

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	22/12/2020
Planning Development Manager authorisation:	TC	23/12/2020
Admin checks / despatch completed	ER	23/12/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	23.12.2020

Application: 20/01461/FUL **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Kevin Legg

Address: Bennetts High Street Thorpe Le Soken

Development: Proposed extension to garage.

1. Town / Parish Council

None received

2. Consultation Responses

Tree & Landscape Officer
12.11.2020

No trees or other vegetation will be affected by the development proposal.

Although there appears to be little scope for new planting; soft landscaping opportunities should be maximised on the frontage of the development to enhance, as far as is possible, the appearance of the development and the public realm.

New planting should take place between the garage and the highway to soften the appearance of the development.

3. Planning History

DP/V/9D(4)	Unauthorised works to various trees	Current	
08/01017/TCA	2 No. Sycamore - reduce by 50%. 3 No. Sycamore - fell	Approved	04.08.2008
08/01279/TCA	1 x Horse Chesnut (T1) to be reduced by 30%.	Approved	06.10.2008
90/00004/FUL	Change of use from dwelling to general practice surgery	Refused	13.03.1990
15/01346/TCA	1 No. Horse Chestnut - fell	Approved	29.09.2015
20/00291/TCA	4 Trees - Fell.	Approved	03.04.2020
20/30096/PREAPP	Extension to garage.		17.08.2020

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

EN17 Conservation Areas

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

SPL3 Sustainable Design

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26th January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal

Proposal

The application seeks permission for an extension to the existing double garage. The proposal will be sited forward of the existing detached house and garage which is situated within the development boundary and conservation area of Thorpe Le Soken.

Design and Appearance

The dwelling of Bennetts is set back from the High Street in Thorpe Le Soken with the existing detached double garage in front of it facing north west, with the side of the garage facing the High Street. Bennetts is an individual dwelling finished in painted render under a concrete tile roof, the double garage takes on the same finish with a double entrance in/out driveway surrounded by mature trees and shrubs. The house and garage of Coolmore Lodge, next door to the south east is set much further forward on its site, very close to the road. Likewise the new dwellings currently under construction on the former site of Black Tiles, next door to the north west are set further forward than Bennetts.

The extension to the garage will be stepped back from the front of the existing garage to follow the line of the existing driveway which will be widened at this point. The extension will be closer to the High Street but level with the existing detached garage of Coolmore Lodge. The extension to the garage will match the finish of the existing garage and house, with a lower ridge and hipped roof. New planting as recommended by the Council's Tree and Landscape Officer has been secured which will help offer some screening of the extension to the garage and will help it assimilate with its 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 extension will lie adjacent to the detached garage of Coolmore Lodge ensuring there will be no significant impact to neighbours residential amenity.

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

Although the proposed garage extension does not meet the parking standard where a single garage should measure 7 metres x 3 metres internally it falls just short of this and is a suitable size in which to park a car. There is however ample space for off road car parking on the existing driveway and existing double garage.

Heritage

Due to the application site being located within the Thorpe Le Soken Conservation Area the applicant has submitted a statement in order to justify the proposal. The Conservation area appraisal describes this area of Thorpe le Soken as the outer High Street and acknowledges *'This part of the Area is characterised by a greater variety of residential built development on the north side of the road, usually within well-defined curtilages of generally suburban scale. Houses are set back in their gardens, the street scene is more spacious, and mature trees become dominant. No particular rules can be derived from the buildings...although they are unexceptional and can only be regarded as "neutral" in terms of the Area's appearance'*.

The garage extension is considered of appropriate scale and form for the location, while the matching finish will not look out of place and will preserve this section of the conservation area.

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: 5364-P03B, 5364-P02 and LSDP 1600-01.

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

- 3 Prior to first use of the hereby approved garage extension, the landscaping scheme shall be in accordance with Drawing No. LSDP 1600-01. 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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