

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	07/01/2018
Planning Development Manager authorisation:	AN	8/1/19
Admin checks / despatch completed	AN	8/1/19

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Application: 18/01896/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr Dan Jeffries

Address: 19 Merivale Road Lawford Manningtree

Development: Proposed two storey side extension with loft conversion.

1. Town / Parish Council

Lawford Parish Council Council has no objection to this application

2. Consultation Responses

n/a

3. Planning History

18/30104/PREAPP	Two storey side extension with loft conversion.	11.07.2018
18/01896/FUL	Proposed two storey side extension with loft conversion.	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
HG9 Private Amenity Space
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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for the erection of a two storey side extension with a single storey rear extension to a house located within the settlement development boundary of Manningtree.

Design and Appearance

The two storey side extension will utilise part of the footprint of the existing single storey element. The existing brick built semi-detached house has a pitched roof and the side extension will match this albeit with a slightly lower ridge height and stepped back from the front elevation ensuring that it appears subservient to the host dwelling. A lower roof intersection at the rear of the new side extension projects beyond the original rear elevation with a single storey element wrapping around to the original rear elevation. All materials will match the existing dwelling which will help to ensure the character of the host dwelling and the immediate area will not be significantly harmed.

The proposal meets the requirements of good design, appearance and scale.

Impact upon Residential Amenity

The proposed extension will be sited, at the closest point, 2.5 metres from the boundary to the north shared with 21 and 23 Merivale Road. The north side facing windows proposed are high level and a condition will be imposed to secure their position at a high level to avoid overlooking of the neighbours garden. All other first floor windows will be positioned on the front and rear elevations and will not have a significant impact in respect of loss of privacy to any neighbouring properties.

Due to the orientation of the host dwelling and the positioning of the proposal there will be no significant impact in respect of loss of outlook or loss of light to the neighbours at 21, 23 and 17 Merivale Road.

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary, which in this case has been met where the northern boundary is shared with 21 and 23 Merivale Road.

At least 190 square metres of private amenity space will remain at 19 Merivale Road following the construction of the proposal which is considered more than adequate. The off road parking provision in front of the property is unchanged.

Other Considerations

Lawford Parish Council has no objection to this application.

No letters of representation have been received.

Conclusion

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: Drg No 02A.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the details on the plans hereby approved, the first floor windows in the north facing elevation of the hereby approved two-storey side extension shall be high level windows, with a minimum floor to cill height of 1.7 metres. No alterations to the height, size and location of these windows shall be carried out without the prior written approval of the Local Planning Authority.

Reason - in the interests of neighbouring amenity.

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.

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