



SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Site Description**

The application site is a most single storey bungalow of simple form; the area is characterised by pairs of semi-detached post-war bungalows that remain largely un-extended. Externally the property is finished in red buff brick with an interlocking cement tiled roof.

### **Description of Development**

The application proposes the erection of a detached garage. The garage would be sited against the boundary with No. 65 and would be around 4m wide, 6m deep and have a flat roof of 2.7m. Externally the garage would be rendered to the two flanks and facing brickwork to the two end-elevations. An express grant of planning permission is required for the development as, being sited within 2m of the boundary, its height exceeds 2.5m.

### **Principle**

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

### **Design**

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 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 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 scale, siting and design of the proposal relates well to the site and surroundings particularly in relation to its form and design.

Impact on Neighbours

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).

The scale and siting of the proposed addition is such that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highways

The proposed development is wide enough to meet the current garage standards, though it is 1m too short in its overall length. Notwithstanding this, there is more than sufficient space to the rear of the property to accommodate the required two off-street parking spaces.

Other Considerations

Harwich Town Council has no objection to this application.

One letter has been received in response to the public consultation, the contents of which are summarised below:-

<p>Now we have an application which shows that it takes up as much room as half my bungalow and totally out of keeping with local garages nearby and the wall from the proposed application, as shown in page 2 would take all my light from my lounge</p>	<p>The scale and siting of the proposed garage is entirely appropriate for this domestic context.</p>
<p>The application also shows quite clearly that this could be used not only for parking cars but other uses if required.</p>	<p>Noted, the structure is labelled as a garage.</p>
<p>The latter view from the rear of my property is that of houses and this together with other houses, bungalows, shows the light to my property is very poor at the moment and further development would leave me nothing but to put a light in my lounge 24 hrs a day.</p>	<p>As discussed during my site visit, the proposed garage would be sited around 5m away from the boundary with No. 69 and its height is in the region of 2.7m. The height, scale and siting are such that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties</p>

**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: MDW01; received 21st October 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.

<b>Are there any letters to be sent to applicant / agent with the decision?</b>		<b>NO</b>
<b>Are there any third parties to be informed of the decision?</b>		<b>NO</b>