

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	21/09/2022
Planning Development Manager authorisation:	SCE	28.09.2022
Admin checks / despatch completed	ER	29.09.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	29.09.2022

**Application:** 22/01377/FULHH **Town / Parish:** Thorpe Le Soken Parish Council

**Applicant:** Mr Geoffrey Ellis

**Address:** 20 The Spennells Thorpe Le Soken Clacton On Sea

**Development:** Proposed conversion of garage to playroom and first floor side extension.

### 1. Town / Parish Council

Thorpe le Soken Parish Council No objections received

### 2. Consultation Responses

Not required

### 3. Planning History

22/01377/FULHH Proposed conversion of garage to playroom and first floor side extension. Current

### 4. Relevant Policies / Government Guidance

National:  
National Planning Policy Framework July 2021 (NPPF)  
National Planning Practice Guidance (NPPG)

Local:  
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 detached dwelling set back from the boundary with integral garage. The house is located within the development boundaries with itself and surrounding properties being similar in terms of design and scale some of which have previously extended to the side and/or rear and completed garage conversions under recent planning applications.

### Proposals

This application seeks planning permission for the conversion of garage to playroom and first floor side extension.

Whilst conversions to garages would be considered permitted development the original planning consent (TEN/1017/86) for the house (and surrounding area) states that under condition 08 that integral garages shall be retained for parking and any alternative use would require planning permission thereby removing permitted development rights. This condition has been placed upon the permission to ensure adequate vehicle parking is retained.

### Assessment

#### Design and Appearance

The proposal will be sited to the side and front elevation and will therefore be a publicly noticeable change. The alterations and additions will be set back from the front boundary and lower in height to reduce their prominence and their design will match others within the area who have also received planning permission for similar works.

The use of a lower ridge height compared to the existing house will allow for the extension to appear subserviently to the host dwelling and the use of matching materials and window design will let the proposal be in keeping with the appearance of the host dwelling preventing a harmful impact upon the appearance and character of the street scene.

The proposal is of a suitable size and design in relation to the main house and will be finished in materials which are consistent with the host dwelling.

#### Highway Safety

The proposal will result in the loss of the garage and therefore parking at the house benefits from a parcel of land to the front which is large enough in size to facilitate two off street parking spaces at 5.5m by 2.9m per space in line with the Essex County Council Highways Standards. The proposal will therefore not contravene highway safety.

#### Impact on Neighbours

The proposal will not be visible to 22 The Spennells as it will be screened by the host dwelling and will therefore result in a loss of amenities to this neighbour.

The proposal will have a new window at first floor facing rearward of the site and into the gardens of 18 and 14 The Spennells. As these gardens are already overlooked by the host dwelling and other two storey houses in the area the loss of privacy resulting from this opening is considered not so significant to refuse permission upon in this instance.

Sited north east of the site is 18 The Spennells which is similar in terms of appearance to the host dwelling. The proposal will not protrude past this neighbour's rear elevation and will not impact the openings along the rear elevation.

The proposal will result in a loss of light and outlook to this neighbour's side facing windows however given that these already look onto the host dwelling with very little light and outlook the loss of such from the proposal would be unreasonable grounds to refuse permission upon in this instance.

### Other considerations

Thorpe le soken Parish 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: GM/22/02

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.