

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	18/08/2020
Planning Development Manager authorisation:	SCE	18.08.2020
Admin checks / despatch completed	DB	18.08.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	18.08.2020

Application: 20/00783/FUL

Town / Parish: Clacton Non Parished

Applicant: Mr and Mrs Webb

Address: 2 Cottage Walk Clacton On Sea Essex

Development: Proposed garage conversion including new roof and single storey side and rear extensions (following demolition of conservatory and lean to).

1. Town / Parish Council

Not Applicable

2. Consultation Responses

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal retains adequate room and provision for off street parking for the dwelling therefore:

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

1. 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 in accordance with Policy DM8.

2. The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided on completion of the extension and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

3. 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 in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative 1:

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.

Informative 2:

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.

3. Planning History

03/00942/FUL	Retention of boundary fencing.	Approved	25.07.2003
04/00190/FUL	Two front dormers and extension to front wall of conservatory.	Approved	21.04.2004
20/00783/FUL	Proposed garage conversion including new roof and single storey side and rear extensions (following demolition of conservatory and lean to).	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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

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)

Proposal

This application seeks permission for a garage conversion including a new roof and single storey side and rear extensions (following demolition of conservatory and lean to).

Application Site

The site is located to the North of Cottage Walk. The site serves a detached bungalow constructed from brickwork with a pitched tiled roof. The surrounding streetscene is comprised from dwellings of a similar design.

Assessment

Design and Appearance

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 garage is located to the front of the site on the west, it is attached to the dwellinghouse. The proposal will have a minor impact on the front elevation, the existing garage door is to be replaced with a window measuring 1.2 metres wide and 1.4 metres high. The existing window immediately east to the garage door is also to be replaced with another window measuring 1.2 metres wide and 1.4 metres high. The existing roof design will also be changed, a monopitch roof design is proposed for the front elevation to match the appearance of the existing dwelling roof design, it will have an overall height of 3.5 metres and will be constructed from matching roof tiles to that of the existing. The proposal is not thought to have any adverse impact on the visual amenities of the area and is deemed to be in keeping with the existing dwelling and surrounding area.

The west-side elevation will be extended by 2.9 metres, to meet with the rear of the dwelling and the rear elevation will be extended by 3 metres, A flat roof design will be used for the side and rear extensions, but will not be visible to the streetscene, it will have an overall height of 2.7 metres.

Where necessary the proposal will be constructed from materials to match those of the existing dwelling, the exterior walls will be of a matching brickwork, the monopitched roof of a matching tile and the windows and doors white UPVC. The flat roof design will not be visible from the streetscene and is not considered to be out of character with the area due to the existing flat roof between the garage and the dwelling. The proposal is therefore not considered to have any adverse effect on the visual amenities of the area.

The site can accommodate a proposal of this size and scale and retain adequate private amenity space, the proposal is considered to be of a size and design in keeping with the existing dwelling and surrounding area.

Impact to Neighbouring Amenities

The NPPF, 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 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 proposal is not considered to have any significant impact on the loss of daylight nor privacy nor to cause any other harm to the amenities of the adjacent neighbours.

Highway issues

Essex County Council Highways authority have commented on the application stating the proposal retains adequate room and provision for off street parking for the dwelling and therefore from a highway and transportation perspective the impact of the proposal is acceptable subject to the conditions set out above.

The conditions suggested by the Highway authority have not been imposed on this application, the proposal is deemed to meet all necessary requirements set out in the National Planning Policy Framework, the plans demonstrate that adequate vehicle parking is available to the front of the existing garage and the proposal does not increase the need for additional cycle parking as it is an existing dwelling. The third conditions suggested by the highway regarding the reception and storage of building materials being identified clear of the highway has been added onto the application as an informative.

Other Considerations

Clacton is non-parished and therefore no comments will be required

No other 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. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval - Full

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; Drawing No. 01 Revision 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.

Highways Informatives

Informative 1:

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.

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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. 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.

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