

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	WC	09/03/2020
Planning Development Manager authorisation:	AN	10/3/20
Admin checks / despatch completed	CC	18/3/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	[Signature]	18/03/2020

Application: 20/00090/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr Ian Bransgrove

Address: 44 Colchester Road Lawford Manningtree

Development: Proposed raising of roof to existing rear addition, new rear doors and alterations.

1. Town / Parish Council

Mrs Peachey - Lawford
Parish Council

Council has no objection to this application

2. Consultation Responses

None.

3. Planning History

18/00567/TCA	4 No Trees (species unknown) - fell	Approved	08.05.2018
18/00621/TCA	2 No. Conifer - fell, 1 No. Syringa - fell	Approved	14.05.2018
18/01437/FUL	Proposed side and rear extension, loft conversion, rear dormer, and internal alterations.	Approved	22.10.2018
19/00619/NMA	Non-material amendment to application 18/01437/FUL - Alterations to openings along side elevation and roof design.	Approved	15.05.2019
19/01094/NMA	Non material amendment to 18/01437/FUL - Proposed installation of in-set solar panels on new pitched roof at rear of the house and revised new boundary window to glass blocks.	Approved	22.08.2019
20/00090/FUL	Proposed raising of roof to existing rear addition, new rear doors and	Current	

alterations.

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

NPPG 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

EN17 Conservation Areas

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

SPL3 Sustainable Design

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 application site comprises of a west facing middle terraced dwelling known as "44 Colchester Road." The dwelling has been constructed from brick and is set back from the road with a render finished porch. The rear garden is accessed through a gate of the neighbouring property to the

south. The proposal has a small single storey addition to the rear and a variety of planting and fencing along its neighbouring boundaries. This row of three terraced dwellings is sited on a corner plot resulting in their rear elevations being visible from Mill Hill to the north.

Proposal

The proposal is to raise the eaves of the existing single storey rear extension and to introduce French doors with steps into the garden.

Assessment

Heritage impact

Policy EN17 of the adopted local plan and PPL8 of the emerging local plan seek to ensure new development preserves or enhances the character or appearance of the conservation area. The site is located within a conservation area. The Lawford and Manningtree Conservation Area Appraisals make no special reference to this row of terraced dwellings.

The property has an existing single storey rear element with single pitch, which is matched by the adjoining property. The alteration would raise the eaves above the neighbouring rear extension by approximately 250mm. Although the rear of the property is visible from the top of Mill Hill, the changes are considered to be minimal and would not result in harm to the character of the conservation area given it is at the back of the property.

Amenity impact

The NPPF, 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 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 the minimal change in the proposal, it is assessed to cause no adverse loss of privacy, outlook or light to neighbouring properties. Furthermore similar French doors which have a view above the boundary fence were approved under previous permission 18/01437/FUL.

Other considerations

No representations have been received.

Parish Council have no objections.

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: 02, received 22 January 2020.

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

- 3 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture to those used on the existing building.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy QL9 and EN17 of the adopted Tendring District Local Plan 2007.

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.

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