

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	07/05/2019
Planning Development Manager authorisation:	AN	9/5/19
Admin checks / despatch completed	[Signature]	10/05/19

Application: 19/00449/FUL **Town / Parish:** Ardleigh Parish Council
Applicant: Mr K Morgan
Address: Oatlands Harts Lane Ardleigh
Development: Proposed garage conversion and alterations including new pitched roof (replacing flat roof and low pitched roof) and front porch.

1. Town / Parish Council

None received

2. Consultation Responses

n/a

3. Planning History

00/02047/FUL	Application to temporarily lift agricultural occupancy clause from Oatlands, Harts Lane for a period of five years (Variation to condition 3 of TEN/453/66) Renewal of TEN/95/1247		11.12.2001
95/00525/FUL	Application for removal of agricultural occupancy clause imposed on the property by condition No. 3 of TEN/453/66	Refused	25.07.1995
95/01247/FUL	Application to temporarily lift agricultural occupancy clause from Oatlands, Harts Lane for a period of 5 years (variation to condition 3 of TEN/453/66)	Approved	20.08.1997
05/02137/FUL	Application to temporarily lift agricultural occupancy clause from Oatlands, Harts Lane for a period of 5 years (variation to condition 3 of TEN/95/1247)	Withdrawn	17.07.2007
77/00846/FUL	Alterations and extn to form utility room playroom and bedroom	Approved	17.08.1977
11/00500/FUL	Application to permanently lift agricultural occupancy clause (removal of condition 3 of TEN/453/66).	Refused	11.08.2011

14/30065/PREAPP	Agricultural Restriction Compliance.		12.02.2014
15/00230/FUL	Removal of condition no. 3 of planning application: NE/TEN/453/66. - Removal of an agricultural occupancy condition.	Approved	14.04.2015
19/00449/FUL	Proposed garage conversion and alterations including new pitched roof (replacing flat roof and low pitched roof) and front porch.	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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL2 Settlement Development Boundaries

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 a proposed garage conversion, new pitched garage roof and front porch to a bungalow located in Ardleigh outside of any settlement development boundary.

Design and Appearance

The late 1960's bungalow has been extended over the years and it now joins the later constructed double garage. Although the bungalow is set back from Harts Lane in a rural location, the bungalow is clearly visible from the lane. The replacement pitched roof of the garage will create a seamless line along the ridge the use of matching roof tiles will tie in the new with the old. The spacious plot allows for this higher roof line which matches the existing bungalow and it will not look out of place. The new porch will form a new central entrance to the bungalow producing symmetry in design. The conversion of the double garage will bring about the removal of the garage doors and replacement with UPVC windows to match the existing bungalow. The contrasting black weatherboarding is a material common throughout Essex particularly on barns and farm buildings and this will connect the bungalow with the wider rural landscape of surrounding paddocks. Where the open porch on the original bungalow once stood will be infilled with black framed full height fixed tinted glass which provides a contemporary element to the bungalow. There will be no significant impact to the street scene, or to the character of the existing dwelling following the construction of the proposal.

Saved Policy HG12 of the Tendring District Local Plan 2007 permits extensions to an existing dwelling outside of Settlement Development Boundaries however the development must satisfy specific criteria which seeks to protect the rural character of the countryside. The proposal clearly meets the criteria set out in Policy HG12 and it is considered that no significant harm would be caused to the appearance and character of the countryside.

Impact on Residential Amenity

Due to the single storey nature of the proposals, the distance of the proposals from the neighbouring properties and the natural screening on offer there will be no significant impact to the neighbours at Greenacres or Gods House Farm in terms of loss of light, overlooking or loss of privacy.

Over 800 square metres of garden space will remain following the construction of the proposal which is considered more than adequate.

Following conversion of the double garage there remains sufficient off road car parking. The existing driveway enters from Harts Lane up to the double garage and curves in front of the house. Following the garage conversion there will be space to park at least two cars off the road which meet the current car parking standards where one space measures 5.5 metres x 2.9 metres.

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. 01 Block Plan 1:500 and Drawing no. 01 consisting of Existing Elevation, Proposed Elevations, Existing Ground Floor Plan and Proposed Ground Floor Plan.

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