

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	10/09/2023
Planning Manager / Team Leader authorisation:	ML	14/09/2023
Planning Technician final checks and despatch:	JJ	14/09/2023

**Application:** 23/01067/FULHH **Town / Parish:** Lawford Parish Council

**Applicant:** Neil Hanton

**Address:** 98 Long Road Lawford Manningtree

**Development:** Open canopy to the front incorporating the existing bay window with cladding added to existing dormer. New first floor extension to rear.

### **1. Town / Parish Council**

Lawford Parish Council      No objections received

### **2. Consultation Responses**

Not required

### **3. Planning History**

04/01057/FUL      Loft conversion      Approved      16.07.2004

23/01067/FULHH      Open canopy to the front incorporating the existing bay window with cladding added to existing dormer. New first floor extension to rear.      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):

SP1    Presumption in Favour of Sustainable Development

SP7    Place Shaping Principles

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

SPL1    Managing Growth

SPL3    Sustainable Design

LP3    Housing Density and Standards

LP4    Housing Layout

Supplementary 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), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Site Context

The site comprises of a two storey semi-detached dwelling located within the development boundary of Lawford.

### Proposal

This application seeks planning permission for an open canopy to the front incorporating the existing bay window with cladding added to existing dormer and a new first floor extension to rear.

### Assesment

### Visual Impact

### Rear Extension

The proposal will be sited to the rear and will be predominantly screened by the existing house, thereby preventing any significant views from Long Road and avoiding appearing as a prominent or harmful feature within the streetscene.

The enlargement will be lower in height compared to the main house allowing for it to appear as a subservient addition and will be similar to other extensions already present to the rear of neighbouring dwellings.

The proposed rear extension will be finished in grey boarding which will be consistent with materials intended for the existing dormer window. Whilst this material will differ from the main house the extension will be largely screened by the host dwelling meaning only small glimpses of these materials will be achieved from Long Road. As a result, the views will be minor and therefore not prominent or detrimental to the character/ appearance of the host dwelling or locale.

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

### Cladding to Dormer Window

The existing dormer window is to the rear and therefore the change of materials is considered not to appear as a prominent or harmful change to the existing house or streetscene. The boarding will be grey in colour allowing it to be consistent with the new extension.

### Alterations to the front

This element of the proposal will result in the change of the front of the house which currently has an existing bay window. The change will result in a small front extension to the existing house with a canopy feature, which will remove this bay window feature.

As this alteration is at the front of the house it will be publicly visible from Long Road and change the appearance/ character of the host dwelling. The proposed alteration itself will be lower in height

compared to the main house as it will be positioned at ground floor only. The change will also be set back from the front boundary which will assist in reducing its prominence within the streetscene and the use of matching materials will allow it to appear consistent with the host dwelling.

The local area itself comprises of a mixture of predominantly two storey properties which vary in terms of design and scale. There are small number of houses similar to the host dwelling, some of which have also been extended to the front removing their bay windows. The proposal will be consistent with these.

It is also noted that the house and the surrounding area is not located within a conservation area and has not been awarded special protection. Therefore, whilst the proposal will result in a change to the appearance of the existing house it is of a design which is appropriate to the existing house and matches other developments within the area. The proposal is therefore considered an acceptable change which would not appear as such a prominent or harmful feature to the existing house/ area.

#### Highway Safety

The ECC Highways Parking Standards requests that where a house comprises of two or more bedrooms that 2no off street parking spaces should be retained which measure 5.5m by 2.9m per space.

The proposed front alterations will result in a loss of some of the front of the site currently used for parking, however, there is sufficient space left to facilitate the parking of at least two vehicles in line with the above standards.

The proposal will therefore not contravene highway safety.

#### Impact to Neighbours

The cladding of the existing rear dormer window along with the alterations to the front of the house are minor in nature and would not result in a significant impact to the amenities of neighbouring sites.

Sited to the west of the site is 100 Long Road, which is a two storey semi-detached dwelling. This neighbour is positioned forward on its plot when compared to 98 Long Road meaning that openings within its side and rear elevation achieve significant views of the host dwelling's side wall.

The proposed rear extension will impact these further in terms of loss of light and outlook. The Essex Design Guide Calculations have been applied to the proposal. The 45-degree line in plan and elevation would strike through the neighbour's rear door which serves their garage and therefore would fail the test. However, as this door serves the garage and not a habitable room it would be unreasonable to refuse planning permission in this regard.

As detailed above, the proposal will result in a loss of outlook to this neighbour's side and rear openings, however, given that these already look onto the host dwelling and receive little outlook at present and as the proposal will be set off the shared boundary by at least 1m, the loss in this regard would be considered unreasonable to refuse permission upon.

The proposal will be set off the shared boundary with the adjoining neighbour of 96 Long Road and the Loss of Sunlight/ Daylight calculations have been applied to the plans. The 45-degree lines in plan and elevation did not fully encompass or strike through the centre of this neighbour's openings, which is due to its flat roof design and siting away from the boundary. As the proposal passes this test and is of a suitable design and positioning away from this neighbour it is considered that the new enlargement would not result in a significant loss of light or outlook in this instance.

The plans show that the enlargement will provide a new bedroom to the house at first floor which will have a rearward facing window. Whilst this window will achieve views into the gardens of the neighbouring dwellings the host dwelling, along with its neighbours, are already two storey and therefore already overlook one another's rear amenity space. Given that this new window will achieve similar views the loss of privacy resulting from it would not be so significant as to refuse planning permission upon in this instance.

### Other Considerations

Lawford Parish Council have no objections to the proposal.

There have been no letters of representation received.

### Conclusion

The proposal is therefore considered compliant with national and local policy and 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 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.

0455/PL/04  
0455/PL/02 A  
0455/PL/03 A  
SITE PLAN - REC'D 28/07/23

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.