

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	22/07/2020
Planning Development Manager authorisation:	SCE	22.07.2020
Admin checks / despatch completed	CC	23.07.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	23/07/2020

**Application:** 20/00664/FUL **Town / Parish:** Lawford Parish Council

**Applicant:** Mrs Stella Ivell

**Address:** Broadview Harwich Road Lawford

**Development:** Proposed single storey rear extension.

### 1. Town / Parish Council

Lawford Parish Council      Council has no objections to this application  
15.07.2020

### 2. Consultation Responses

n/a

### 3. Planning History

96/01057/FUL	(Broadview, Garden City, Harwich Road, Lawford) Two storey side and rear extensions and conversion of garage to living quarters for private use	Refused	01.10.1996
96/01341/FUL	(Land to rear of Broadview, Garden City, Harwich Road, Lawford) Continued use of land as extension to garden and additional land for use as garden	Approved	03.12.1996
96/01342/FUL	(Land to rear of Broadview, Garden City, Harwich Road,) Use of land for keeping and stabling of horses, retention of stables and erection of 2 new stables all for private use	Approved	21.01.1997
96/01474/FUL	Two storey side extension, additional storey to existing rear ground floor extension and new single storey rear extension for private use	Approved	11.02.1997
99/00067/FUL	Residential loft conversion	Approved	10.03.1999
99/00457/FUL	Retention of sauna, changing room and swimming pool cover.	Approved	11.08.1999

12/01404/FUL	Single storey ground floor extension.	Approved	11.02.2013
20/00664/FUL	Proposed single storey rear extension.	Current	

#### **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

HG9 Private Amenity Space

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

SPL3 Sustainable Design

SPL2 Settlement Development Boundaries

#### **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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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**

### Proposal

This application seeks permission for a single storey rear extension to a detached house located in Lawford which lies outside of any settlement development boundary.

### Design and Appearance

The proposal is sited at the rear of the existing house and will not be seen from Harwich Road ensuring there will be no significant impact to the street scene. The rear extension will use materials which match the existing dwelling in addition to a gable window facing south towards the garden ensuring there will be no significant impact to the character of the existing house or the immediate area.

Saved Policy HG12 of the Tendring District Local Plan 2007 permits extensions to an existing dwelling outside of Settlement Development Boundaries however the development must satisfy the general criteria set out in Policies QL9 and QL10 and, in addition, that it is of a size, scale and height in keeping with the character of the locality and in terms of design and materials would make a positive visual contribution to its setting and is well related and in proportion to the original dwelling. In this case the single storey extension is a minor addition to the detached property which sits in a row of residential properties known as Garden City on the outskirts of Lawford ensuring its acceptability in this regard.

The design and scale of the proposal is acceptable and would result in no material harm to visual amenity.

### Impact upon Residential Amenity

The proposal is sited a distance of 4.4 metres from the eastern side boundary shared with Graylyn and a distance of 4.2 metres from the western side boundary shared with Casa-Mia. Due to the single storey nature of the proposal it is not considered to have any material adverse impact to loss of privacy, loss of light or outlook to any of the surrounding neighbouring properties.

There will be no change to the off road parking provision at the property and over 500 metres of private amenity space remains which is considered more than adequate.

### Other Considerations

Lawford Parish Council have no objection to the application.

No other letters of representation have been received.

### Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions**

- 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: Drawing No: 1223-01-02B.

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