

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	25/05/2023
Planning Manager / Team Leader authorisation:	AN	30/05/23
Planning Technician final checks and despatch:	CC	31.05.2023

Application: 23/00569/FULHH **Town / Parish:** Lawford Parish Council

Applicant: L. Edgar and K. Broom

Address: 12 Grange Road Lawford Manningtree

Development: Proposed demolition of existing detached outbuilding and erection of proposed replacement outbuilding.

1. Town / Parish Council

Lawford Parish Council

No objections

2. Consultation Responses

Not required

3. Planning History

23/00569/FULHH	Proposed demolition of existing detached outbuilding and erection of proposed replacement outbuilding.	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

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 single storey dwelling and existing rearward garage located within the development boundary of Lawford.

Proposal

This application seeks planning permission for proposed demolition of existing detached outbuilding and erection of proposed replacement outbuilding.

Assessment

Design and Appearance

The proposed new building will be sited to the rear of the house and will replace the existing garage already in situ. The building will be largely screened by the host dwelling however will achieve minor views through the open space between the host dwelling and its neighbour. The views achieved through this open space will be minor given the set back of the building and are considered not to result in a harmful impact to the appearance of the house or streetscape.

The building will be used in ancillary to the main house and will be constructed from a mixture of weatherboarding and brick which will be typical of a building of this nature. As the proposal will be sited rear of the main house and given the range of materials in the locale the use of such would not diminish the character of the existing house.

The site is of a sufficient size to accommodate the proposal and still retain a usable area of private amenity space.

The proposed building is therefore considered a appropriate addition to the site which would not adversely impact the appearance/ character of the house or streetscene.

Impact to Neighbours

The proposed new outbuilding will be sited sufficient distance from the boundary shared with 10 Grange Road and predominantly screened by existing boundary fencing preventing a significant loss of light and outlook to this neighbour. The plans provided show three new rooflights which will serve the new building and face this number however given their size and siting within the roofslope these would not achieve clear views of the neighbours house or garden and would therefore not result in a significant loss of privacy to this neighbour.

The neighbour to the South East 14 Grange Road currently has views onto the application dwellings existing outbuilding located close to the boundary. This new building will be set off of the shared boundary by 1m and 3.8m in height with an eaves height will reduce to 2.7m. Whilst this proposal will be noticeable to this neighbour it will be further away from the shared boundary and predominantly screened by the existing boundary fencing. It is also noted that the residents of 14 Grange Road already has views of the existing outbuilding and fencing therefore any impact in regards to loss of light, outlook or privacy from the proposal would not be so significant as to refuse planning permission upon.

The proposal will be ample distance from the rear boundary and would not adversely impact these neighbours.

Other Considerations

Lawford Parish Council has no objections to the proposal.
There have been no letters of representation received.

Conclusion

In the absence of 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 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.

304 - 01 A

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.

3 SPECIFIC RESTRICTION ON DEVELOPMENT: OCCUPATION

CONDITION: This permission shall only authorise the use and occupation of the accommodation hereby approved for purposes incidental and ancillary to the principal dwelling known as 12 Grange Road Lawford Manningtree Essex CO11 2JB (or as may be renamed in the future) and does not permit the use of the approved accommodation as a separate household unrelated and not incidental/ancillary to the principal dwelling.

REASON: The proposed annexe would not be acceptable under the established policies of Local Plan and NPPF by representing a net increase in dwelling units were the development to be occupied as an unrelated dwelling and not considered as one household. Furthermore, having regard to its particular relationship with the principal dwelling, there is potential for noise, activity and disturbance detrimental to the amenity of that principal dwelling were the development to be occupied as an unrelated dwelling.

NOTE/S FOR CONDITION

Unless otherwise stated, this condition applies to the site outlined in red and to all new development that forms any net increase in residential accommodation and may include change of use of buildings, change of use of land for the siting of caravans or similar, new buildings and extensions.

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