

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	09.06.2023
Planning Manager / Team Leader authorisation:	JJ	09/06/2023
Planning Technician final checks and despatch:	CC	09.06.2023

Application: 23/00452/FULHH **Town / Parish:** Clacton Non Parished

Applicant: M Lilly

Address: 139 Coppins Road Clacton On Sea Essex

Development: Proposed erection of garage with home office.

1. Town / Parish Council

Clacton Non-Parished

2. Consultation Responses

Not Applicable

3. Planning History

22/01137/FULHH	Proposed single storey rear extension, alterations to existing porch and side entrance canopy.	Approved	07.09.2022
23/00452/FULHH	Proposed erection of garage with home office.	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

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)

Proposal

This application seeks permission for the erection of garage with home office.

Assessment

Design and Appearance

The proposed garage / home office will be located along the western boundary of the site, to the south of the host dwelling, but is pushed back to the rear of the dwelling and so will not appear overly dominant within views from the street scene. The site is able to accommodate the proposal whilst retaining adequate private amenity space, it is therefore deemed to be of an acceptable size and scale.

The proposed garage / home office is of a single storey nature with pitched roof design. The exterior walls will be finished in black timber cladding with UPVC windows and doors. The roof will be finished in slate tiles. The garage/office is considered to be of an acceptable design and appearance with no significant harmful effects on the visual amenities of the area.

Impact on Neighbouring Amenities

The proposed garage / home office is of a single storey nature with no windows or doors in its west facing side elevation and therefore poses no significant threat of overlooking or loss of privacy to the adjacent neighbouring dwellings.

The proposal, at just over 3.0 in height with a dual pitched roof sloping down to the west boundary, is located an adequate distance from the neighbouring properties as to have no significant impact on the loss of light or loss of outlook. Whilst the new building's roof and part of the side wall will be visible above the boundary fence, it is considered that due to the design of the building (dual pitched roof) and restrained height, the building will not have a harmful impact on the outlook of neighbours to the west, and for same reasons will not result in an undue sense of enclosure.

Highway Safety

The proposed garage does not comply with the Essex County Council requirements for a garage to measure at least 7 m by 3 m internally to be deemed an acceptable parking space. However, there is adequate space to the front of the site / proposal to accommodate parking at the site. The proposal is therefore deemed acceptable in terms of highway safety by the Local Planning Authority.

Other considerations

Clacton is non-parished and so no comments are required.

No other letters of representation have been received.

Conclusion

The proposal is deemed to comply with the aforementioned National and Local Policies. In the absence of any material harm the proposal is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 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 permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action 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.

Drawing No. P01

Drawing No. P02

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.

<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>