

18/00727/FUL	Proposed two storey front extension & front canopy & single storey rear extension & alterations.	Approved	28.06.2018
20/01260/FUL	Proposed detached garage/cartlodge.	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)

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

The application seeks permission for a timber framed single storey outbuilding for use as a single garage and cart lodge. The proposal will be sited forward of the existing detached house which is situated within the development boundary of Bradfield.

Design and Appearance

The dwelling of 9 Wix Road is set back from the highway and in line with the neighbouring dwellings along this stretch of the road which all benefit from large front gardens and driveways. Some of the front gardens and driveways are screened by fencing and others by mature hedging. The host dwelling has a post and rail fence defining the front boundary with a large cherry tree just behind this. The high hedging of Orchard House continues north along the boundary with the highway which conceals the front garden of 9 Wix Road as you turn into Wix Road from Heath Road. The proposed cart lodge/garage will be sited a distance of 2.5 metres from the cherry tree and by way of its design, with exceptionally low eaves facing the road which gradually increases to the ridge height of 3.995 metres will allow the canopy of the cherry tree to slightly overhang the garage and offer screening to ensure that it is not a prominent feature in the street scene. Further obscuring the view of the proposal, new planting of Laurel shrubs will form hedging along the front boundary and along the exposed side of the garage/cart lodge. The grey green colouring of the weatherboarding will help assimilate the building into its immediate surroundings.

The design and scale of the proposal is acceptable and would result in no material harm to visual amenity.

Impact upon Residential Amenity

The single storey garage/cart lodge will lie adjacent to the side garden of Orchard House where their own outbuildings are situated ensuring there will be no significant impact to this neighbour's residential amenity. The building is a distance of 5.8 metres from the side boundary shared with 10 Wix Road ensuring no significant impact to this neighbour either.

The private amenity space located at the rear of the dwelling will be unaffected by the proposal.

The proposed cart lodge/garage will provide 2 car parking spaces although these do not meet the car parking standards where one space should measure 5.5 metres x 2.9 metres. The proposed driveway, between the house and the new building will allow sufficient room for vehicular turning and off road car parking where a minimum of two cars will be able to park off the road in spaces that meet the car parking standards.

Trees and Landscaping

Due to the close proximity of the proposal to the Cherry tree the Council's Tree and Landscape Officer was consulted. The Officer confirmed that the Cherry tree did not warrant protection but should be retained for the value it offers as part of the public realm. The Officer also confirmed that the proposed landscaping should be implemented to partially screen the proposed cart lodge/garage and this has been secured by condition.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

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: Drawing No. 58-2020-01P and 58-2020-02P.

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

- 3 Prior to first use of the hereby approved garage/cart lodge, the landscaping scheme which includes the planting of laurel shrubs and areas to be grassed shall be in accordance with Drawing No. 58-2020-01P. The landscaping shall be carried out in the first planting season after commencement of the development unless agreed otherwise in writing by the Local Planning Authority, and shall thereafter be retained and maintained. Such maintenance shall include the replacement of any trees and shrubs that die.

Reason - To ensure the provision and maintenance of trees, other plants and grassed areas in the interests of visual amenity.

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