

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	15/04/2019
Planning Development Manager authorisation:	SCE	17.04.19
Admin checks / despatch completed	[Signature]	18/04/19

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Application: 19/00353/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr Gary Hook

Address: 20 Milton Road Lawford Manningtree

Development: Removal of existing conservatory and erection of single storey rear extension.

1. Town / Parish Council

Mrs Peachey - Lawford Parish Council Council has no objection to this application

2. Consultation Responses

N/A

3. Planning History

04/00755/FUL	Single storey side extension	Approved	27.05.2004
19/00353/FUL	Removal of existing conservatory and erection of single storey rear extension.	Current	

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
- Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
- SPL1 Managing Growth

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site is within the development boundary of Manningtree. It serves a semi-detached two storey dwelling constructed of brick and tiled roof with a single storey extension to the side, and a previously added conservatory at the rear. The rear garden is laid to lawn, with decking and close boarding fencing on the boundaries. The front of the site is entirely gravelled for parking.

Proposal

This application seeks planning permission for a single storey rear extension, following the demolition of the existing conservatory. The proposal will measure a maximum depth of 3.9m, 6.1m wide - extending the entire width of the existing rear elevation, and will have a monopitch roof with a maximum height of 3.3m. It will be constructed of render with a grey covering roof.

Assessment

The main considerations of this application are the design and the impact upon residential amenity.

Policy Considerations

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design and Appearance

The proposed rear extension is considered to be of a scale and nature appropriate to the site and the surrounding area. Whilst the proposal will include materials that differ from the host dwelling,

this in itself is not harmful and will clearly distinguish the extension from the main property. Further, there will be no views of the extension from Milton Road, so the development will not be publicly visible or have any impact upon the street scene.

The proposed development is therefore considered to be in keeping with the host dwelling and is acceptable in design terms.

Impact on Residential Amenity

The rear extension is a distance of 3.1m to the boundary of 18 Milton Road and is on the shared boundary line with 22 Milton Road. It is important to note there is an existing single storey conservatory in situ, and therefore the proposal won't have any significant greater impact than this existing conservatory. Furthermore as the proposal is for a single storey extension, there will be no significant loss of light or overlooking.

Other Considerations

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

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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 No. 20MR/P/2 'A'.

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.