

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	04/12/2018
Planning Development Manager authorisation:	SCE	12.12.18
Admin checks / despatch completed	SB	12/12/18.

SL

Application: 18/01742/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr Alex Dover

Address: 12 Stourdale Close Lawford Manningtree

Development: First floor side extension over existing garage with replacement single storey extension to rear of property.

1. Town / Parish Council

Lawford Parish Council Council has no objection to this application

2. Consultation Responses

Not applicable

3. Planning History

18/01742/FUL	First floor side extension over existing garage with replacement single storey extension to rear of property.	Current
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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
HG14 Side Isolation

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Proposal

This application seeks permission for the erection of a single storey rear extension and first floor extension to 12 Stourdale Close which is a two storey dwelling located within the development boundary of Lawford.

Assessment

Design and Appearance

The proposed rear extension will be sited in the rear garden and therefore not publicly visible.

The first floor enlargement will be publicly visible and will be set back a minimum of 8.5m from the front of the site and 1.5m from the front wall of the dwelling to reduce its prominence within the streetscene.

The proposal will appear inkeeping with the host dwelling incorporating matching materials and window detailing. The plans show that small sections of boarding will be included in the proposal, whilst the use of boarding is not consistent with the host or surrounding properties the areas identified for this material are only minor sections of the proposal which would not result in a harmful impact to the dwellings overall appearance.

The height of the proposed enlargement will be 0.2m lower than that of the existing house and its set back from the front wall of the host dwelling will ensure that it appears as a subservient addition which does not over dominate the existing house.

Along Stourdale Close are a number of dwellings which have previously been awarded planning permission for similar types of extensions which have either been completed or are under construction.

The existing dwelling faces "Wignall Street" however as a result of its set back from this highway and ample screening by way of existing trees sited on the grass verge between the house and this highway the proposal would not result in a harmful impact when viewing this site from Wignall Street.

It is therefore considered that the proposal would not result in a harmful visual impact to the appearance or character of the dwelling or area.

Side Isolation

The proposal will be sited along the boundary and will be over 4m in height which is contrary to policy HG14. The neighbouring dwelling of 13 Stourdale Close is positioned off its boundary by 2.5m. As a result of this separation distance and the proposals height reduction compared to the host dwelling it is considered that this enlargement would not appear cramped within the streetscene preventing it from having a harmful visual impact to the appearance of the streetscene.

Impact to Neighbours

The proposed first floor extension will not be visible to 11 Stourdale Close as it will be screened by the host dwelling. The erection of the single storey extension to the rear will result in the demolition and replacement of the existing extension. The new extension will match the height of the existing extension and have a shallower depth of 4.5m. This will mean that the extension will only protrude past the rear wall of this neighbour by 0.5m. As the proposal will not extend beyond the previous extension and due to its flat roof design which will be no higher than that of the existing extension it is considered that proposal would not result in a significant loss of neighbouring amenities to this neighbour.

The proposed ground floor extension will be sited sufficient distance away from the neighbouring property to the east and would therefore not result in a significant impact to neighbouring amenities.

The proposed first floor extension will be constructed on to the existing garage and will not protrude past this neighbour's rear wall. This neighbouring dwelling of 13 Stourdale Close does not have any windows along its side elevation and therefore the proposal would not result in a loss of light or outlook to this neighbour.

The introduction of a new window serving the ensuite will result in additional overlooking to this neighbour however as this neighbour is already overlooked by the application dwelling and as this window will serve a new ensuite it is considered that the level of privacy lost is not so significant to refuse planning permission upon.

Other considerations

Lawford Parish Council has no objections to the proposed scheme.

Two letters of support have been received in relation to this application with one stating that they would like clarification on the footings of the proposal.;

The footings of the proposal are not a material planning consideration and will be assessed under a Building Regulations application and therefore any inspection of plans or clarification should be referred to either this section or to the applicants to ascertain.

Conclusion

In the absence of material harm resulting from the proposed development the applications 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: 12SC/P/2'C'.

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.