

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	17/03/2023
Planning Manager / Team Leader authorisation:	AN	21/03/23
Planning Technician final checks and despatch:	ER	22/03/2023

Application: 23/00155/FULHH **Town / Parish:** Ardleigh Parish Council

Applicant: Mr Davey

Address: 33 and 34 Harwich Road Lawford Manningtree

Development: Proposed single storey extension to both dwellings (33 and 34 Harwich Road).

1. Town / Parish Council

Lawford Parish Council –
No objections received

2. Consultation Responses

None required

3. Planning History

87/01955/FUL	Single storey dwelling (relating to existing nursery building)	Refused	09.02.1988
15/01272/LUEX	Existing use as garden centre (class A1) with ancillary coffee shop, nurseries and landscape contractors yard, as shown on submitted drawing no. G1433-02B.		14.10.2015
15/01606/FUL	Widen existing road crossing.	Approved	15.01.2016
16/00487/DISCON	Discharge of condition 05 (vehicular turning facility) of planning permission 15/01606/FUL.	Withdrawn	19.05.2016
20/01383/FUL	13m span x 31m long Taper trellis galvanised steel canopy with Opal 60 roof cladding.	Approved	15.12.2020
23/00155/FULHH	Proposed single storey extension to both dwellings (33 and 34 Harwich Road).	Current	

4. Relevant Policies / Government Guidance

National:
National Planning Policy Framework July 2021 (NPPF)
National Planning Practice Guidance (NPPG)

Local:

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
PPL3 The Rural Landscape

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)

Application Site

The application site comprises of a set of two semi detached dwellings located outside of the development boundary of Lawford. This application is a combined application for a proposal for extensions to 33 and 34 Harwich Road.

The houses are set back from the front boundary and have both previously been enlarged by way of single storey rear elements. The sites benefit from rear gardens enclosed with close boarded fencing with their parking to the rear. The houses are set in front of an existing garden centre and shares its access with the garden centres parking also adjacent.

Proposal

This application seeks planning permission for a single storey extension to both dwellings (33 and 34 Harwich Road).

Assessment

Design and Appearance

The proposal will be to the rear and screened from views from Harwich Road by the existing house and previous enlargements preventing a harmful impact to the appearance character of the streetscene.

The sites back onto an existing area of commercial space used as a garden centre and its associated car park. This positioning allows for views of the rear of the house meaning that the enlargement will be publicly visible. Whilst visible the proposal is minor in nature and will be set in from its boundaries with the fencing screening the majority of it reducing these views and preventing it from resulting in a harmful impact in terms of visual amenity from this angle.

The proposal is of a suitable size and scale in relation to the existing house with the majority of the new additions being finished in materials consistent with the existing houses. The use of a glazed roof will differ from that of the house and the officer has advised the agent to change this to one which matches the existing house and its enlargements however this has not been pursued. Whilst this will differ in terms of character and appearance given the proposals minor nature and its minimal visual impact the use of glazing here would not be so significantly harmful to refuse permission upon in this instance.

The site is located outside of the development boundary however due to its minor size and rearward sitting is considered not to result in a detrimental impact to the appearance/ character of the countryside.

Impact to Neighbours

The application sites are absent from any immediate residential neighbouring properties. The sites do back onto a car park used by the garden centre to the rear. The proposal will be minor in scaled and stied suitably away from its boundaries preventing a harmful impact to the users of this commercial space.

Other Considerations

Lawford Parish Council have no objections to the proposal. There have been no letters of representation 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 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

1.1 00

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a

discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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.