

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	20/01/2021
Planning Development Manager authorisation:	SCE	20.01.2021
Admin checks / despatch completed	ER	20.01.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	20.01.2021

Application: 20/01501/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mrs Wheatley

Address: Lawford Place Lodge Wignall Street Lawford

Development: Proposed single and two storey extensions with associated external works.

1. Town / Parish Council

Lawford Parish Council No Objections
21.12.2020

2. Consultation Responses

Dedham Vale & Stour Valley Project
19.01.2021

Thank you for consulting the AONB team on the above planning application.

The modifications and extensions will be viewed in the context of the surrounding residential development therefore impacts on the natural beauty of the AONB are unlikely to be significant.

ECC Highways Dept
12.01.2021

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated April 2009. It is noted that the proposals alter the current vehicle access and parking arrangements off Parrington Way, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1.No unbound material shall be used in the surface treatment of the vehicular access throughout.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

2.Prior to the completion of the extension the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be more than 4.5 metres (equivalent to 5 low kerbs), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

3. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

4. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

5. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

1: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

3. Planning History

01/00547/FUL	Replacing existing fence with 9" (23cm) brick wall 6ft (184cm) high	Approved	24.09.2001
07/00315/TPO	1 x Horse Chestnut - pollard.	Refused	27.03.2007

07/00420/FUL	One dwelling and detached garage in grounds of Lawford Place Lodge.	Refused	30.05.2007
08/01247/TPO	1 No. Horse chestnut - pollard	Approved	29.09.2008
14/00330/TPO	1 No. Horse Chestnut - prune long new branches on pollarded tree.	Approved	10.04.2014
19/00595/TPO	1 No. Horse Chestnut - fell	Approved	16.05.2019
20/00823/TPO	1 No. Chestnut - Remove overhanging limb	Approved	20.07.2020
20/01501/FUL	Proposed single and two storey extensions with associated external works.	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

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

HG9 Private Amenity Space

EN5 Areas of Outstanding Natural Beauty (AONB's)

EN5A Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB

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

SPL3 Sustainable Design

SP1 Presumption in Favour of Sustainable Development

PPL3 The Rural Landscape

Local Planning Guidance

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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26th January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal (including Site Description and Proposal)

Applications site

The application site comprises of a two storey detached dwelling situated on a corner plot location of Wignall Street and Parrington Way. Along its side elevation in Wignall Street the site has an array of boundary walling and planting. Located along the front elevation facing Parrington Way is also boundary planting and fencing along with an outbuilding and driveway with vehicular access. The current house is finished in pink render with some black decorative detailing. The dwelling has been extended previously to the side at single storey level and to the rear with a two storey element. The dwelling also benefits from an existing porch.

Proposal

This application seeks permission for the erection of a single storey side and rear extension and a two storey side extension along with the re-rendering of the existing dwelling.

Assessment

Design and Appearance

The proposal includes side extensions to the existing house which will be visible from Parrington Way and Wignall Street.

The proposal is of a suitable size and design which is appropriate to the main house.

Single storey rear and side extension

The side extension will be visible from Parrington Way and Wignall Street due to the site's corner plot location. Whilst publicly visible this element of the proposal is single storey and will be largely screened by the existing boundary wall situated along the site's boundary shared with Wignall Street preventing it from appearing as a prominent or harmful feature when viewing the existing dwelling or streetscene.

The side extension will be finished in Larch natural timber cladding, which is not consistent with the render of the existing house and other elements of the proposal however as Wignall Street comprises of houses varying in materials and due to the screening provided by the boundary wall the use of such cladding is not considered harmful to the existing dwellings overall appearance or character.

Two storey Side Extension

The two storey side is of a size and scale consistent with the main dwelling and amended plans have since been received in line with officers' recommendation reducing its height allowing it to appear as a subservient addition to the main house. The two storey side extension will feature a forward facing gable end which will be similar in appearance to the main house. This element will also be finished in white render (along with existing house) so that they are consistent with one

another. During the course of the application a minor improvement was suggested to the agent to use black detailing on this element to match the existing house however this suggestion was not carried through to the amended plans. As this would have been a minor improvement the absence of such detailing would not warrant the refusal of this application.

