

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	20/02/2019
Planning Development Manager authorisation:	SCE	20.02.19
Admin checks / despatch completed	ER	21/2/19

**Application:** 19/00024/FUL **Town / Parish:** Lawford Parish Council

**Applicant:** Mr John Drewery

**Address:** 7 Stourdale Close Lawford Manningtree

**Development:** Ground floor extension to create an annexe and first floor extension above garage/carport.

### 1. Town / Parish Council

Lawford Parish Council      Council has no objection to this application

### 2. Consultation Responses

Not applicable

### 3. Planning History

99/00993/FUL	Single storey end extension to lounge for private use	Approved	11.08.1999
07/01408/FUL	Alterations and extensions to form covered area, carport and utility room.	Approved	17.10.2007
19/00024/FUL	Ground floor extension to create an annexe and first floor extension above garage/carport.	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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 ground floor extension and first floor extension to incorporate an annexe.

The proposal has since been amended to show that it will be finished in render to ensure its consistency with the host dwelling.

### Assessment

#### Design and Appearance

The proposal will be sited to the side and therefore publicly visible.

The proposed extensions will be set back from the front of the site by 4.2m and lower in height to the host dwelling by 0.1m which will assist in reducing its prominence within the streetscene.

The proposal incorporates features which match the host dwelling and will be finished in render to match the existing house. As a result of the lower ridge height, the proposal will not over dominate the host dwelling and will appear as a subservient feature.

The ground floor extension will be set back from the front of the site and will be of a scale which is respectful to the dwelling to prevent it from having any visual harm to the appearance and character of the dwelling and area.

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

#### Impact on Neighbours

As a result of the orientation of and positioning of dwellings on their plots the proposal would not result in a loss of light or outlook to the neighbouring property to the north 17 Stourdale Close. A new window which will serve the landing will be positioned along the sites side elevation which will overlook this neighbouring site. As this window will serve a landing and will be positioned 15m away from this neighbours boundary the loss of privacy is not so significant to refuse planning permission upon.

The host dwelling is set further back on its plot compared to the neighbour to the west 6 Stourdale Close and therefore this neighbour receives little light and outlook from this east. This will reduce further as a result of the proposal which will be sited 2.4m from this neighbouring boundary. It is therefore considered that the loss of light and outlook in this instance would not be so significant to refuse planning permission upon.

New velux windows will be positioned within the roof slope along the side elevations of the proposal and existing house. As these will be embedded within the roof and are of a suitable

height which would prevent direct views into this neighbour's garden the loss of privacy is not so significant to refuse planning permission upon.

#### Other considerations

Lawford Parish Council have no objections to the proposal.  
No further letters of representation have been received.

#### Conclusion

In the absence of material harm resulting from the proposal 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: 004 Rev C and 003 Rev B.

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.

Please note that the annex may only be occupied as ancillary accommodation to the main dwelling, known as 7 Stourdale Close, Lawford, CO11 2HY. Any separate residential use would require planning permission.