

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	22 nd July 2020
Planning Development Manager authorisation:	AN	27/07/2020
Admin checks / despatch completed	CC	27.07.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	27.07.2020

Application: 20/00676/FUL **Town / Parish:** Clacton Non Parished
Applicant: Mr Mosey and Miss Venables
Address: 12 Albert Gardens Clacton On Sea Essex
Development: Proposed garage extension and conversion including new roof and enlarged front porch.

1. Town / Parish Council

No comments received

2. Consultation Responses

ECC Highways Dept Due to COVID-19 restrictions, no site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth photo dated September 2016. It is noted that with the loss of the garage for a vehicle the front of the property is adequate to park a minimum of two vehicles within the boundary of the property, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

3. Planning History

20/00676/FUL Proposed garage extension and Current
conversion including new roof and
enlarged front porch.

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

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

CL17 'The Gardens' Area of Special Character

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

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PPL12 The Gardens Area of Special Character, Clacton-On-Sea

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 an early twentieth century Arts and Craft detached dwelling with a distinctive cambrel roof and a two-storey bay-windowed feature to the front. Externally the dwelling is finished in red stock brick at ground floor, self-coloured render at first floor and an interlocking clay-tiled roof.

Description of Proposal

The application comprises three elements:-

- A replacement front porch
- A single storey front extension and alterations to the rear of the existing garage
- Replacing the existing flat roof to the garage with a mono-pitched roof

The porch would project forward by 2m and be 2m wide and be in the same location as the existing open porch. The roof would be mono-pitched and have a ridge of the same height as the existing. The extension to the garage would extend forwards by 3.3m whilst retaining a set-back of 1.3m to the original building line. The existing garage extends a total of 2.9m beyond the original rear elevation and this depth includes a small shed with a nominal 1m depth. The shed and part of the rear of the garage would be replaced with an addition having a total depth of 1.9m. The mono-pitched roof would have eaves of approximately 2.7m and a ridge in the region of 5.2m; the roof slope would mimic that of the main dwelling.

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 & 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 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 District Planning Authority considers that the side spaces created between buildings are of the utmost importance in areas of medium and low density housing. In such areas, development up to a common side boundary normally appears cramped, often creating an unbalanced terraced effect. Indeed, in many locations even the minimum one metre side isolation space between a dwelling and the side boundary of the site, as specified in the policy, would appear unsatisfactory visually. In such instances larger side isolation space will be required.

A further reason for maintaining an appropriate side isolation space is to ensure that the impact of residential development on the amenities of adjoining residents is of an acceptable level, without new structures or buildings appearing too close and over dominant, or resulting in overlooking and serious loss of aspect, or daylight. Moreover, if an adjoining plot is undeveloped, to allow buildings up to the common boundary could prevent the satisfactory development of the adjoining site at a later date and prejudice the amenities of future neighbours.

Policy HG14 requires that proposals for extensions to dwellings over 4 metres in height, will be required to retain appropriate open space between the dwelling and the side boundaries of the plot to ensure that new development is appropriate in its setting, does not create a cramped appearance, to safeguard the amenities and aspect of adjoining residents and, in the case of undeveloped adjacent plots their satisfactory development at a later stage.

Whilst the existing garage is sited adjacent to the boundary, the mono-pitched roof would angle upwards and away from the boundary, thereby resulting in a development that would mirror the same degree of fall as the main roof. For this reason it is considered that ensuring the quality of the appearance of the development is paramount and requiring the extension to be lowered to 4m is not appropriate in this particular case.

The front porch and replacement garage roof are highly visible in the streetscene and the use of materials which match the original dwelling is important in this particular case. The ridge of the proposed porch would closely reflect the existing built form – the ridge of which has an attractive angular-relationship with the base of the angled bay-window above. As described above, the replacement roof, whilst having quite a substantial ridge, nonetheless replicates that of the main roof. The rear extension would marginally reduce the extent of built form at the rear of the property and the choice of window design enhances this feature. Overall, the proposed extensions respect the character and appearance of the host dwelling and wider streetscene in general in regards to their scale and design.

Impact to Neighbouring Amenities

The NPPF, at paragraph 127 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 siting and scale, in conjunction with the separation distances to adjacent dwellings ensure that there is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours.

Highway Issues

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The existing garage is of a sub-standard width when tested against the internal dimensions published in the Essex Parking Standards; as such it does not count as a viable space and for this reason there is no objection to its conversion. Further, the Highways Authority observes that with to the front of the property is adequate to park a minimum of two vehicles within the boundary of the property.

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: 01A, received 1st June 2020.

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

- 3 Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason - To ensure adequate space for parking off the highway is provided in the interest of highway safety.

- 4 Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason - To ensure appropriate cycle parking is provided in the interest of highway safety.

- 5 Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason - To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

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.

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at: development.management@essexhighways.org or by post to:

SMO1 ' Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester.
CO4 9YQ.

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