

DELEGATED DECISION OFFICER REPORT

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Application: 21/01090/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr and Mrs T Macken

Address: 105 Colchester Road Lawford Manningtree

Development: Erection of two storey side and first floor rear extension

1. Town / Parish Council

Mrs Peachey Lawford
Parish Council
22.07.2021

Council has no objection to this application

2. Consultation Responses

N/A

3. Planning History

21/01090/FUL Erection of two storey side and first floor rear extension Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2021

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses

HG14 Side Isolation

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

SP7 Place Shaping Principles

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to emerging Section 2 of the 2013-33 Local Plan which contains more specific policies and proposals for Tendring has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29th June 2021. The Council is holding a six week public consultation on the Main Modifications and associated documents, which began on 16th July 2021. The consultation will run for just over 6 weeks, closing at 5pm on 31st August 2021, following which adoption is expected later this year. Section 2 will join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

The application seeks permission for a two-storey side and first floor rear extension.

Application Site

The site is located to the north of Colchester Road, which is located within the development boundary of Manningtree. The site serves a detached rendered dwelling with a pitched slate tiled roof. The site features a large driveway, which can accommodate three vehicles.

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 Policy QL11 (Part superseded) aims 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 two storey side extension will be to the front right of the dwelling, with a ridge height and pitch that matches the main roof of the existing dwelling creating a congruent and proportionate addition. The extension will be finished in render, with a slate roof, which would remain in keeping with the existing dwelling. The extension will be visible as part of the street scene however, it will not have a significant impact on it, as the proposal relates well in scale and design to the existing dwelling. The side extension would also have 1 metre of separation distance from the boundary, which is consistent with the side isolation policy HG14.

The proposed first floor rear extension would have a ridge height consistent with the existing dwelling, with a gabled end and dual pitched roof. This would reflect the design of the front elevation, by featuring two first floor casement windows, which are sympathetic to the host dwelling materials.

The design and scale of the proposal is therefore acceptable and is deemed to not result in material harm to visual amenity.

Impact upon Neighbouring Amenity

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 by Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The nearest neighbouring properties are 103 and 107 Colchester Road.

Impact on 103 Colchester Road

The two storey side extension is sited a distance of 1 metres from the eastern side boundary, which creates an adequate separation distance between the properties. The proposal would feature no side-facing windows, so is not deemed to impact on neighbour privacy. The impact of the proposal on daylight provision is also deemed to be limited, as the rear gardens are North facing. As a result, it is deemed that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of 103 Colchester Road.

Impact on 107 Colchester Road

This neighbouring dwelling is located to the west of the host dwelling, however the side portion of the proposal will be almost entirely obscured from this dwelling by the existing house. The rear portion of the proposal would be visible from the rear of this dwelling, however there is adequate separation distance, features no side facing windows and is not deemed to compromise daylight provision to this dwelling. As a result, it is deemed that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of 107 Colchester Road.

Highway issues

The parking provision at the site is consistent with the adopted standards for a dwelling of this scale.

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 / 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 plans; Drawing No.
 - 713/2 (Received 16th June 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.