

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	04/09/2019
Planning Development Manager authorisation:	TF	05/09/2019
Admin checks / despatch completed	ER	5/9/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ME	05/09/19.

**Application:** 19/01042/FUL **Town / Parish:** Lawford Parish Council

**Applicant:** Mr David Sorrell

**Address:** Hawthornes 43 School Lane Lawford

**Development:** Proposed porch, ground floor extensions and alteration to the roof to allow for 2 storeys to existing bungalow.

### 1. Town / Parish Council

Lawford Parish Council

### 2. Consultation Responses

N/A

### 3. Planning History

19/01042/FUL	Proposed porch, ground floor extensions and alteration to the roof to allow for 2 stories to existing bungalow.	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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 located within the development boundary of Lawford. It serves a detached bungalow constructed of render with a tiled roof. The front of the site is laid with gravel for parking which wraps round to the north side of the host dwelling with a garage located to the rear. The rear has a patio and is then laid to lawn with close boarding fencing on the boundaries.

### Proposal

This application seeks planning permission for a porch, a rear and side extension and the alteration of the roof to facilitate first floor accommodation and a balcony. The porch proposal will measure a maximum depth of 1.5m, 2.5m wide, and will have a pitched roof with a maximum height of 3.5m. The rear ground floor extension proposal will measure a maximum depth of 4.4m, 5.7m wide, and will have a flat roof with a height of 2.6m with a proposed roof lantern with a maximum height of 3.2m. The side ground floor extension proposal will measure a maximum depth of 5.5m, 2.8m wide, and will have a pitched roof that will form part of the proposed roof.

The raising of the roof height would mean that ridge height of the property would be increased by 1.7m and would alter the roof from a hipped to pitched 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 proposals are considered to be of a scale and nature appropriate to the site and the surrounding area. Although the raising of the roof by 1.7m would add bulk to the property and make it more prominent in the street scene. However, the eaves height of the property are proposed to remain as existing and due to the presence of two-storey dwelling to the north the property would not appear overly dominant. It is also important to note that in 2016 an application for the south neighbouring property was approved for raising the roof height to facilitate a second storey (16/00306/FUL).

The proposed porch will be visible from School Lane, although the development will be publicly visible it will not have any impact upon the street scene as it will be set back from the front boundary by a minimum of 6.8m and is considered to add interest to the host dwelling.

There will be no views of the rear and side extension from School Lane, so the development will not be publicly visible or have any impact upon the street scene.

### Impact on Residential Amenity

The roof lights are to be sited high in the relevant roof slope and therefore would not cause any overlooking to neighbours.

Due to the degree of separation to the dwelling to the north the proposals would not adversely harm the amount of light received by the facing openings. The two storey aspect of the application property would not extend beyond the rear of either of those properties either side and therefore would not impact upon rear facing windows or the enjoyment of the resident's garden areas.

The single storey rear flat roof extension will be 2.5m from the shared boundary line with 45 School Lane, it is important to note that there is an existing garage, that they will be demolishing, which was 0.2m to the boundary line. As the proposal is for a single storey flat roofed extension, there will be no loss of light or overlooking.

The single storey side extension will be 0.9m from the shared boundary line with 41 School Lane. As the proposal is for a single story extension, where the roof will be adjoining the proposed pitched roof, and the location of the dwelling house at 41 School Lane there will be no loss of light or overlooking. It is also important to note that the side of the original host dwelling to the front is of the distance of 0.9m to the shared boundary line, the proposed side extension will in fact be infilling this area.

Overall the proposed extensions are not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

The proposed porch will only protrude from the front elevation by 1.5m because of this there will be no adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring properties.

It is noted that there will be some overlooking due to the formation of the proposed balcony. However the balcony has been set back by 1.5m, due to the balcony being set into a flat wall this has allowed the balcony to have screening both sides. The neighbouring properties are set back further to where the flank wall is where the balcony is proposed. 41 School Lane is set back further by 4m and 45 School Lane is set further back by 2.3m. This will create further screening. The boundary line with 41 School Lane also has mature planting so this creates further screening. Therefore there is not sufficient harm to warrant a refusal.

### Other Considerations

No letters of representation were 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. 230/PL/06, 230/PL/03 and 230/PL/04.

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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	<b>YES</b>	<b>NO</b>
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	<b>YES</b>	<b>NO</b>