The amended plans also show that the proposal has been brought forward so that the rear wall is in line with the rear wall of the existing house allowing any views from the rear of the house from Wignall Street to be more visually appealing. This change will also allow views of the front of the house from Parrington Way also to be improved.

Furthermore it is noted that this side extension is sited back on its plot preventing it from appearing as a prominent and harmful feature when viewing the house from Parrington Way and Wignall Street.

Rendering of the existing house

The existing house has currently been finished in pink render with black decorative detailing. In line with the proposed two storey side extension the application also seeks permission to change the render colour of the existing house from pink to white. The change of colour is considered an improvement to the existing house which will update its appearance. The surrounding dwellings comprise of a variation of materials and therefore this change would be appropriate to its locale. The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

Area of Outstanding Natural Beauty

The site lies within the Suffolk Coasts and Heaths AONB, as such the Council will have particular regard to the Government's advice in PPS7, namely that the primary objective of designation is conservation of the natural beauty of the landscape. These considerations are reflected in policy ENS of the 2007 adopted local plan, which states that Development which would harm or otherwise fail to conserve the natural beauty of the landscape of an AONB, including views towards it from outside, will not be permitted. These considerations are further reflected in policy PPL 3 of the Draft Plan, which states that the Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance. In this instance the scale and location of the proposed is not deemed to harm or fail to conserve the natural beauty of the landscape, as it is of a suitable design and scale to the main dwelling and area and would not have a negative impact to the locale. Furthermore the Dedham Vale & Stour Valley Project have been consulted and have no objections to make to the proposal.

Highway Safety

The Essex County Council Parking Standards request that where a dwelling comprises of two or more bedrooms that a minimum of 2no. off road parking spaces should be retained at the site measuring 5.5m by 2.9m per space.

Whilst the proposal will encroach upon the existing parking layout there is sufficient space for the parking of vehicles in line with these standards preventing the proposal from contravening highway safety.

Essex County Council Highways have been consulted as part of this application and provide no objection to the proposal subject to conditions relating to access size, surface treatment materials, parking space sizes and surface water discharge. They have also requested informatives for any works to the highway be referred to the Development Management Team and any alterations to the aspects of the public footpaths should be reinstated should they be disrupted via the development.

Impact on Neighbours

The proposed side extension will be sited sufficient distance away from any neighbouring boundaries and due to its single storey design would not result in a loss of residential amenities to the neighbouring sites.

The two storey side extension will also be set off of the boundary and will not result in a loss of light or outlook to any neighbouring boundaries. There will be the addition of side and rear windows at

first floor level to the proposal which will have views into the neighbours gardens. Whilst these windows will result in some overlooking to these neighbours as these nearby properties have gardens which are already overlooked by other dwellings it is considered that the loss of privacy in this instance would not be so significant to warrant refusing planning permission on. In order to safeguard the neighbouring dwellings private amenity further a condition will be imposed upon the planning permission requesting that the first floor window to the side elevation will be obscure glazed.

Impact on Trees

As there are a number of trees at the site the Councils Tree and Landscape Officer has been consulted and has provided the following comments;

No trees or other significant vegetation will be adversely affected by the development proposal. In terms of soft landscaping there appears to be little opportunity or benefit to the public realm to be gained by any new planting associated with the development proposal other than for the benefit of the residents of the dwelling.

The proposal will therefore not have a harmful impact in this respect.

Other Considerations

Lawford Parish Council have no objection to the proposal. No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed 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: PA_01B, PA_02B, PA_03B, PA_04B, and PA_05B.

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), the first floor window on the proposed north west elevation serving the landing shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjacent properties.

- 4 No unbound material shall be used in the surface treatment of the vehicular access throughout.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.

- 5 Prior to the completion of the extension the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at

its junction with the highway shall not be more than 4.5 metres (equivalent to 5 low kerbs), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.

Reason - To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

- 6 There shall be no discharge of surface water onto the Highway.

Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 7 Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety.

- 8 Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason - To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informatives

1: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

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