

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	28.04.2022
Planning Development Manager authorisation:	AN	27/4/22
Admin checks / despatch completed	DB	28.04.2022
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Application: 22/00309/FULHH **Town / Parish:** Lawford Parish Council

Applicant: Mr and Mrs Gareth and Jessica Jones

Address: 118 Long Road Lawford Manningtree

Development: Proposed two storey side and rear extension and single storey rear extension for private use.

1. Town / Parish Council

Lawford Parish Council No comments

2. Consultation Responses

Not Applicable

3. Planning History

22/00309/FULHH Proposed two storey side and rear extension and single storey rear extension for private use. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

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

Application Site

The application site relates to the two-storey semi-detached dwelling, located towards the south of Long Road, within the settlement development boundary of Lawford and Manningtree as defined by the Tendring District Local Plan 2013-2033 and beyond. The dwelling is finished in brickwork and smooth render with a pitched tiled roof. The front of the site has a paved hardstanding. 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. Policies SP1, SP7 and SPL 3 of the Tendring District Local Plan 2013-2033 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.

The proposed two storey side extension will connect with the proposed rear extension to wrap around the dwelling in an 'L' like shape. The side extension will be located to the west of the site. The side extension will measure 1.8 metres wide by 9.2 metres deep with a maximum height of 6 metres.

The proposed rear extension has a part two-storey element towards the west with the single storey element to the east. The single storey element will measure 3.5 metres deep by 3 metres wide with an overall height of 3.5 metres. The two-storey element will measure 4.5 metres deep from the rear elevation of the host dwelling by 4.5 metres wide with a maximum height of 6.6 metres.

The proposed extensions will be finished in a matching smooth render to that of the host dwelling. The single storey rear element will have a mono-pitched roof design with the two storey rear element having a pitched roof. The new roofs will be finished in a matching roof tile to that of the host dwelling. The windows and doors will be of a matching UPVC to those of the existing.

The proposed two-storey side extension will be visible to the streetscene, with the rear element being shielded by the host dwelling. The use of matching materials will help the proposal to blend with the host dwelling and lessen its impact on visual amenities of the area. The application site can accommodate for the proposed development of this size and scale whilst retaining adequate private amenity space. The two storey rear extension is set back from the front elevation of the host dwelling and will not appear overly dominant within the streetscene. There will be a 1 metre gap between the side extension and shared neighbouring boundary to the west which will prevent

the dwelling appearing cramped within its plot. Overall, the proposed development is considered to be of an acceptable design and appearance with no significant harmful effect on visual amenities.

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 SPL 3 of the Tendring District Local Plan 2013-2033 states that all new development must meet practical requirements, it must be designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents. The development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The proposed single storey element to the rear extension poses no significant threat of overlooking or loss of privacy to the adjacent neighbouring dwellings due to its single storey nature.

The proposed two storey side extension will include the installation of one window to the side elevation at first floor level which will overlook the side of the neighbouring dwelling to the west. However, this window will be a high level secondary window serving a bedroom, which is not deemed to be a primary living space and therefore reduces the impact on loss of privacy. Furthermore the host dwelling already has a side facing window at first floor level on the west elevation and therefore the proposal will not be providing any new additional views. This window is therefore not considered to have a significant harmful effect on the loss of privacy to the neighbouring dwelling, however due to its positioning a condition has been imposed to say this window must be a minimum of 1.7m above finished floor level to limit overlooking. The side extension also includes the installation of a window at first floor level to the front elevation, however as this will only provide views overlooking the streetscene, a public area, it has no impact on the loss of privacy.

The proposed two-storey element to the rear extension will include the installation of a Juliet balcony to the rear at first floor level. As this is a Juliet balcony it does not provide room for the host residents to abide here and therefore has no significant effect on noise levels. The balcony will provide the dwelling with views overlooking onto the rear of the adjacent neighbouring dwellings and therefore cause a loss of privacy. It will be closer to the boundary with number 120 but further down the garden than the existing bedroom window. However, as this balcony will be serving a bedroom, not deemed to be a primary living space, this reduces its impact on the loss of privacy. Furthermore the host dwelling already has bedroom windows located at first floor level to the rear and so the proposal is not providing any new additional views. The balcony is therefore not considered to have any significant harmful effect on the loss of privacy to the adjacent dwellings.

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. The neighbouring dwelling to the west of the site has a single storey rear element which does not extend further than the proposed extension and therefore experiences not harmful impact from loss of light caused by the extension. This neighbouring dwelling also has a window located at first floor level to the rear. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof would not intercept this window in both plan and elevation and therefore cannot be said to have an impact on the loss of light which is so significant as to justify refusing planning permission.

The proposed single-storey element of the rear extension has no impact on the loss of light to the adjacent neighbouring dwelling. The shared neighbouring boundary line is treated with fencing which will intercept the windows on the neighbouring dwelling to the east before the proposed extension. This element of the proposal therefore has no more of a significant impact on the loss of light than that which already exists.

Highway issues

The Proposal will increase the property from 3 bedrooms to 4 bedrooms however there is ample off street parking on the driveway.

Other Considerations

Lawford Parish council have provided no comments on the application.

No other letters of representation have been received.

Conclusion

It is considered at 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 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. 66-2021-03P
Drawing No. 66-2021-04P
Drawing No. 66-2021-05P

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 2015 (or any Order revoking and re-enacting that Order with or without modification), the window to the first floor side elevation serving bedroom 4 shall be no lower than 1.7 metres above the finished floor level 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 the adjacent property.

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.

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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