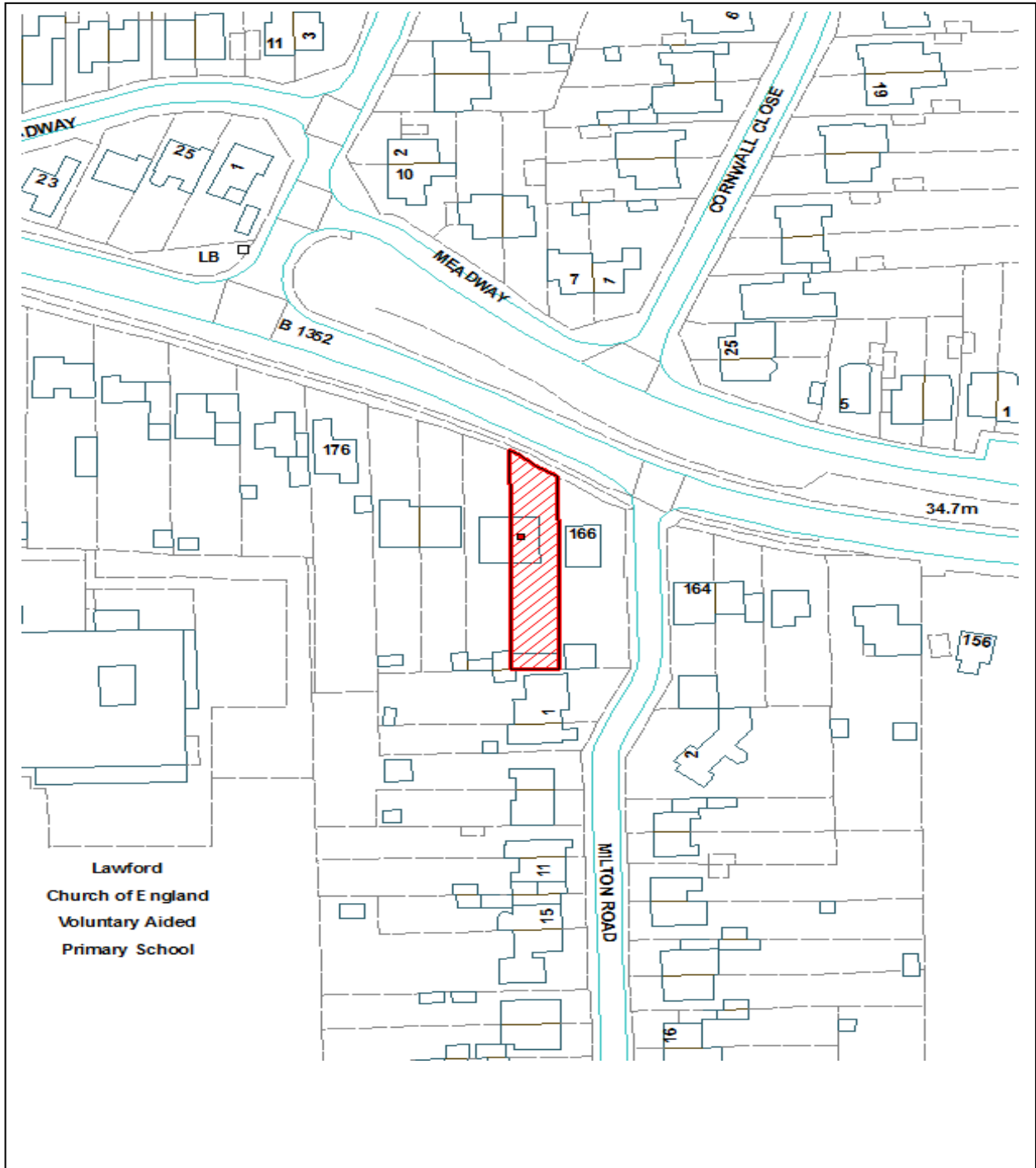


PLANNING COMMITTEE

24 JULY 2018

REPORT OF THE HEAD OF PLANNING

**A.6 PLANNING APPLICATION - 18/00640/FUL- 168 LONG ROAD, LAWFORD, CO11 2EF**



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<b>Application:</b>	18/00640/FUL	<b>Town / Parish:</b> Lawford Parish Council
<b>Applicant:</b>	Toby Spencer-Campbell	
<b>Address:</b>	168 Long Road Lawford CO11 2EF	
<b>Development:</b>	Construction of a dog grooming salon.	

