

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	20/05/2019
Planning Development Manager authorisation:	SCE	22.05.19
Admin checks / despatch completed	ER SB	23/05/19 23/05/19

Application: 19/00521/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Miss Amanda Parker

Address: 10 Mayes Lane Ramsey Essex

Development: Proposed conversion of double garage into bedroom and bathroom.

1. Town / Parish Council

Ramsey & Parkeston Parish Council The view of the Ramsey & Parkeston Parish Council is no objection

2. Consultation Responses

N/A

3. Planning History

19/00521/FUL Proposed conversion of double garage into bedroom and bathroom. 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
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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of a west facing two storey detached dwelling with front projecting double garage. The house is set back on the site with planting in situ along the front boundary with a break for access onto the site. The host dwelling and its neighbour of 10B Mayes lane are similar in design and were approved under planning permission 86/01030/FUL.

Proposal

This application seeks planning permission for the conversion of the existing front garage into living accommodation. The garage doors will be replaced with brickwork and UPVC rosewood double glazed windows.

Whilst planning permission would not normally be required for a proposal of this nature the permitted development rights which allow garage conversions have been removed on the original permission.

The original permission was for "Demolition of existing property and erection of two detached dwellings and garages" under reference 86/01030/FUL and condition 10 states;

"Notwithstanding the provision of Article 3 of the Town and County Planning General Development Order 1977 as amended, there shall be no alternative use of any integral garages without planning permission having first been granted or an application made on that behalf.

Reason – To ensure that adequate vehicle parking facilities are retained on site."

Assessment

Design and Appearance

The alterations will be publicly visible through the gaps within the front boundary planting. Whilst publicly visible the alterations are of a minor scale which will be finished in materials which are consistent with the host dwelling and will be set back from the front of the site. As a result of the aforementioned reasons the proposal would not appear prominently within the streetscene and would not have a harmful impact to the appearance of character of the existing dwelling or area.

The conversion to the garage will result in a living/ bedroom area and bathroom. As approval of the application will result in an annexe type of accommodation at the dwelling it has been considered necessary to include an informative upon the permission restricting the use of the new accommodation to be used only in ancillary to the main dwelling. At any time the intention is to use the accommodation as a self-contained dwelling then separate planning permission will need to be obtained.

Highway Safety

The proposal will result in the loss of parking spaces at the site. The Essex County Council Parking Standards state that where the dwelling comprises of 2 or more bedrooms that a minimum of two

parking spaces should be retained at the site. Whilst the proposal will result in loss in parking to the site the area to the front of the garage and the front of the house is of a large enough size to accommodate the parking of two vehicles in line with the aforementioned standards. The proposal would therefore not result in a harmful impact in terms of highway safety and will not conflict with condition 10 on the original planning permission for the house.

Impact on Neighbours

The proposal comprises of minor alterations which will not be visible to the neighbour to the south.

The alterations will not extend the main house and will not result in a loss of light and outlook to the neighbour to the north "10B Mayes Lane."

The introduction of new windows will overlook into this neighbours frontage and side window. The host dwelling already has two dormer windows positioned at first floor level which look into this neighbour's frontage and side window. The alterations will be 12m away from this neighbour's side window and will serve a living/ bedroom area. As this neighbours house is already overlooked by existing dormers at the site it is considered the loss of privacy in this instance not so significant to refuse planning permission upon.

Other Considerations

Ramsey and Parkeston Parish Council have no objection to the proposal. No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed 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 4, Drawing 3 and Drawing 2.

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 converted garage may only be occupied as ancillary accommodation to the main dwelling, known as 10 Mayes Lane. Ramsey Essex. CO12 5EH. Any separate residential use would require planning permission.