

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	29/01/2019
Planning Development Manager authorisation:	AN	4/2/19
Admin checks / despatch completed	AN	5/2/19

*AK*

**Application:** 18/01996/FUL **Town / Parish:** Lawford Parish Council

**Applicant:** Mr Russell Measor

**Address:** Dunkirk 124 Long Road Lawford

**Development:** Single storey rear extension.

### 1. Town / Parish Council

None received

### 2. Consultation Responses

n/a

### 3. Planning History

02/00616/FUL	First floor extensions over existing side garage and rear bathroom	Approved	22.05.2002
94/00131/FUL	(Dunkirk, 124 Long Road, Lawford) Two storey side extension with forward single storey projection	Approved	15.03.1994
96/01603/FUL	(Dunkirk, 124 Long Road, Lawford) Single storey side and rear extensions to provide garage and enlarged kitchen and new bathroom for private use	Approved	24.01.1997
18/01996/FUL	Single storey rear 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  
HG9 Private Amenity Space

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

Local Planning Guidance  
Essex Design Guide

## **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 single storey rear extension to a house located within the settlement development boundary of Manningtree.

### Design and Appearance

The single storey rear extension will be glimpsed from Long Road, although due to the single storey nature and its position at the rear, there will be no significant impact to the street scene. Matching brickwork and roof tiles will be used to construct the extension to ensure it does not appear prominent against the existing dwelling.

The design and scale of the extension is acceptable in relation to the host property and would result in no material harm to visual amenity.

### Impact upon Residential Amenity

The proposal is a distance of 2.5 metres from the eastern side boundary shared with 126 Long Road ensuring that this neighbour will not be significantly affected by loss of light, outlook or privacy. The proposal is a distance of 1 metre from the western side boundary shared with 122 Long Road.

The next door neighbour at 122 Long Road has a side facing kitchen/diner ground floor window which faces the property of 124 Long Road. Due to its close proximity to the boundary the proposal has the potential to result in loss of light to the property of 122 Long Road and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would intercept the side kitchen/diner window of 122 Long Road, however in elevation it would not intercept the side kitchen/diner window at 122 Long Road. It is therefore considered that the loss of light is not so significant to justify refusing planning permission. Furthermore, due to the single storey nature of the proposal, it is not considered to cause any significant loss of outlook or privacy to the neighbour at 122 Long Road.

At least 250 square metres of private amenity space will remain following the construction of the proposal which is considered more than adequate and the existing off road parking arrangements will not be affected.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of 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 Number DUP173-PL-05, DUP173-PL-02 and DUP173-PL-04.

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.

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