

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	12/12/2018
Planning Development Manager authorisation:	SCE	13.12.18
Admin checks / despatch completed	W	18/12/18

Application: 18/01808/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr & Mrs Corrigan

Address: 29 Milton Road Lawford Manningtree

Development: Two storey and single storey front and rear extensions.

1. Town / Parish Council

Lawford Parish Council Council has no objection to this application

2. Consultation Responses

N/A

3. Planning History

17/02127/HHPNO T	Single storey rear extension, 3.35m depth and 3.38m height.	Prior Approval Not Required	11.01.2018
18/01808/FUL	Two storey and single storey front and rear extensions.	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
HG14 Side Isolation

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is located to the west of Milton Road, inside the development boundary of Lawford. It serves a semi detached two storey dwelling constructed of brick with a tile roof. The front of the site has an open front boundary with low fencing to the side boundaries, with an area of paving. The rear of the site consists of a detached garage and the garden is laid to lawn with a patio area and fencing on the boundaries.

Proposal

The application proposes a two storey and single storey rear extension and a single storey front extension.

The rear extension will have a maximum footprint of 6.2m wide by 4m deep. The single storey monopitch extension will have eaves of 2.6m and maximum height of 3.4m. The two storey element will have eaves of 5m with a ridge height of 6.1m. It will be constructed with a smooth render finish and matching roof tiles.

The front extension will replace the porch and will measure 2.73m wide by 2.7m deep with a pitched roof with eaves height of 2.6m and ridge height of 3.4m. It will be constructed of brickwork and roof tiles to match the existing dwelling.

Assessment

The main considerations of this application are the design, parking and the impact on residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Policy HG14 of the Tendring District Local Plan (2007) states that extensions over 4 metres in height will be required to retain appropriate open space between the dwelling and the side boundaries to ensure the new development is appropriate in its setting and does not create a cramped appearance; and to safeguard the amenities and aspect of adjoining residents. As a guideline a minimum of 1 metre will be sought.

Design

The proposed extensions are considered to be of a scale and nature appropriate to the site and the surrounding area. The front extension will be a modest addition that will blend appropriately with the host dwelling and appear appropriate within its setting due to the use of matching materials.

The rear two storey addition will be visible from the end of the cul de sac due to the staggered building line of the properties in the street but is considered to have a neutral impact upon the street scene. The extension is well designed with a lower ridge height to the host dwelling making it appear as a subservient addition, plus the use of render is considered appropriate as there are other examples of render within Milton Road. The extension will also be a good distance from the boundaries so as not to appear cramped within the plot.

The single storey element of the rear extension will not be visible from the road, and its design and use of materials are considered to be acceptable to the locality.

Parking

The development overall changes the property from a 3 bedroom to a 4 bedroom property, potentially intensifying parking at the site. It is noted that the front addition will remove some of the paving currently available for parking at the front of the site. However, the plans state that part of the driveway is to be extended to create additional parking (works appeared to be underway at the time of the officer site visit). This would allow for the parking to 2 no. cars, resulting in the off road parking available at the site being acceptable in line with current parking standards.

Impact on Residential Amenity

The proposed front and single storey rear extensions are not considered to have any adverse impact on the amenities currently enjoyed by neighbouring property.

The two storey extension does not proposed any windows in the side elevations. However, a new window serving a bathroom is proposed in the south side elevation of the existing property. This window will be located approximately 1.35m above finished floor level and to reduce any risk of overlooking to the windows in the side elevation of the neighbouring property to the south a condition is imposed to ensure the window is obscure glazed.

The two storey addition will be located 3.4m from the northern side boundary and 1.9m from the southern side boundary. Having applied the 45 degree rule set out within the Essex Design Guide, due to the staggered building line of property to the south, the distance between boundaries and the orientation of the properties the proposed development is not considered to cause any significant loss of daylight/sunlight that would warrant the refusal of planning permission.

The proposed development overall is not considered to have any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring properties.

Other Considerations

Lawford Parish Council has no objection to this application.

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the 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: Drawing No. 73-2017-12P and Drawing No. 73-2017-13P.
Reason - For the avoidance of doubt and in the interests of proper planning.
- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the new window on the south side elevation serving the bathroom shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.
Reason - To protect the privacy and amenities of the occupiers of adjoining property.

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO