

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | ER | 11/09/2019 |
| Planning Development Manager authorisation: | TF | 16/09/2019 |
| Admin checks / despatch completed | SB | 17/09/2019 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | al | 17/9/19 |

Application: 19/01114/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Feagan

Address: 15 Highview Avenue Clacton On Sea Essex

Development: Proposed detached garage.

1. Town / Parish Council

Clacton non parished

2. Consultation Responses

Not applicable

3. Planning History

16/00647/FUL Extension and alteration. Approved 17.06.2016

19/01114/FUL Proposed detached 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 south facing semi detached dwelling which is set back from the highway and has a driveway to the front. There is an existing flat roof garage on the site which is positioned to the rear of the dwelling and is visible from the streetscene.

Proposal

This application seeks permission for the erection of a proposed detached garage.

Assessment

Design and Appearance

The area is characterised by a mixture of two storey dwellings finished in render some of which have attached or detached garages to the side or to the rear constructed in an array of materials.

The proposal will be sited to the side and therefore publicly visible. However, as it will be set back from the front boundary of the site by over 20m the new garage would not appear prominent within the streetscene.

The existing dwelling has an existing outbuilding which will be replaced by the proposal. The design of the proposal will include a pitched roof design with the garage itself being finished in render. It is considered that this design would be more visually appealing than the existing structure and would also be consistent with the main house and surrounding garages. The colour of render to be used will match the existing house and surrounding properties to be inkeeping with the streetscene.

The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

It is therefore considered that the proposal would be an appropriate addition to the site and as a result of the above mentioned reasons would not result in a harmful impact to the appearance or character of the existing dwelling or streetscene.

Highway Safety

The Essex County Council Parking Standards states that new garages should measure 3m by 7m to successfully accommodate parking, the standards also state that a house which comprises of 2 or more bedrooms should retain a minimum of two parking spaces which measure 5.5m by 2.9m per space.

The plans show that the new garage will not meet the required measurements for garages states above, however, as the existing house is set back from the highway there is an area of land to the front of the dwelling which is of a large enough size to accommodate the parking of two vehicles in line with the Essex County Council Parking Standards.

The proposal would therefore not result in a harmful impact to highway safety.

Impact on Neighbours

The proposal will be visible to 17 Highview Avenue sited to the east of the site. However, by virtue of its positioning 10m from this neighbouring boundary it would not result in a loss of residential amenities to this neighbour.

Sited to the west of the host site is 11 Highview Avenue which is a two storey semi-detached dwelling which is set further forward on its plot compared to the host dwelling and has an existing outbuilding positioned along the boundary shared with 15 Highview Avenue. Due to its close proximity to the boundary the proposal will be visible to this neighbour over the existing boundary planting.

The proposal will not result in a loss of privacy as there are no windows proposed along the side elevation which will face this neighbour.

The proposal is sited sufficient distance away from this neighbouring house and accordingly will not result in a loss of light.

Whilst the proposal has the potential to result in some loss of outlook it is noted that the proposal will have a low eaves height of 2.2m and will be partially screened by the existing boundary treatment and neighbouring outbuilding. It is also noted that as this neighbouring house is positioned further forward on its plot which would also soften views of the new garage from this neighbouring house. It is therefore considered that the loss of outlook in this instance is not so significant as to warrant refusal of planning permission.

Other Considerations

Clacton is non parished and therefore no comments are required.
No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed development eh 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 plan; Drawing No 01.

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.