

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	07/03/2019
Planning Development Manager authorisation:	SCE	19.03.19
Admin checks / despatch completed	ER	21/3/19 <i>pw</i>

**Application:** 19/00156/FUL **Town / Parish:** Lawford Parish Council

**Applicant:** Mr & Mrs Pryke

**Address:** 158 Long Road Lawford Manningtree

**Development:** Proposed side extension incorporating a flat roof overhang to run alongside the whole rear elevation of the house.

**1. Town / Parish Council**

Lawford Parish Council Council has no objection to this application.

**2. Consultation Responses**

Not applicable

**3. Planning History**

19/00156/FUL	Proposed side extension incorporating a flat roof overhang to run alongside the whole rear elevation of the house.	Current
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**4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019  
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

**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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 a proposed side extension to a two storey detached dwelling within the development boundary.

The application also includes a new overhang to the existing rear of the dwelling.

Since initial receipt of this application the overhang proposed has been removed from the side extension to prevent it from being publicly visible.

### Assessment

#### Design and Appearance

The proposed extension will be sited to the side and rear of the existing house and therefore publicly visible from Long Road.

Whilst visible the proposal will be set back from the highway and predominantly screened by the existing house which will prevent it from appearing as a prominent and harmful feature within the streetscene.

The proposal is of a size which is appropriate to the existing dwelling and will be finished in materials which match the existing house.

Whilst the flat roof design does not conform to the overall character of the dwelling as the enlargement will be predominantly to the rear the use of a flat roof would not have a harmful impact to the overall appearance of the dwelling within the streetscene.

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

#### Impact on Neighbours

The proposal would not result in a loss of residential amenities to the neighbour to the west "156 Long Road" as it will be sited sufficiently away from this neighbour and be predominantly screened by the host dwelling.

The footprint of the extension will not protrude past the rear wall of the existing house however the canopy/ overhang will extend beyond the rear elevation. The proposal will be visible to the neighbour to the east 160 Long Road. This neighbour is positioned further forward on its plot and currently receives little light due to the application dwellings positioning and size.

As the proposal will have a flat roof and be sited 8m from the neighbouring boundary it would not result in a significant loss of light or outlook to this neighbour. Three new openings will be positioned along the side elevation facing this neighbour however these are of a height which could be screened by 2m high fencing and as a result of the distance away from the boundary would not result in a significant loss of privacy to warrant refusing planning permission upon.

#### Other Considerations

Lawford Parish Council have no objections to the proposal.  
No 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: 102 Rev D, 103 Rav A and 105.

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.