

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	17/08/2018
Planning Development Manager authorisation:	SCE	29.08.18
Admin checks / despatch completed	<i>[Signature]</i>	30/08/18

Application: 18/01188/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr Wayne Townes

Address: 1 The Rookery Lawford Manningtree

Development: Proposed double storey side extension.

1. Town / Parish Council

Lawford Parish Council No Objections

2. Consultation Responses

Environmental Protection No Comments Received

3. Planning History

18/01188/FUL Proposed double storey side extension. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018
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
 TR1A Development Affecting Highways
 TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 48 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 48 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.

5. Officer Appraisal (including Site Description and Proposal)

Application Site

The application dwelling comprises of a north east facing two storey semi detached dwelling known as "1 The Rookery." The application dwelling is positioned on a corner plot with its front elevation facing Queensway and its side elevation facing The Rookery. The dwelling is of a render and brick construction with a single storey brick extension protruding from its side. Positioned along its north eastern and south eastern boundary is an existing hedge with a break in it for the existing driveway. The south western boundary has an existing brick wall and along the north western boundary shared with the adjoining neighbour is existing fencing.

Proposal

This application seeks permission for the erection of a two storey side extension.

During assessment of the application the proposal has been amended to show a lower height to reduce its prominence to the existing house. The design and positioning of the openings have also been amended to be of a similar appearance to the host dwelling.

Assessment

Design and Appearance

The area comprises of a variety of two storey and single storey semi-detached dwelling. The host dwelling is one of four properties which are uniform in design and setting. These dwellings continue the use of render and brick with the colour of the rendering differing between houses.

The proposal will be sited to the side and will be a noticeable feature from The Rookery and from Queensway. The enlargement will be set back from each boundary by a minimum of 8m and will be finished in materials which match the host dwelling.

The host dwelling is sited on a corner plot with the size of the plot being wider than the other houses. The proposal will be sited to the side and will be 8m from the plots side boundary preventing it from appearing cramped in appearance.

The enlargement will also be set back from the front of the house by 0.3m and the amended plans show that its height will be 0.2m lower than the existing house. Detailing such as windows and their positioning have also been amended to ensure they will be inkeeping with the existing house.

As a result of its set back from the front of the site and front of the dwelling as well as its lower height and size of the plot it is considered that the proposal would not over dominate the existing house and would therefore not have a harmful impact to the existing dwelling and areas appearance and character.

The dwelling is of a large enough size to accommodate a proposal of this size and still retain sufficient private amenity space.

Highway Safety

The existing dwelling will encroach upon the existing driveway currently used for parking. The Essex County Council Parking Standards states that when a property comprises of 2 or more dwellings that two spaces should be retained which measure 5.5m by 2.9m per space. The site has an existing driveway as well as two grassed areas sited to the front and side of the dwelling. The site is therefore large enough to facilitate the proposal as well as retain sufficient parking in line with the aforementioned standards.

Impact on Neighbours

The proposal will not result in a loss of neighbouring amenities to "5 Queensway" sited to the north west of the dwelling as it will be screened by the host dwelling and will be sited 6m away from this neighbour.

The proposal will be visible to the properties south of the site "3 and 5 The Rookery" however as it will be sited ample distance from these neighbours the new enlargement would not result in a loss of neighbouring amenities to these properties.

Other Considerations

Lawford Parish Council have no objections to the proposal. No further letters of representation have been 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 plans: 207/PL/05, 207/PL/03A and 207/PL/04C.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.