

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case Officer recommendation:	ER	01/03/2023
Planning Manager / Team Leader authorisation:	ML	02/03/2023
Planning Technician final checks and despatch:	ER	02/03/2023

Application: 23/00118/FULHH **Town / Parish:** Little Oakley Parish Council

Applicant: Mr John Kliber

Address: 106 Rectory Road Little Oakley Harwich

Development: Proposed removal of existing converted garage and replace with new larger single storey extension. Internal Alterations to suit new extension.

1. Town / Parish Council

Little Oakley Parish Council - No objections received

2. Consultation Responses

None required

3. Planning History

23/00118/FULHH	Proposed removal of existing converted garage and replace with new larger single storey extension. Internal Alterations to suit new extension.	Current
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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 single storey semi-detached dwelling located outside of the development boundary.

The house is finished in a pink render with its garage previously converted.

Proposal

This application seeks planning permission for the removal of existing converted garage its replacement with new larger single storey extension.

Assessment

Design and Appearance

The proposed side extension will be to the side of the main house and will replace the existing converted garage being publicly visible within Rectory Road.

The new extension will match the height of the host dwelling and be set back from the front wall and front boundary of the site to reduce its prominence and allow it to appear subservient to the main house. The extension will also be finished in materials which are consistent with the host dwelling and incorporate openings similar to those used in the main house allowing for it to appear cohesively to the existing house.

The use of a forward facing window is a suitable design detail which will break up the expanse of render allowing the extension to appear more visually appealing than the blank wall of the recently converted garage.

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

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

The site is located outside of the development boundary however due to its design and scale it would relate well to the existing house and its surroundings preventing a harmful impact to the appearance/ character of the countryside and streetscene.

Highway Safety

The Essex County Council Parking Standards states 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. The proposal will result in the loss of existing land used for parking however there is sufficient space to the front and side of the house to accommodate at least two off street parking spaces in line with the above standards.

The proposal will therefore comply with highway safety.

Impact to Neighbours

The proposal will be screened by the existing house and set off the shared boundary with the neighbour to the west preventing any loss of amenities to the adjoining neighbour.

There are no neighbouring properties to the east.

Other Considerations

Little Oakley Parish Council have no objections 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 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below 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 subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

0044-A-002

0045-A-200

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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.