## 1. Executive Summary

- 1.1 The application is referred to the Planning Committee by Councillor Guglielmi due to the proposal being located too close to the neighbours property, the severe impact on parking due to the close proximity to the primary school, the type of business and outbuilding being incongruous for the location.
- 1.2 The application seeks planning permission for the construction of a dog grooming salon. The dog grooming salon is ancillary to the host dwelling and does not require planning permission. Therefore this application will assess the outbuilding.
- 1.3 The proposal is located to the rear of 168 Long Road with partial views from Milton Road, however the proposal is viewed in conjunction with other neighbouring outbuildings. The outbuilding is considered to be in keeping with the character of the area.
- 1.4 If the outbuilding was situated 2 metres away from the boundary, the proposal would be permitted development.
- 1.5 The proposal will not impact upon neighbouring amenities.

**Recommendation:** Approve

**Conditions:**

1. Three Year Time Limit
2. Approved Plans
3. Ancillary Use to 168 Long Road, Lawford

## 2. Planning Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

SPL3 Sustainable Design

**Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

**3. Relevant Planning History**

05/00732/FUL	Proposed rear single storey extension to dwelling house to provide kitchen/dining and internal alterations	Approved	16.06.2005
18/00640/FUL	Construction of a dog grooming salon.	Current	

**4. Consultations**

Not applicable

**5. Representations**

- 5.1 Lawford Parish Council objects to the application as the applicant will be running a business from a residential area.
- 5.2 33 letters have been received with 23 objections with the points raised within the letters summarised below:
- Type of business should not be allowed in residential area

- Noise impact from dogs upon the residents
- Footprint of the proposal is the same as the existing house and height of a bungalow
- Parking could be a problem along Long Road
- There are 5 to let industrial units in Lawford and 5 empty to let shops in Manningtree.
- Larger than the previous shed/outbuilding
- Adverse impact of the amenities of 1 Milton Road – loss of privacy and overbearing impact.
- The dog salon will set a precedent for future development
- No provisions for sound proofing
- Business use proposed is not acceptable within a residential area
- Is there air conditioning in the proposal
- Additional traffic on a busy road especially school times
- This business will deter people from buying neighbouring houses.
- Fencing is not sufficient to prevent dogs entering neighbouring gardens
- Impact of noise from hair dryers, clippers and barking – disturbance
- Congestion along Milton Road would increase

5.3 10 letters of support have been received with the points raised within the letters summarised below:

- Convenient location, short walk to have dogs pampered
- Adequate parking to the front of the property
- Demand for the business in Lawford
- Long Road – mixture of residential and business use
- More noise from the local primary school than the proposed business

## 6. **Assessment**

### Site Context

- 6.1 The application site is 168 Long Road, Lawford, Manningtree, which is a south facing two storey semi-detached dwelling constructed from brick and render. The application site is located within a residential area predominately constructed from semi-detached and detached dwellings.
- 6.2 The site falls within the Settlement Development Boundary for Manningtree within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

### Proposal

- 6.3 The application seeks planning permission for the construction of a dog grooming salon which will measure 7.85 metres in width, 4.9 metres in depth with an overall height of 4.5 metres. The proposal is single storey with a hipped roof. The outbuilding will be constructed from timber cladding and will comprise of bifold doors located on the northern elevation. There are two windows proposed on the western elevation with one window located on the eastern elevation with both being constructed from opaque glass.
- 6.4 The proposal is an ancillary use to the dwelling house of 168 Long Road and therefore the use of the proposal does not require planning permission. As stated in an email from the applicant the salon will have no more than 4 -5 dogs a day with one employee.

### Visual Impact

- 6.5 The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 6.6 The proposed outbuilding is located to the rear of the host dwelling, 168 Long Road. Therefore, views from the street scene of Long Road will be largely restricted. However, due to the application site being located one dwelling away from Milton Road, there will be partial views of the outbuilding in conjunction with neighbouring outbuildings looking towards the proposal from the east.
- 6.7 The proposal will replace the footprint of a demolished outbuilding and due to there being other examples in the rear gardens of the adjacent neighbours; it is considered that the proposal is in keeping with the character and appearance of the area.
- 6.8 Furthermore, it should be noted that if the outbuilding was situated 2 metres away from the boundary it would be permitted development.

#### Impact upon neighbouring amenities

- 6.9 The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 6.10 The proposal will be visible to both neighbouring dwellings to the east and west. Due to the sufficient distance of 18.5 metres from the proposal to the neighbouring dwellings, the single storey nature and the roof of the proposal being hipped, it is considered that the proposal will not cause any significant impact upon the neighbouring amenities.

#### Conclusion

- 6.11 Overall, the proposed outbuilding in this location is acceptable, and the proposal represents no visual harm or detrimental impacts to neighbouring amenities. The proposed use of the outbuilding is ancillary to the host dwelling and therefore this does not require planning permission.

#### Background Papers

None