

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SOB	04/03/2020
Planning Development Manager authorisation:	TF	06/03/2020
Admin checks / despatch completed	CC	06/03/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	XLR	06/03/2020

Application: 20/00032/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr T Clark

Address: 151 Frinton Road Holland On Sea Clacton On Sea

Development: Proposed garage conversion and extension to form an annexe.

1. Town / Parish Council

N/A

2. Consultation Responses

N/A

3. Planning History

96/01082/FUL	Proposed alterations and additions to bungalow	Approved	30.09.1996
20/00032/FUL	Proposed garage conversion and extension to form an annexe.	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

TR7 Vehicle Parking at New Development

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 north of Frinton Road, inside the development boundary of Clacton on Sea. It serves a detached bungalow dwelling, with a detached garage, constructed of brick with a pitched tiled roof. The front of the site is a combination of lawn and hardstanding, with an area for parking 6 no. cars. A small bricked wall forms the front boundary and there is fencing to side and rear boundaries. The rear of the site is laid to lawn with shrubbery and a patio area.

Proposal

The application proposes a garage conversion and extension to form an annexe. The extension will measure 3.8m wide, by a maximum 2.4m deep. It will have a tiled pitched roof to match the existing garage roof. The extension will be constructed with brickwork to match the existing garage and host dwelling. The garage conversion will remove the existing garage doors and replace them with a door, windows and brickwork to match the existing dwelling. The development overall will facilitate a one bedroom annexe with shower room and lounge.

Assessment

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

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 and Parking

The proposed development is considered to be of a scale and nature appropriate to the site and the surrounding area. The garage conversion will be the only part of the development visible from the road, and the replacement of garage doors with a door, window and brickwork to match the existing dwelling result in this part of the development not having an adverse impact on the street scene. Furthermore, the loss of the garage in terms of parking is acceptable as more than sufficient off road parking is available on the hardstanding at the front of the site for 2 no. cars in line with current parking standards.

The rear extension will be a modest pitched roof addition that will be constructed using materials to match the existing dwelling and is considered to be acceptable in design terms. Sufficient private amenity space will be retained for the occupiers of the property.

The development facilitates the creation of an annexe within the main dwelling. A condition will be imposed on the permission to ensure the annexe is used ancillary to the main dwelling at all times as a new dwelling will need to be considered under different policy considerations and may not be supported.

Impact on Residential Amenity

The proposed extension will be located a minimum of 1.9m from the side boundary shared with the neighbour to the east. This neighbour has a driveway leading to garage block up to the shared boundary level with the proposed extension which reduces any possible impact on this neighbour. Overall, the development is not considered to result in any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by this neighbour.

Other Considerations

No letters of representation 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 / 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 plan received;. Drawing No 1 A

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

- 3 The annexe hereby approved as a result of this development shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 151 Frinton Road, Holland on Sea, Essex CO15 5UT.

Reason - The site is unsuitable for an independent residential unit because of the shared facilities and relationship to the host dwelling.

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