

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	12/02/2019
Planning Development Manager authorisation:	SCE	14.02.19
Admin checks / despatch completed	WNE SB	15/02/19 15/02/19.

Application: 19/00055/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr Matthew Payne

Address: 17 Meadway Lawford Manningtree

Development: Single storey rear extension.

1. Town / Parish Council

Lawford Parish Council Council has no objection to this application

2. Consultation Responses

Not applicable

3. Planning History

01/01083/FUL	Conservatory	Approved	01.08.2001
14/00597/FUL	Single storey front extension for private use.	Approved	01.07.2014
19/00055/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

TR7 Vehicle Parking at New Development

TR1A Development Affecting Highways

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for the erection of a single storey rear extension to a semi-detached dwelling within the development boundary of Lawford. The proposed extension will include a roof lantern protruding 0.6m above the roof.

Since receipt of the application the proposal has since been amended to show a lower height of 2.8m to reduce the impact to the neighbouring property by allowing it so successfully pass the sunlight/ daylight calculations within the Essex Design Guide.

Assessment

Design and Appearance

The proposal will be sited to the rear with a small section protruding beyond the side of the existing house meaning that it will be publicly visible.

Whilst visible the proposal will be set back from the front of the site sufficiently in order to prevent it from appearing as a prominent feature within the streetscene.

The proposal is of an appropriate scale to the existing dwelling and will be finished in materials which match the house. Whilst the flat roof is not inkeeping with the overall design of the host dwelling due to the minimal impact which the proposal would have this would not detract from the character and appearance of the existing house and area.

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

Highway Safety

The proposal will result in the loss of the existing garage and some of the driveway however as the front of the site is large enough in size to accommodate the proposal and still retain two parking spaces in line with the Essex County Council Parking Standards there would not be a harmful impact in terms of highway safety.

Impact on Neighbours

As a result of its design the proposal will not result in a loss of privacy to the neighbouring dwellings.

Sited to the west of the site is 18 Meadway which has an existing garage to the side separating this neighbour from the application dwelling. The proposal will be sited 1m from this neighbouring boundary and 3.5m from 18 Meadway. Due to the distance away from the neighbour and partial

screening offered by way of the garage the proposal would therefore not result in a significant loss of outlook to this neighbour.

The proposal will result in a loss of light to this neighbouring dwellings rear kitchen window due to its depth and the removal of the garage. The sunlight/ daylight calculations specified within the Essex Design Guide have been used on the proposal and the 45 degree line in elevation and plan would not intercept the neighbours rear openings and therefore the loss of light is not so significant to refuse planning permission upon.

The proposal will protrude 2.2m beyond the rear extension situated at 16 Meadway and will therefore result in a loss of light. The sunlight/ daylight calculations have been applied to this neighbour and the 45 degree line in plan would intercept this neighbouring dwellings nearest rear window however in elevation would only intercept the lower section of the window. The loss of light is therefore not so significant to refuse planning permission upon.

The proposal will result in a loss of outlook to 16 Meadway as it will protrude past this neighbouring dwellings rear extension. The existing boundary planting and fencing will assist in screening the proposal from this neighbour reducing its impact. Furthermore the existing boundary treatment could be increased in height to 2m under permitted development to further reduce the level of outlook lost. It is therefore considered the loss of outlook in this instance is not so significant to refuse planning permission upon.

Other Considerations

Lawford Parish Council has 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: 38-2018-02PA and 38-2018-03PA.

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.