

the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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

Proposal

The application seeks permission for a two storey side extension to a semi-detached house situated within the development boundary of Manningtree.

Design and Appearance

The proposed two storey side extension will be set back from the front elevation, with a lower ridge height and a pitch that matches the main roof of the existing dwelling creating a subservient and proportionate addition. The extension will be finished in composite boarding which will offer a contemporary appearance and complement the brickwork of the existing dwelling. The new roof tiles will also match the existing tiles. The extension will be visible as part of the street scene however it will not have a significant impact on it.

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

Impact upon Residential Amenity

The two storey side extension is sited a distance of 0.8 metres from the northern side boundary shared with 234 Colchester Road which also benefits from a driveway creating a degree of separation between the properties. Due to the close proximity of the extension to the side boundary and its position south of the next door neighbour at number 234 the sunlight/daylight calculations specified in the Essex Design Guide have been applied. The 45 degree line down from the roof would intercept both side facing windows of number 234 in elevation, these windows serve a w.c. and utility room. The 45 degree line would also intercept the windows in plan when the 45 degree is taken from the front elevation. The two windows are in rooms that serve a useful

purpose rather than rooms that are lived in for any length of time and therefore the loss of light that the proposal will cause is not considered so significant as to justify refusing planning permission on these grounds.

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 requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. Although the standard is not met, there are other examples along Colchester Road of side extensions with distances of less than 1 metre to the side boundary and the driveway of number 234 provides separation between the properties. On balance, the distance to the side boundary below the required minimum is acceptable in this case and does not have a significantly harmful impact.

First floor windows at the front and back of the extension which serve an en-suite and bedroom will not significantly increase the risk of overlooking when comparing it to the existing rear facing bedroom windows on the rear elevation.

The proposal is not considered to have any material adverse impact to loss of privacy, loss of light or outlook.

The proposal uses part of the existing driveway. However, there is sufficient space in front of the house for at least two cars to park off the road. Over 200 square metres of private amenity space will remain following the construction of the proposal which is considered more than adequate.

Other Considerations

Lawford Parish Council has no objection to this 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 plans: drawing no. 02, drawing no. 03 and drawing no. 10 received on 6th April 2021.

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