

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	12.6.19
Planning Development Manager authorisation:	SCE	14.6.19
Admin checks / despatch completed	SB	17/06/19.

Application: 19/00666/FUL **Town / Parish:** Lawford Parish Council
Applicant: Mrs Sue Jones
Address: 26 Constable Close Lawford Manningtree
Development: Proposed single storey rear/side conservatory extension.

1. Town / Parish Council

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

2. Consultation Responses

None received

3. Planning History

17/30108/PREAPP Erection of conservatory on side elevation. 15.05.2017

19/00666/FUL Proposed single storey rear/side conservatory extension. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance
Tendring District Local Plan 2007
QL1 Spatial Strategy
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)
SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The property is a late 20th Century detached dwelling of red brick construction with an interlocking clay tiled roof; it sits within a cul-de-sac of properties at a Y-shaped head. Properties within the locale are of similar age and external appearance. The property has a west-facing garden which backs on to the A137. The application site has an oblique relationship with the neighbour at No. 24 and separation distances to their amenity area are extensive; Nos. 26 and 23 have a pair of garages on their boundary and No. 26 again has an oblique relationship with this neighbour.

Description of Proposal

The application seeks planning permission for a single storey rear/side extension. The extension would be sited on the south-west corner of the dwelling and wrap around the rear and side walls of the original dwelling in an L-shaped form. The enlarged floorpace would butt the north flank wall of the garage. The 'rear' element of the extension would project around 1.8m rearwards for a width around 4.1m; in wrapping around the corner of the dwelling the 'side' element extends forwards by around 1.3m and be 3m in width to join to the garage. The plans do not label the floorpace as having a specific purpose; though doors leading from existing kitchen and garage in to the space are proposed. Externally the walls would be constructed in brickwork to match the original dwelling and would have a clear conservatory-type roof.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design and Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The height, width, design and external materials of the proposed extension would respect the character of the host dwelling and wider streetscene in general.

Impact on Neighbours Amenities

The NPPF, at paragraph 127 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'.

Due to the orientation of the application site, separation distances and existing built form there is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours.

Highway Issues

The development would not generate any additional need for parking nor would it result in a loss of existing parking provision.

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 plan: un-numbered plans/elevations scaled at 1:100 received 26th April 2019.

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

8. Informatives