

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	24.5.19
Planning Development Manager authorisation:	AN	3/6/19
Admin checks / despatch completed	m SB	4/6/19 04/06/19.

Application: 19/00649/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr & Mrs Ioannou

Address: Forge Cottage Clacton Road Weeley Heath

Development: Proposed single storey side extension and replacement garage.

1. Town / Parish Council

Mrs Nicola Baker Weeley Parish Council has no comment to make on this application.

2. Consultation Responses

No comments received

3. Planning History

01/01278/FUL	For 2 people to live in static caravan in garden of above address for 6 months to a year.	Withdrawn	14.01.2005
91/00773/FUL	Side extension to form annexe.	Approved	11.12.1991
14/00977/FUL	Erection of single detached dwelling and garage and front wall/fence	Approved	12.09.2014
15/30094/PREAPP	Demolition of "Rosemary" and erection of 4 detached houses.		06.05.2015
19/00649/FUL	Proposed single storey side extension and replacement garage.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

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

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

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 is Forge Cottage, Clacton Road, Weeley Heath. The dwelling is a south-west facing two storey property constructed circa 1950's; it is sited forward of a rectangular plot which is orientated in a north-west/south-east direction. Externally it is finished with white-painted render, having uPVC window frames and an interlocking clay tile roof; to the south-east [side] elevation the property benefits from a conservatory.

To the south east [side] boundary exists Weavers, a single storey bungalow built circa 2015 and separated from the side of the application site by around 17m. To the north-west [rear] boundary exists Nos. 1 and 2 Fieldview, a pair of circa 1950's semi-detached dwellings and separated from the rear of the application site between 18m and 22m. To the north-east [side] exists No. 2 Ivy Cottage - the right hand dwelling of a pair of semi-detached cottages, extended to the side with a large two storey element in the early 1990's and separated from the side of the application by around 20m.

Development in the surrounding area is varied; the dwellings opposite are less than 20 years old as well as those to the south-east. Pedestrian access to the site is gained directly from Clacton Road; vehicular access and parking are accessed by way of a small, unmade drive which serves four dwellings. The site currently has a detached garage (of a sub-standard width internally) and one viable surface parking space between the detached garage and the dwelling.

Description of Proposal

This application seeks to replace the conservatory with a single storey extension and replace the garage and outbuilding with an enlarged garage.

Appraisal

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. The dwelling is located outside the settlement boundary. Policy HG12 requires that 'Proposals for an extension to an existing dwelling outside the defined development boundaries of settlements will be permitted provided that the extension or replacement satisfies the general design criteria set out in Policies QL9 and QL10'. In addition, the proposal must:-

- be of a size, scale and height and in keeping with the character of the locality
- its design and materials would make a positive visual contribution to its setting
- be well related and in proportion to the original dwelling
- not be visually intrusive on a skyline or in the open character of the surrounding countryside
- retain sufficient space around the dwelling to protect its and the amenity and character of the countryside
- not represent over-development of the site or be detrimental to highway safety
- not adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect
- not exacerbate any existing access, drainage or other problems associated with the site.
- The proposed works are situated to the side and rear of the host dwelling. The footprint of the replacement extension is relatively similar to the existing built form but it does have a significantly high ridge height. Notwithstanding the higher ridge (circa 5.8m when compared to 3m as existing), the angle of the roof pitch accurately mimics that of the main dwelling and the development would still appear as a subservient addition to the main property and is considered to have an acceptable impact on the wider character of the area.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 17 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 of the Saved Plan aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The detached garage, being sited between the northeast rear elevation of the dwelling and the rear boundary is virtually indistinguishable in the streetscene. The varied character of the immediate area contains dwellings which have detached garages and, in conjunction with proposed materials being in-keeping with the host dwelling, further ensured their acceptability in design terms.

Impact to Neighbouring Amenities

The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

There is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours from the proposed extensions due to their single storey nature.

Parking

Essex County Parking Standards state that for a dwelling of two or more bedrooms, two parking spaces shall be provided at measurements of 5.5m x 2.9m, or 7m x 3m if a garage is used as a space. The proposed garage would measure approximately 5m wide and 8m deep; though due to the presence of an internal w.c. the usable space inside the garage is marginally reduced. The space remaining inside the garage is ample to facilitate one parking space and, due to the replacement garage being sited deeper in to the plot than the existing garage, a further two surface spaces have been generated forward of the garage. The parking provision is considered to be acceptable.

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 01 B received 24th April 2019.

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

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?		NO
Are there any third parties to be informed of the decision?		NO