

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	12/11/2020
Planning Development Manager authorisation:	TF	12/11/2020
Admin checks / despatch completed	DB	12/11/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	12/11/2020

Application: 20/01216/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Gordon Mead

Address: 14 Spring Close Clacton On Sea Essex

Development: Proposed garage extension.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

ECC Highways Dept 12.11.2020	From a highways perspective the property will still have domestic car parking for a minimum of two vehicles (with the drive slightly more than that) in accordance with the Parking Standards; so the proposal won't impact on that. So on that basis ECC Highways raise no issues.
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3. Planning History

92/00018/OUT	Dwelling and garage (renewal of permission TEN/1176/88)	Approved	13.10.1992
03/02192/OUT	Detached house and garage.	Approved	08.01.2004
20/01216/FUL	Proposed garage extension.	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

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

The proposal seeks permission for an extension to the existing single storey garage to the front of the property.

Application Site

The site is located to the North of Spring Close within the development of Clacton on Sea. The site serves a two storey detached dwelling constructed of brickwork with a pitched tiled roof. The garage is constructed of brickwork with a flat roof and white garage door. The surrounding streetscene is comprised from dwellings of similar scale and design, materials present include mostly brickwork.

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 proposed garage extension would measure 4.87 metres wide by 5.9 metres deep with an overall height of 2.5 metres. The proposal is deemed to be of a size and scale appropriate to the existing dwelling and surrounding area. Other neighbouring properties within the locale have made similar alterations to their garages. The site can accommodate a proposal of this size and scale whilst retaining adequate private amenity space.

The proposed extension will be located at the front of the property and therefore would be visible from the streetscene. However the design and finish of the proposed would be consistent with the existing structure which would mitigate the impact on the visual amenity of the streetscene. The roof would be a flat roof construction, featuring two garage doors to the front with a side access door and windows facing towards the host dwelling. The windows, doors, facias and soffits will be made of white UPVC.

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 by Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The nearest neighbouring properties to the proposed are 17 and 12 Spring Close.

Impact on 17 Spring Close

This dwelling features the existing shared garage with No. 14, which is proposed for extension. This garage is already a double garage of a similar scale and design to the proposed development. The extension would be mostly obscured from vision from this property, by their own existing garage. As a result, it is deemed that the development will not have a materially damaging impact on the privacy, daylight or other amenities of No. 17.

Impact on 12 Spring Close

This dwelling is the closest property to the development, with the boundary line passing the front right corner of the proposed garage. The position of the proposed garage would extend towards the front of this dwelling. However, the single storey nature of this development means that the proposal would not cause a restriction of daylight to No. 12. The side windows and access door of the extension would face towards the principal elevation of No.12. However, it is deemed that this would not pose a materially damaging impact on the privacy of No.12 as it would not be a habitable space.

Highway issues

The Highway Authority have been consulted in regards to this application and have no objections to the proposals as submitted.

Other Considerations

Essex County Council Highways have no objections to the proposal.

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

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; Drawing No.

- 25-2020-01
- 25-2020-02
- 25-2020-03

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

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