

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	23/06/2022
Planning Development Manager authorisation:	SCE	24.06.2022
Admin checks / despatch completed	DB	24.06.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	24/06/2022

**Application:** 22/00602/FULHH                      **Town / Parish:** Mistley Parish Council

**Applicant:** Mr Ward

**Address:** Evora Clacton Road Horsley Cross

**Development:** Proposed detached double garage/store following demolition of existing single garage.

### **1. Town / Parish Council**

Manningtree Parish  
Council  
05.05.2022

At the Parish Council's Planning Committee Meeting on the 5 May 2022, the Committee recommended approval.

### **2. Consultation Responses**

ECC Highways Dept  
23.06.2022

The information submitted with the application has been fully assessed by the Highway Authority and conclusions reached based on a desktop study in conjunction with a site visit. The site is situated on the B1035 Clacton Road that is subject to a 40-mph speed limit. It is noted that the amended proposals do not alter the current vehicle access and the garage is set back from the highway boundary retaining adequate parking and turning, considering these factors:

**The Highway Authority does not object to the proposals as submitted.**

#### **Informative:**

1: Prior to commencement of the building works, areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway to ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period.

2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

3: Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed during the construction phase of the proposals.

Tree & Landscape Officer  
18.05.2022

The boundary of the application site is demarcated by an established hedge comprising several different species. The hedge acts as a good screen and helps to soften the appearance of the existing dwelling and garage. There are no important trees or other significant vegetation in the main body of the land.

No trees will be adversely affected by the demolition of the existing garage and construction of a new, larger, double garage.

It appears that the proposed creation of an additional access point to allow for access and egress could take place without the removal of the hedge by way of the use of an existing gap.

If it were to be necessary to remove all or part of the hedge in order to achieve the desired sight lines; then replacement planting should be secured by way of a planning condition.

### **3. Planning History**

00/00770/FUL	New room addition - domestic	Approved	13.06.2000
11/01503/LUPRO P	Proposed static caravan for use as ancillary accommodation to the main house.		16.02.2012
21/30172/PREAPP	Proposed 3 bed dwelling with parking and private amenity.	Refused	02.07.2021
21/02112/FULHH	Proposed two storey side and rear extension to form utility, WC, bedroom and bathroom.	Approved	03.03.2022
22/00602/FULHH	Proposed detached double garage/store following demolition of existing single garage.	Current	

### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)  
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design  
CP2 Improving the Transport Network

Local Planning Guidance  
Essex County Council Car Parking Standards - Design and Good Practice

### **Status of the Local Plan**

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Application Site

The application site comprises of a two storey semi-detached dwelling which is set back from the front boundary. The site benefits from an existing flat roof garage and rear garden area. Sited along the front boundary is existing planting with one existing vehicular access.

The house itself is constructed from brick with a previously approved application for a proposed two storey side and rear extension to form utility, WC, bedroom and bathroom under planning permission 21/02112/FULHH. This was approved as cream render.

### Proposal

This application seeks planning permission for a detached double garage/store following demolition of existing single garage.

The initial proposal also included a new access however this has since been removed at the applicant's request.

### Assessment

#### Design and Appearance

The proposal will be sited to the side of the main house and therefore publicly visible. The new building will be set back from the front of the site and will replace the existing flat roof structure currently in situ. Whilst visible the sites front boundary comprises of vast planting which will aid in screening the majority of the development from Clacton Road. The break in the boundary planting will allow for some views of the proposal however these views will be minor and not detrimental to the overall appearance/ character of the dwelling or locale.

The site is of a suitable width to accommodate the proposal without it appearing cramped within the streetscene and will maintain the open character of the countryside.

The proposed new building will be lower in height compared to the main house and be finished in cream boarding with a brick plinth. The use of boarding will differ from the appearance of the existing house however as nearby dwellings are finished in cream render and the extension approved under 21/02112/FULHH making this area of Clacton Road a mixture in terms of materials the use of such would be acceptable in this instance and would not be detrimental to the appearance/ character of the streetscene.

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

The Councils tree and Landscape Officer has provided the below comments;

"The boundary of the application site is demarcated by an established hedge comprising several different species. The hedge acts as a good screen and helps to soften the appearance of the existing dwelling and garage. There are no important trees or other significant vegetation in the main body of the land.

No trees will be adversely affected by the demolition of the existing garage and construction of a new, larger, double garage.

It appears that the proposed creation of an additional access point to allow for access and egress could take place without the removal of the hedge by way of the use of an existing gap.

If it were to be necessary to remove all or part of the hedge in order to achieve the desired sight lines; then replacement planting should be secured by way of a planning condition."

The comments above suggest that the proposal would be acceptable provided the existing hedge is replaced. As the access has now been removed and does not form part of this permission this condition would not be necessary to the application.

#### Highway Safety

The Essex County Council Parking Standards requests that where a house comprises of two or more bedrooms that 2no. parking spaces should be retained which measure 5.5m by 2.9m per space. They also state that internal measurements for garages should be 7m by 3m. The proposed garage will not meet the above standards and will be positioned on land currently used for parking. However the house itself is set back from the front of the site with sufficient space to the front to accommodate the proposal and still retain at least two parking spaces in line with the above standards.

ECC Highways have been consulted and provide no objections.  
The proposal will therefore not contravene highway safety.

#### Impact on Neighbours

The proposal is of a nature and siting away from shared boundaries which would prevent it from resulting in a significant loss of residential amenities to neighbouring sites.

In order to ensure that the proposal is solely used in ancillary to the main house a condition will be imposed upon the permission stating that an alternative use will require planning permission.

#### Other Considerations

Manningtree Town Council recommend approval of the application.  
There have been no letters of representation in relation to the proposal.

#### 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:

EHC/4A  
EHC/3A

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

- 3 The garage shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Evora Clacton Road, Horsley Cross, Manningtree, Essex, CO11 2NR.

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 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.

## Highways

### Informative:

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