

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	05/03/2021
Planning Development Manager authorisation:	SCE	05.03.2021
Admin checks / despatch completed	CC	08.03.2021
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Application: 21/00009/FUL **Town / Parish:** Mistley Parish Council

Applicant: Mr Matthew Pratt and Miss Toni Spurgin

Address: The Old School House Clacton Road Horsley Cross

Development: Proposed single storey rear extension and garage conversion and new pitched roof (resubmission of application 19/01470/FUL).

1. Town / Parish Council

Manningtree Town Council

At its Planning Committee Meeting on the 4th March 2021, the Parish Council recommended approval.

2. Consultation Responses

Not applicable

3. Planning History

19/01470/FUL	Proposed two storey and single storey side extensions, single storey rear extension and detached garage.	Approved	19.12.2019
21/00009/FUL	Proposed single storey rear extension and garage conversion and new pitched roof (resubmission of application 19/01470/FUL).	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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. 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 is located to the north west of the B1035 Clacton Road, outside the development boundary of Horsley Cross. It serves a detached two storey dwelling constructed of red brick with a slate roof. It includes a single storey pitched roof projection to the side of the dwelling, which serves a garage door on the rear elevation. The dwelling is located approximately 1.5m from the main road with a low fence dividing the dwelling from the grass verge and highway. To the side of the dwelling and in front of the side projection is a gravel driveway for parking. The rear of the site is a large area of land which is predominantly laid to lawn with various trees and shrubs planted within the site and a patio and pergola adjacent to the dwelling. Various styles of fencing divide the plot with the adjacent neighbours and the open countryside which is located to the rear of the site.

History

A previous application has previously been approved by the Local Planning Authority, details of which are;
19/01470/FUL Proposed two storey and single storey side extensions, single storey rear extension and detached garage.

Proposal

This application now seeks the erection of a single storey rear extension and detached garage.

Assessment

Design and Appearance

The proposal is of a size and scale which is appropriate to the main house and will be sited to the side and rear and therefore publicly visible.

The proposed extension will be set back from the front of the site and due to its single storey nature is not considered to dominate the existing house or appear harmfully within the streetscene.

The proposal will be constructed in brick to match the existing house with a light ivory /cream render. Whilst the use of render is not consistent with the existing house there are a number of

nearby properties which are either fully rendered in this colour or have certain aspects which are finished as such. The use of ivory render in the proposal would therefore not be out of keeping within the streetscene. The set back of the proposal would further reduce any prominence caused by this change.

The site is of a suitable size to accommodate the proposal and still retain sufficient private amenity space.

The site is situated outside the housing settlement limits however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets Policy HG12 of the Adopted Local Plan 2007.

Highway Safety

The Essex county Council Parking Standards request that where a house comprises of more than two bedrooms that 2no parking spaces should be retained measuring 5.5m by 2.9m per space.

The loss of the garage will result in a reduction in parking at the site however there is an area to the front and side of the site which are suitable sizes for the parking of two vehicles in line with the aforementioned standards preventing the proposal from contravening highway safety.

Impact on Neighbours

The proposed extension will be visible to the house to the south west known as Rowan however as a result of its single storey nature and distance of 3.7m from the shared boundary would not result in a significant loss of residential amenities to this adjacent dwelling.

The proposal will be visible to the dwelling sited to the north east of the site known as "Windrush" however as a result of its single storey nature and distance of 1.9m which will be maintained between the proposal and neighbour; the proposal would not result in a significant loss of residential amenities to this neighbour.

Other Considerations

Manningtree town Council have no objection to the proposal. There have been no letters of representation received.

Conclusion

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: 23-2019-04PB and 23-2019-03PA.

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.