

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	WC	09/03/2020
Planning Development Manager authorisation:	AN	10/03/2020
Admin checks / despatch completed	CC	19/03/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	<i>WNE</i>	19/03/2020

Application: 20/00097/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr and Mrs Nigel and Paula Baines

Address: 16 Stourdale Close Lawford Manningtree

Development: Proposed single storey rear and side extension.

1. Town / Parish Council

Mrs Peachey - Lawford
Parish Council
19.02.2020

Council has no objection to this application

2. Consultation Responses

Tree & Landscape Officer
05.02.2020

No trees or other significant vegetation will be affected by the development proposal.

There appears to be little need or benefit to the public amenity to be gained by securing new soft landscaping as part of the proposed development.

3. Planning History

08/00779/FUL	Extension and conversion of existing single storey bungalow into a two storey dwelling.	Refused	05.08.2008
20/00097/FUL	Proposed single storey rear and side extension.	Approved	19.03.2020

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

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site

Detached bungalow on triangular plot at end of cul-de-sac

Proposal

The proposal is for side and rear extension. The side extension is 3.4 metres in width and follows the same side profile as the original bungalow. The rear extension stretches the full width of the rear of the property, 2.5 metres high to the eaves and 3 metres to the parapet and approximately 2 metres deep, with a 0.7m gap between the extension and the boundary hedge.

Assessment

Principle of development

The site is inside the development boundary and therefore an extension is supported in principle in accordance with planning policy.

Impact on character of area

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 proposed extensions are considered sympathetic in design and scale to the original building. The side extension is narrow in width (3.4metres) following the same massing and height as the original building and the rear extension would be hidden at the back. Furthermore matching materials are proposed. Therefore the proposal is assessed to be in keeping with the character of the area.

Impact on adjoining properties

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).

The nearest neighbouring properties are 15 Stourdale Close west of the site, and 7 Parrington Way, which adjoins the rear of the site to the east.

Impact on 15 Stourdale Close

This neighbouring property is well separated from the site in terms of spacing and so the proposed extensions are assessed to have no significant impact on the amenities of this property.

Impact on 7 Parrington Way

This is a 3-bedroom bungalow east of the site. Its side elevation is parallel to the rear of the bungalow at the application site and there is a 1.8m boundary hedge.

The low level height of the proposed rear extension and its distance from the side of 7 Parrington Way is sufficient such that there would be no adverse loss of outlook or light. All the windows on the rear of the proposed rear extension would face directly into the hedge so there would be no adverse loss of privacy. Furthermore most of the windows on the rear elevation are for non-habitable rooms, apart from the kitchen which has high-level windows, which is considered acceptable.

Therefore the proposal is assessed to cause no adverse loss of amenities to this property.

Highway / Parking impact

There is ample space for parking in the driveway in line with parking standards

Trees / Landscaping

There are no objections from the council's tree officer.

Other issues:

No neighbour representations have been received.

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: 0241/PL/06, 0241/PL/03, 0241/PL/04 received 23rd January 2020.

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.

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