

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	08/01/2021
Planning Development Manager authorisation:	SCE	12.01.2021
Admin checks / despatch completed	ER	13/01/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	13.01.2021

Application: 20/01535/FUL **Town / Parish:** Manningtree Town Council

Applicant: Miss Stephanie Webb

Address: 2 Hilton Close Manningtree Essex

Development: Proposed single storey front porch.

1. Town / Parish Council

Manningtree Town Council No Objections

2. Consultation Responses

Essex County Council The application is for a proposed single storey front porch.
Heritage
30.12.2020 Considering the location and context of this building, within the Conservation Area, there is no objection to this application.

I recommend a condition pertaining to materials to control the quality of the development.

3. Planning History

20/01535/FUL	Proposed single storey front porch.	Current	
20/01656/TCA	2 No. Silver Birch - tidy up and cut back, general tidy up around path. Additional Ivy/Holly - remove.	Approved	23.12.2020

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
EN17 Conservation Areas
TR1A Development Affecting Highways
TR7 Vehicle Parking at New Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of a two storey semi detached dwelling. The dwelling is located on a corner plot location with an existing canopy structure to the front of the house. The dwelling is significantly set back from the front of the site. The surrounding area comprises of semi detached and detached dwellings many benefiting from existing porches varying in design and size.

The site is located within the development boundary and within the Manningtree Conservation area.

Proposal

This application seeks planning permission for the erection of a front porch.

Assessment

Design, Appearance and Heritage Impact

The site is located within the conservation area for Manningtree and it is noted that the site is not awarded special mention within the Conservation Area Appraisal.

Whilst the proposal will be sited to the front and publicly visible, it will be set back from the front of the site significantly which will reduce its prominence within the area.

The new porch is of a size and design which is appropriate to the main house and will replicate other porch styles which are located within the vicinity.

The proposal will be constructed from red brick with a grey slate roof which will match the existing house. The proposed porch will also comprise of a small section of black cladding which will be publicly visible however this will be consistent with other porch designs within the area and would not appear harmfully within the streetscene. It is also noted that the existing canopy structure already comprises of this small section of black cladding so the use of such would not result in a significant change visually.

As the proposal is located within the Conservation Area the Essex County Council Heritage Team have been consulted and raise no objection to the proposal subject to a condition being imposed regarding clarification over the materials. It is noted that sufficient information has already been provided on the materials which are proposed and that these are in keeping with the appearance of the dwelling and would not have a detrimental impact to the character of the conservation area. It is therefore considered this condition to be unnecessary and it has not been included on the planning permission.

It is noted that a Design and Access Statement has been provided containing a Heritage Impact Assessment detailing the impact of the proposal to the conservation area in line with the NPPF. As a result of the above it is considered that the proposal would not diminish the appearance of the existing house and streetscene and would not result in a harmful impact to the appearance and character of the conservation area.

Impact to Neighbours

The proposal has the potential to result in a loss of light and outlook to the neighbouring window of 4 Hilton Close. The sunlight/ daylight calculations specified within the Essex Design Guide have been applied to the plans. The 45 degree line in elevation would strike through part of this window and in plan would not strike through the centre of this neighbour's window. It is therefore concluded that whilst there would be some loss of light to this neighbour's high level window nearest to the proposal that this loss would not be so significant to refuse planning permission upon.

The proposal will result in a loss of outlook to this neighbour however due to the designs minor nature and the size of the window which it would impact the loss of outlook is not so significant to refuse planning permission upon.

Due to its nature and positioning the proposal would not result in a loss of privacy to the neighbour.

Highway Safety

As there is communal parking sited to the north west of the site the land situated to the front is not required for the parking of vehicles. The proposal will not alter the existing arrangements for parking at the site and will not contravene highway safety.

Other Considerations

Manningtree Town Council have no objection to the proposal.

One comment has been received from a neighbour stating it will result in a loss of light to their window which serves their reception room.

The level of light and outlook lost as a result of the proposal has been described above. In summary the proposal passes the sunlight/ daylight calculations specified within the Essex Design

Guide and is of a suitable size to not result such a significant loss of light or outlook that would warrant the requirement to refuse planning permission upon.

Conclusion

It is therefore concluded that the proposal satisfies the requirements of the aforementioned national and local policies and in the absence of material harm resulting from the proposed 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 plan:

Block Plan showing Porch - 29th October 2020

Existing and Proposed Side Elevations - 29th October 2020

Existing and Proposed Floor Plans and Front Elevations - 29th October 2020

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.