

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	17 <sup>th</sup> Oct 2019
Planning Development Manager authorisation:	TF	18.10.19
Admin checks / despatch completed	CC	21.10.19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	21/10/19

**Application:** 19/01287/FUL **Town / Parish:** Lawford Parish Council

**Applicant:** Mr and Mrs Chris and Katie Turner

**Address:** 23 School Lane Lawford Manningtree

**Development:** Proposed two storey rear extension, single storey side extension, flat roof alterations and detached cartlodge/storage building.

### 1. Town / Parish Council

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

### 2. Consultation Responses

None received

### 3. Planning History

06/00725/FUL	Proposed double storey side extension with integral garage	Approved	19.06.2006
09/01138/FUL	Erection of single storey front and side extension and car port.	Approved	30.12.2009
11/00044/NMA	Alteration and relocation of buttress support to side elevation. Relocation of rooflight to side elevation. Insertion of new rooflight within front elevation.	Withdrawn	09.03.2011
11/00279/FUL	Single storey front and side extension and car port canopy.	Approved	04.05.2011
19/01287/FUL	Proposed two storey rear extension, single storey side extension, flat roof alterations and detached cartlodge/storage building.	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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

### **Site Description**

The property is the left hand of a pair of semi-detached dwellings that are both finished externally with horizontal timber weatherboarding. The pair are the only ones with this external appearance in the locale, where typically properties are single-storey bungalows. No. 25 benefits from a large two-storey side extension that was approved in 2008.

### Description of Proposal

The application proposes a part first, part two storey rear extension that would enlarge the kitchen and first floor bedroom above, a minor addition to the rear of the side extension granted in 2009 that would provide a lobby/utility room, the installation of a roof lantern to the rear reception room and the construction of a detached carport/storage building adjacent the north-east boundary.

### 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 & 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 side and rear extensions are entirely compatible in regards to the scale, design and external appearance of the host building. None of the developments would be highly visible from outside the site meaning that the impact upon the general character of the area would be negligible.

### Impact to Neighbouring Amenities

The NPPF, at paragraph 17 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 of the Saved Plan 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'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Given that separation distances are in the region of 2.3m and 4.6m between the flanks of the extensions and the boundary with No. 21 and 3.1m between the flank and the boundary with No. 25 would exist and that the plans show that no first floor side facing windows are proposed the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

### Highway Issues

The proposed development does not generate an additional need for parking nor decreases the existing parking provision at the site. A car port is proposed as part of the application – the internal dimensions fall short of the adopted standards of 3m wide by 7m deep. Notwithstanding this; ample space exists on the existing hardstanding to park at least two vehicles off-street/

## **6. Recommendation**

**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: 34-2019-03, 34-2019-04 and 34-2019-05 received 27th August 2019.

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows shall be inserted in the north-east or south west elevations of the first floor element of the two-storey rear extension except in accordance with details which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of the amenities of the occupants of neighbouring property.

**8. Informatives**

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?</b>		NO
<b>Are there any third parties to be informed of the decision?</b>		NO