

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	07/05/2019
Planning Development Manager authorisation:	SCE	10.05.19
Admin checks / despatch completed	KNE	10/05/19.

**Application:** 19/00480/FUL **Town / Parish:** Lawford Parish Council

**Applicant:** Mr Spencer Gilbert

**Address:** 74 Hungerdown Lane Lawford Essex

**Development:** Single storey side extension to existing annexe building.

**1. Town / Parish Council**

Lawford Parish Council      No comments received

**2. Consultation Responses**

Not applicable

**3. Planning History**

99/01108/FUL	Alterations and extensions	Approved	07.09.1999
08/01147/FUL	Erection of garage, with storage and study above (to replace existing garage); and erection of 2.4m high garden wall.	Approved	10.10.2008
11/00414/FUL	Erection of two storey side and rear extensions, and single storey side extensions (following demolition of existing lean-to).	Approved	21.07.2011
14/01024/FUL	Single and two storey extensions to rear and side of existing house - comprising amendments/re-design to that approved earlier (ref 11/00414/FUL).	Approved	26.08.2014
17/00768/DISCON	Discharge of condition 03 (materials) of planning permission 14/01024/FUL.	Approved	20.06.2017
17/01332/LUEX	Confirmation that development permitted under planning permission 14/01024/FUL has been commenced.	Approved	02.10.2017
19/00480/FUL	Single storey side extension to existing annexe building.	Current	

**4. Relevant Policies / Government 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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Application Site**

The application site comprises of a north facing two storey dwelling located outside of the development boundary. The site has two vehicular accesses with a number of outbuildings and parking to the rear.

### **Proposal**

This application seeks planning permission for the erection of a side extension to the annexe to the rear.

### **Assessment**

#### **Design and Appearance**

The proposed extension will be sited to the side of the existing annexe and will be publicly visible when viewing the site from Hungerdown Lane. As the existing annexe is set back from the front of the site and predominantly screened by existing front boundary planting it would not appear as a prominent or harmful feature within the streetscene.

The enlargement is of an appropriate design to the existing annexe and will be finished in materials which will match that of the existing. The proposal is of a single storey design to ensure that it does

not over dominate the existing building which will prevent it from having a harmful impact to its appearance and character.

An informative has been imposed upon the permission stating that the annexe should only be used as ancillary accommodation to the main house and separate planning permission will be required to turn it into a new separate dwelling.

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

The site is situated outside the housing settlement limits however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets Policy HG12 of the Adopted Local Plan 2007.

#### Impact to Neighbours

The proposal will be sited sufficient distance away from each neighbouring boundary and screened by existing boundary treatment and would therefore not result in a loss of residential amenities to these neighbours.

#### Other considerations

Lawford Parish Council has not commented on the application.  
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: Drawing No SLG/SK/03.

Reason - For the avoidance of doubt and in the interests of proper planning.

### **8. Informatives**

Please note that the annexe may only be occupied as ancillary accommodation to the main dwelling, known as 74 Hungerdown Lane Lawford Essex CO11 2LX. Any separate residential use would require planning permission.

#### 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.