metres and it will accommodate two new bedrooms with en-suites. The proposed garage will measure 7.1 metres in width, 9.2 metres in depth with an overall height of 5.5 metres.

Assessment

The main considerations for this application are the principle of development, design and appearance, impact upon neighbouring amenities and highway safety.

Principle of development

The site is outside the Settlement Development Boundary (SDB). Saved policy HG12 states that proposals for an extension to an existing dwelling outside the SDB will be permitted provided that, among other things, the extension is of a size, scale and height in keeping with the character of the locality, is well related and in proportion to the original dwelling, retains sufficient space around the dwelling to protect its setting and would not adversely affect adjoining properties. The principle is acceptable subject to the proposal complying with the following considerations.

Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed garage conversion will convert the existing garage to a lounge. The proposal will be visible to the street scene of Colchester Road however due to the minor nature of the proposal replacing the garage door with a bay window; it is considered that the conversion will not create a significant impact upon the street scene. The proposal will be constructed from matching materials to those used within the host dwelling.

The first floor extension will be located above the proposed garage conversion to the east of the host dwelling. There will be views of the proposal from Colchester Road, however due to the approximate distance of 20.5 metres to the highway as well as the extension having a ridge height set lower in order to clearly distinguish as an extension, it is considered that the proposal would not create a cramped appearance. The proposal will be constructed from; brick and render, plain clay tiles which will match the host dwelling and therefore it is acceptable in terms of design, appearance and the impact on the character of the area.

The garage will be located approximately 15.5 metres away from the highway and due to the existing fencing denoting the boundary which will help to screen the proposal, it is considered that the proposal will not cause any significant impact upon the street scene. The new garage will be single storey with a hipped roof to matching the existing garage to the east of the host dwelling. The materials proposed; brickwork and render, clay pain tiles are materials that will match the host dwelling and therefore the garage is considered to be acceptable in terms of design and appearance.

The application site is of a sufficient size to support the proposal and still retains sufficient private amenity space.

Impact upon neighbouring amenities

The application has no immediate neighbours to the east or west of the application site. To the north of the site are three properties; Mill Cottages and Mill House. Due to the distance of 10 metres to the neighbouring boundary as well as the existing fence which will help to screen part of the proposals, it is considered that the extension, conversion and garage will not cause any significant impact upon neighbouring amenities.

Highway Safety

The application will see the loss of a garage through the conversion to a lounge. However due to the proposal accommodating an existing garage as well as the proposed garage which is in line with Essex Parking Standards requirements of 7 metres by 3 metres, it is considered that the proposal is acceptable in terms of highway safety.

Other considerations

Thorpe Le Soken Parish Council have no objection to the application.

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 / 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 plans: Drawing No. 883/06, Drawing No. 883/03, Drawing No.883/04, Drawing No. 883/05

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