

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	26/02/2021
Planning Development Manager authorisation:	SCE	26.02.2021
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Application: 21/00074/FUL **Town / Parish:** Alresford Parish Council

Applicant: Mr Chris Morgan

Address: 14 Crestlands Alresford Colchester

Development: Retrospective planning for conversion of garage into detached annex for private use.

1. Town / Parish Council

Alresford Parish Council No Comments received

2. Consultation Responses

Not applicable

3. Planning History

21/00074/FUL Retrospective planning for conversion of garage into detached annex for private use. 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

TR7TD Vehicle Parking at New Development

TR1A Development Affecting Highways

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

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Parking Standards

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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 semi detached bungalow which is set back from the front of the site with adjacent fence. Sited to the front is an existing driveway and vehicular access. Located to the rear with small elements visible within the street scene is the existing outbuilding to which this application relates. There is also fencing sited along each neighbouring boundary of the site.

Proposal

Retrospective planning for conversion of garage into detached annex for private use.

During the case officers site visit the proposal has already commenced.

Upon inspection of the site it appeared that that the proposed outbuilding overhung onto the neighbouring dwellings land. Clarification has since been sought and received from the agent stating that the outbuilding is solely on land owned by the applicant and that no further information is required.

Assessment

Design and Appearance

The proposal comprises of alterations completed to an already established outbuilding where due to its siting behind the existing fencing is only slightly publicly visible from the street scene. The alterations to complete the conversion of this outbuilding are minimal and are predominantly screened by the existing fence preventing it from resulting in a harmful impact to the appearance or character of the street scene.

The garage door has been removed and replaced with boarding which has been applied to the external walls of the outbuilding. As a result of the buildings set back from the front of the site and screening by way of the existing fence any views of this will be minimal and will not be detrimental to the appearance of the dwelling or area.

The proposed alterations are minimal in nature and are considered an appropriate size to the site and surroundings and are considered not to infringe upon the existing dwellings character or appearance.

Whilst the usage has been clarified as a home office to then be changed to ancillary accommodation for family members for the purposes of safeguarding the amenities of neighbouring properties a condition will be imposed upon the permission stating that the use of the building shall be used as ancillary accommodation only and not as a separate dwelling.

Highway Safety

Whilst the loss of the garage does decrease the amount of parking at the site as the area to the front of the house is large enough for the parking of two vehicles off of the highway in line with the Essex County Council Parking Standards it is considered the proposal will not contravene highway safety.

Impact to Neighbours

It is considered that as the garage was an existing feature to the site, with it already being visible to the neighbouring properties and due to the minor nature of the alterations that the proposal would not result in significant impact to the residential amenities of each of the neighbours in terms of loss of light, outlook and privacy.

Other Considerations

Alresford Parish Council have not commented on the proposal.
There have been no letters of representation received.

Conclusion

In the absence of material harm resulting from this proposed development the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plan:

100 - Existing and Proposed Elevations and Floor Plans
BP - Block Plan

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

- 2 The outbuilding shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 14 Crestlands, Alresford, Colchester, Essex, CO7 8AF

Reason - The site is unsuitable for an independent residential unit because of the location of the building and the nature of the site.

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.