

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	19/10/2020
Planning Development Manager authorisation:	TF	19/10/2020
Admin checks / despatch completed	CC	19/10/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	19/10/2020

Application: 20/01064/FUL **Town / Parish:** Lawford Parish Council
Applicant: Mr K Sage
Address: 112 Long Road Lawford Manningtree
Development: Proposed two storey side and single storey rear extensions.

1. Town / Parish Council

Lawford Parish Council
22.09.2020

Council has no objection to this application.

2. Consultation Responses

Not Applicable

3. Planning History

20/01064/FUL Proposed two storey side and single storey rear extensions. 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

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for the erection of a two storey side and single storey rear extensions.

Application Site

The site is located to the south of Long road, within the development boundary of Manningtree. The site serves a semi-detached two storey dwelling finished in painted render and brickwork with a pitched tiled roof, there is a detached garage located to the east of the site with a flat roof design. The surrounding streetscene is comprised from dwellings of a similar design and appearance.

Assessment

Design and Appearance

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.

At the ground floor level the proposed extensions will wrap around the dwelling forming an 'L' like shape at the east flank and the rear. The proposed side extension will measure 4 metres wide by 13 metres deep where it meets with the rear and measures 9.5 metres wide. The proposed side extension is of a two-storey nature and will measure 6.9 metres high. The proposed rear extension is of a single storey nature and will have a maximum height of 3.4 metres.

At first floor level the proposed side extension will be set slightly back from the original dwelling by 0.5 metres as to appear subservient. It will measure 3.7 metres wide by 7.3 metres deep.

The application site can accommodate a proposal of this size and scale whilst retaining adequate private amenity space. The proposal is also considered to be of a size and scale in keeping with the existing dwelling and surrounding area.

The proposal will be constructed using materials to match those of the existing dwelling. The exterior walls will be finished with facing brickwork at low level and painted render above to match the existing dwelling. The roof will be pitched and finished using a matching roof tile. The proposed side extension will be visible to the streetscene, however due to the use of matching materials the proposal is deemed to be of a design in keeping with the existing dwelling and surrounding area and will not have any adverse effects on the visual amenities of the area.

Impact to Neighbouring Amenities

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).

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy required retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height. Policy HG14 seeks a minimum distance of 1 metre to the side boundary, which in this case has been met with a distance of 1 metre to the east boundary.

The proposal is to be constructed along the shared boundary line to the west of the site, shared with 114 Long Road, it is worth noting that this property has planning permission for a single storey rear and two storey side extension with lean to car port. The proposal will be constructed 1 metre away from the shared neighbouring boundary line east of the site.

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof. There are no side windows located on the neighbouring property to the east of the site (adjacent to the side extension). The proposal was not found to have any significant impact to the loss of light to the adjacent neighbouring properties.

The proposed rear extension is of a single storey nature and will therefore not have a significant impact on overlooking or loss of privacy to the adjacent neighbours.

The proposed side extension has no new side windows proposed along the east side of the dwelling. New windows are proposed on the first floor level to the front and rear of the dwelling. These will create additional overlooking from the host dwelling, however there are no dwellings located to the rear of the property, the adjacent neighbours are already overlooked by the host dwelling and therefore the addition of these windows will not cause a loss of privacy so significant as to justify refusing planning permission.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site. Although the existing garage will be demolished it is to be replaced by an integral garage.

Other Considerations

Lawford Parish Council has no objection to this application.

No other letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Approval

- 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. PL00 Revision A, Drawing No. PL01 Revision B and Drawing No. PL02 Revision A

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