

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	AP	22/03/2023
Planning Manager / Team Leader authorisation:	ML	22/03/2023
Planning Technician final checks and despatch:	ER	24/03/2023

Application: 23/00147/FULHH **Town / Parish:** Lawford Parish Council

Applicant: Mr and Mrs Bell

Address: Solanum House 89 Hungerdown Lane Lawford

Development: Proposed part single storey/part two storey rear extension, new porch and new garage.

1. Town / Parish Council

Lawford Parish Council No comments received

2. Consultation Responses

n/a

3. Planning History

94/01141/FUL	(89/90 Hungerdown Lane, Lawford) Proposed extension and alterations to detached dwelling (former pair of semi-detached houses)	Approved	03.11.1994
98/01349/FUL	Proposed workshop/store and boiler/generator room	Approved	26.07.1999
98/01436/FUL	(P & M A Bell Nurseries, 89 Hungerdown Lane, Lawford and) Laying of a 125mm diameter medium density polyethylene pipe supplying gas to P & M A Bell Nurseries (total length 430 metres)	Approved	23.12.1998
15/01353/FUL	Installation of ground mounted solar PV panels.	Approved	09.11.2015
17/01364/OUT	Permission for one dwelling.	Refused	29.09.2017
18/00123/OUT	Outline permission for one dwelling on land adjacent to 89 Hungerdown Lane	Refused	20.03.2018
20/01117/COUNO T	Conversion of two agricultural buildings into two dwellings.	Determinati on	13.10.2020

20/01831/FUL	Replacement of two agricultural buildings with one 4-bedroom bungalow (in lieu of Prior Approval for one x 3-bedroom dwelling and one x 4-bedroom dwelling, subject of application 20/01117/COUNOT).	Approved	21.04.2021
21/01375/FUL	Alteration to approval 20/01831/FUL to relocate the bungalow position.	Approved	12.11.2021
23/00147/FULHH	Proposed part single storey/part two storey rear extension, new porch and new garage.	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

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

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

Proposal

This application seeks permission for two storey and single storey rear extension, a front porch and detached double garage. The host dwelling is a detached house located outside of any settlement development boundary in the rural location of Hungerdown Lane in Lawford.

Design and Appearance

The rear two storey and single storey extensions replace the existing small utility room projection from the rear of the house, creating a master bedroom at first floor and a large kitchen/open plan living space at ground floor with a separate utility room. The size, scale and design of the rear extensions is commensurate with a 4 bedroom modern family home. Only the top of the ridge will be seen from Hungerdown Lane, as the ridge of the existing rear two storey projection also is. The external finish of a brick plinth and render with matching roof tiles ensures the extensions assimilate with the existing dwelling. The proposed front porch will be finished in the same materials and will create a feature entrance to the enlarged dwelling with the pitch of the roof taking cues from the existing roof dormers tying the design together.

The proposed double garage for car parking and storage in the loft space, although sited north east and forward of the existing dwelling, will be partially hidden behind the existing well-established leylandii hedge and set back a distance of 7 metres from Hungerdown Lane. There are other garages at neighbouring properties, Solanum Rigg, immediately adjacent to the west and Lower Barn Farm that are higher and closer to the road with no screening. The gable ends of the garage reflect the flank gables of the existing dwelling reproducing the character seen in the house.

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

Impact on Residential Amenity

The scale, design and positioning of the proposals, which are a considerable distance from any neighbouring properties, will have no significant impact to neighbouring residential amenities.

The double garage meets the specification for such in the Essex Car Parking Standards where a double garage should measure 7 metres x 5.5 metres internally and provides two off road parking spaces. The existing driveway provides further off-road car parking and vehicular turning ensuring there is sufficient space to accommodate the proposal.

Ample garden space will also remain following the construction of the proposals.

Other Considerations

No representations 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 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 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 permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action 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.

The approved red line plan drawing is DRG.No. 1397/06B received 13th March 2023
DRG.No. 1397/04A
DRG.No. 1397/05A
DRG.No. 1397/07B

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

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.

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