

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	04/10/2019
Planning Development Manager authorisation:	TF	09/10/2019
Admin checks / despatch completed	<i>me</i>	09/10/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	9/10/19

Application: 19/01160/FUL **Town / Parish:** Mistley Parish Council
Applicant: Mr Clive & Mrs Carole Burroughs
Address: 5 Middlefield Road Mistley Manningtree
Development Proposed ground floor front extension and alterations to outbuilding.

1. Town / Parish Council

Mistley Parish Council At the Parish Council's Planning Committee Meeting on the 3rd October 2019, the Parish Council recommended approval on this application.

2. Consultation Responses

ECC Highways Dept I have had a look at the site and the drawing showing the existing and proposed driveway layout. Looking at the proposed layout and it appears to show an area of grass where the current vehicle parks which is slightly confusing!

Looking at the existing driveway access it is combined with no. 3 as they have a shared drop kerb. No.5 has an existing 2.9 m drop kerb so there is scope to widen the drop kerb to a maximum of 4 low kerbs (3.6 metres in width). The parking for those properties with a vehicle access indicates that the majority drive onto the driveways in forward gear; as the road is a local estate road it not essential for vehicles to exit the drive in forward gear.

Provided the front of the property has a minimum depth of 5 metres which this access appears to have in excess of; then I can't see any reasons why this proposal cannot be recommended.

Aside to this the garage would appear to be slightly narrow to cater for a car; all single garages should have a minimum internal measurement of 7m x 3m so they are used for the purpose they were designed for and to discourage on street parking etc.

3. Planning History

19/01160/FUL Proposed ground floor front extension Current
and alterations to outbuilding.

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Site Description

The application site is located to the south of Middlefield Road, inside the development boundary of Mistle. It serves a semi detached two storey dwelling constructed of red brick, with a tile roof. A flat roof brick built outbuilding/store is located to the east of the dwelling with a lean to link joining it to the main dwelling. The front of the site has areas of hard surfacing, lawn and planting, with hedging located across the front boundary adjacent to the access and low level fencing on the side boundaries.

Proposal

The application proposes a single storey front extension measuring 4.15m wide by 2.46m deep, with a monopitch roof with eaves height of 2.5m and a maximum height of 3.6m. It will be constructed with materials to match the existing dwelling.

Alterations to linked outbuilding are also proposed. These consist of a new monopitch roof that links the outbuilding with the main dwelling, incorporating 2 no. roof lights; and replacing the door on the front elevation of the outbuilding with a window.

Assessment

The main considerations of this application are the design, impact on residential amenity and parking at the site.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design

The proposed extension and alterations are considered to be of a scale and nature appropriate to the site and the surrounding area. The extension is a modest addition that fits acceptably with the host dwelling and appears as a subservient addition. The development will be located 5m from the footpath so will be a relatively prominent addition that is publicly visible. However, due to the use of matching materials and the design that does not compromise that main dwelling the development is considered acceptable. Furthermore, other properties along Middlefield Road have front extensions and differing ways of connecting the outbuilding to the main dwelling. The development is therefore considered as an acceptable feature within the street scene that would not cause any adverse impact on the surrounding area.

Impact on Residential Amenity

The single storey extension and alterations are located at the front of the property. They are over 3m from the eastern boundary and 4m from the western boundary. Windows are proposed in the side elevations of the extension but these do not cause concern regarding overlooking due to their position within the application site. The extension does not affect any neighbouring private amenity space and will therefore not cause any adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Parking

The proposed front extension will remove some of the area currently used for off street parking at the site. However, the extension is set back from the front boundary of the site by 5m, the existing area of lawn is to be replaced with hardstanding, and some of the hedgerow along the front boundary is to be removed. The application documents are able to demonstrate that 2 no. off road car parking spaces can still be achieved.

Having consulted with Essex County Council Highways on this application it is noted that the majority of parking at properties in Middlefield Road consists of driving onto the driveway in a forward gear but as the road is a local estate road it is not essential for vehicles to exit the drive in a forward gear. For this reason there is no objection to the front extension from the Highways Authority on the basis that the manoeuvrability of vehicles and the level of off road parking available are acceptable.

Other Considerations

Mistley Parish Council recommends approval for this application.

No letters of presentation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and 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: Dwg No 234/PL/03 Rev No A, Dwg No 234/PL/04 Rev No A and Dwg No 234.PL/05 Rev No A.

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO