

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	08/08/2022
Planning Development Manager authorisation:	GN	08/08/22
Admin checks / despatch completed	MR	08.08.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	08.08.2022

Application: 22/01009/FULHH **Town / Parish:** Clacton Non Parished
Applicant: Mr Philip Sayer
Address: 148 London Road Clacton On Sea Essex
Development: Proposed replacement garage with utility and annex extension

1. Town / Parish Council

Non-parished area

2. Consultation Responses

n/a

3. Planning History

95/01122/FUL	Demolition and reconstruction of attached garage	Approved	31.10.1995
17/00043/FUL	Proposed single storey rear extension.	Approved	09.03.2017
22/00960/FULHH	Proposed replacement garage and utility extension.	Approved	18.07.2022
22/01009/FULHH	Proposed replacement garage with utility and annex extension	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

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

Proposal

The application proposes the replacement of the existing garage, albeit in the same position however 0.40 metres wider. Adjoining the rear of the new garage is a proposed utility room and annex. 148 London Road is a detached bungalow located within the development boundary of Clacton on Sea.

Design and Appearance

The proposal will be sited on the southern side of the application site, with the proposed garage built to the side boundary shared with 146 London Road, immediately adjacent to the neighbours drive. The annex and utility will measure 11.05 metres in depth from the rear of the garage, a maximum of 4.2 metres in width with an overall flat roof height of 2.775 metres. The annex will be finished in brickwork with UPVC doors and windows all to match the existing dwelling. The annex will be used for a family member and is considered to provide appropriate accommodation in this respect. Due to the position of the annex to the rear of the existing dwelling and its single storey nature, it will not be visible from London Road.

The design and scale of the proposals is acceptable and would result in no material harm to visual amenity.

Impact upon Residential Amenity

The proposed annex and utility will be a distance of 0.20 metres from the southern side boundary. Due to the single storey nature of the proposals and rearward positioning, partly adjacent to the single garage at 146 London Road there will be no significant impact in terms of loss of light, privacy or outlook to any neighbours.

The annexe will be used ancillary to the use of the residential dwelling and if consent is granted its use will be secured by condition. An independent unit for living is not appropriate in this location and is contrary to the adopted Local Plan policies for a residential dwelling.

The parking provision at the property is unchanged and remains in front of the dwelling.

More than 200 square metres of garden space will remain following construction of the annex and utility which is considered more than adequate.

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: Drawing No. J204/10 Revision A and Drawing No. J204/11.

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

- 3 The hereby approved annexe shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 148 London Road, Clacton on Sea, Essex, CO15 4DR and shall not be independently occupied.

Reason - To ensure that the additional accommodation is not severed from the main dwelling to provide a self-contained dwelling unit, since this would be contrary to the provisions of the Council's adopted Local Plan.

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.

<p>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</p>	<p>YES</p>	<p>NO</p>
<p>Are there any third parties to be informed of the decision? If so, please specify:</p>	<p>YES</p>	<p>NO</p>