

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JD	31/07/2020
Planning Development Manager authorisation:	SCE	31.07.2020
Admin checks / despatch completed	CC	31.07.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	31.07.2020

Application: 20/00718/FUL **Town / Parish:** Harwich Town Council
Applicant: Mrs Rogers
Address: 18 Manor Lane Dovercourt Harwich
Development: Proposed garage conversion.

1. Town / Parish Council

No response.

2. Consultation Responses

Not applicable.

3. Planning History

01/01163/DETAIL	Provision of 2 no dwellings	Approved	13.08.2001
99/00853/OUT	Two dwellings (fronting Manor Lane)	Approved	21.07.1999
20/00718/FUL	Proposed garage conversion.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

NPPG National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, 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 property is a relatively modern detached house with garage attached to the side. The property has a block paved driveway.

Proposal

Proposed garage conversion.

A garage door would be replaced by brickwork with a window above.

The garage would become a study and a shower-room.

Assessment

Condition 14 of outline planning permission TEN/99/0853 requires the garage to remain available for parking.

The physical alteration to the external appearance of the house is considered acceptable. The proposal is acceptable with regard to Policy QL9.

The site is some 1.3km as the crow flies from the junction of High Street with Kingsway, a nominal centre of Dovercourt. In the light of Government advice to encourage means of transport other than the car, it is considered that the proposal could not be refused on a ground related to Policy TR7.

Letters notifying neighbours of the application were sent to occupiers of 3 neighbouring properties. No response has been received.

6. **Recommendation**

Approval.

7. **Conditions / Reasons for Approval**

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: 2020/0052/0001.

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