

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case Officer recommendation:	ER	06/01/2023
Planning Manager / Team Leader authorisation:	AN	09/01/23
Planning Technician final checks and despatch:	ER	12/01/23

**Application:** 22/01910/FULHH **Town / Parish:** Mistley Parish Council

**Applicant:** Mr and Mrs Kevin and Sophie Ward

**Address:** Elm Ends 11 New Road Mistley

**Development:** Proposed garage conversion, replacement of rear conservatory with liveable space and front porch.

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

Mistley Parish Council  
01.12.2022

At its Planning Meeting on the 1st December 2022 the Parish Council supported this application.

### **2. Consultation Responses**

Not required

### **3. Planning History**

07/01475/FUL	Erection of single storey extension and loft conversion, incorporating construction of full gable and rear dormer windows.	Approved	01.11.2007
22/01910/FULHH	Proposed garage conversion, replacement of rear conservatory with liveable space and front porch.	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)**

### Site Description

The application dwelling is a detached bungalow style house which is set back on its plot with an existing driveway and area for parking to the front. The site benefits from two vehicular accesses along with its own garage and conservatory addition to the rear. The site is located within the development boundary with houses within the vicinity differing in style and design.

### Proposal

This application seeks planning permission for

- Proposed garage conversion,
- Replacement of rear conservatory with liveable space and;
- Front porch.

### Assessment

#### Design and Appearance

The proposed alterations to the garage and new front porch will be to the front and therefore a noticeable change to the front of the house. These elements are minor in nature and will comprise of materials consistent with the host dwelling and will also be set back from the front boundary to reduce their prominence.

The replacement conservatory will be largely to the rear and screened by the host dwelling. In the event that views of this element are achieved from New Road within the spaces between dwellings these views will be minimal due to this elements set back and would not infringe upon the character/ appearance of the house or streetscene.

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

The proposed alterations and enlargements are therefore considered suitable in regards to the existing house and would not diminish the appearance or character of the existing dwelling or of the local area.

#### Highway Safety

The Essex County Parking Standards requests that where a house comprises of two or more bedrooms that a minimum of 2no off street parking spaces which measure 5.5m by 2.9m per space should be retained.

The conversion of the existing garage will result in a loss of parking at the site however as the land is set back on its plot there is sufficient room in front of it for the off street parking of at least two vehicles in line with the above standards.

The proposal will therefore not contravene highway safety.

#### Impact on Neighbours

The proposal is of a minor scale which will be set off of neighbouring boundaries and largely screened by existing boundary treatment preventing it from resulting in a significant loss of amenities to neighbouring sites.

#### Other Considerations

Mistley Parish council have not objected 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 drawings / documents, and / or such other drawings / documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings / documents as may be subsequently approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard:

0428/PL/02

0428/PL/04

0428/PL/05

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.