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Item No: 7.5

Application: 171125

Applicant: Mr David James

Agent: Mr Jason Parker

Proposal: Proposed loft conversion and side extension. Relocated garage and internal alterations

Location: Ferndown, Greyhound Hill, Langham, CO4 5QF

Ward: Rural North

Officer: Benjy Firth

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee by an elected member on the following basis:

“There is a real mix of styles along Greyhound Hill and any development of this property would be a great opportunity to complement the area; part of the Dedham Vale AONB's Project Area. This design does not do that. The materials suggested are not reflected in nearby properties and appear quite stark on a building that is highly visible and close to the road. It could be argued this is over development on a small site and it is, therefore, difficult to envisage any planting that could be incorporated in mitigation.

Policy SD1 states 'The Council will seek to sustain the character and vitality of...villages and the countryside and development will be expected to achieve a high standard of design, sustainability and compatibility with local character'.

Policy DP1 states that a proposal must 'respect and enhance the character of the site, its context and surroundings'. It must 'respect or enhance the landscape and other assets that contribute to the site and surrounding area'.

This development will not satisfy these policies.”

2.0 Synopsis

- 2.1 The key issues explored below are the design of the proposal and its impact on the amenity of the neighbours, both of which are considered to be acceptable. The primary matters of contention are the design of the property and its impact upon neighbouring and public amenity, considered against the reasonable approach proposed for extending the property in comparison to what could be achieved under permitted development rights.
- 2.2 The application is subsequently recommended for approval.

3.0 Site Description and Context

- 3.1 The application site on the east side of Greyhound Hill amongst a cluster of residential properties to the north of the defined settlement. The application site contains a detached bungalow and sits adjacent to the highway to the west. To the north and south are residential properties and to the east is an area of land containing an access track to a Listed residential property. Ground levels at the site vary significantly, sloping down south to north and west to east

4.0 Description of the Proposal

- 4.1 The proposal seeks permission for; a small increase to the footprint of the property, including front and side extensions; alterations to the roof of the property including an increase in height, to accommodate a loft conversion; and a detached garage.

5.0 Land Use Allocation

- 5.1 The site is beyond the defined settlement boundary, but has an established residential use and no other relevant allocation.

6.0 Relevant Planning History

- 6.1 There is no planning history relevant to this application.

7.0 Principal Policies

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

- 7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations
UR2 - Built Design and Character

- 7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

DP1 Design and Amenity
DP12 Dwelling Standards
DP13 Dwelling Alterations, Extensions and Replacement Dwellings
DP16 Private Amenity Space and Open Space Provision for New Residential
DP19 Parking Standards

- 7.4 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide
External Materials in New Developments
EPOA Vehicle Parking Standards
Langham Village Design Statement

8.0 Consultations

- 8.1 None received

9.0 Parish Council Response

9.1 The Parish Council made the following comments:

- 9.1.1 National Planning Practice Guidance clearly states at Paragraph 4: "Local planning authorities are required to take design into consideration and should refuse permission for development of poor design." Policy SD1 also states that 'The Council will also seek to sustain the character and vitality of small towns, villages and the countryside, and development will be expected to achieve a high standard of design, sustainability and compatibility with local character.' Development Policy DP1 states that a proposal must demonstrate that it will: 'Respect and enhance the character of the site, its context and surroundings' and 'Respect or enhance the landscape and other assets that contribute positively to the site and the surrounding area.' This property is located within the AONB project area and within sight of the AONB itself. Secondly, any major development on this site would be harmful to the setting of the Dedham Vale Area of Outstanding Natural Beauty project area. Adopted Core Strategy Policy ENV2 states that developments that have an adverse impact on Natura 2000 sites or the Dedham Vale Area of Outstanding Natural Beauty will not be supported. This is carried through into adopted Policy DP22: Dedham Vale Area of Outstanding Natural Beauty Development which states that development will only be supported in or near to the Dedham Vale Area of Outstanding Natural Beauty (AONB) that: (i) Makes a positive contribution to the special landscape character and qualities of the AONB; (ii) Does not adversely affect the character, quality views and distinctiveness of the AONB or threaten public enjoyment of these areas, including by increased vehicle movement; and, (iii) Supports the wider environmental, social and economic objectives as set out in the Dedham Vale AONB & Stour Valley Management Plan. This dwelling is situated within the sensitive landscape of the Black Brook valley and additionally outside the village Settlement Boundary.
- 9.1.2 Adopted Core Strategy Policy ENV1 states: The Borough Council will conserve and enhance Colchester's natural and historic environment, countryside and coastline. This is carried through into Development Policy 21: Nature Conservation and Protected Lanes which states (inter alia): For all proposals, development will only be supported where it: (i) Is supported with acceptable ecological surveys where appropriate. Where there is reason to suspect the presence of protected species, applications should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs. This application represents significant over-development on a small plot, impacting upon neighbouring properties, including three 16th century (or earlier) thatched properties, one of which (Mount Pleasant) will have its view adversely affected.

- 9.1.3 Development policy DP14 states that 'Development will not be permitted that will adversely affect a listed building, a conservation area, historic park or garden or important archaeological remains. It is therefore held that this proposal does not comply with the NPPF or this adopted policy. The proposal also therefore runs counter to the Langham Village Design Statement (adopted by Colchester Borough Council as a Supplementary Planning Document in November 2007). This dwelling abuts two 16th century properties on its southern boundary is located within close proximity of listed and other historic thatched property.
- 9.1.4 The property has a stream on its eastern boundary beneath which is the main sewerage pipe serving the Langham WRC. The WRC is already over capacity by 130 dwellings, tankage is being employed to support this facility and the inadequate sewage infrastructure is the subject of objections and representations by the Environment Agency and Langham Parish Council. The series of developments to this property would aggravate the lack of waste water recycling capacity already being experienced.
- 9.1.5 The series of extensions involved would have almost the same negative impact as a new build property on transport, sustainability and the sensitive landscape of the Black Brook. In addition, the property is sited on a narrow, rural road, indifferently maintained and with poor sight lines, especially to Ferndown.
- 9.1.6 Local knowledge asserts that a heating oil tank is sited underground below the terrace. We consider that this may well be in breach of current building and environmental regulations.
- 9.1.7 It is understood that the eastern boundary to Ferndown terminates at the stream and that the wooded area beyond is in the ownership of the Byfield family (Mount Pleasant).
- 9.1.8 The proposed extension suffers from excessive bulk and poor design. It has been described by a Colchester Borough Councillor as “ghastly”.
- 9.1.9 For the above reasons, the Parish Council wishes to register its strong objection to this application and requests that all procedural and substantive policies and requirements are complied with by the Borough Council as the planning authority and that previous applications in the near proximity (e.g. Wybourne no. 162994 REFUSE) are also referred to.

10.0 Representations from Notified Parties

10.1 No comments were received.

11.0 Parking Provision

11.1 The proposal retains adequate parking provision to the front of the property to comply with policy.

12.0 Open Space Provisions

12.1 The proposal retains adequate private amenity space to comply with policy.

13.0 Air Quality

13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

14.0 Planning Obligations

14.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (s.106) of the Town and Country Planning Act 1990.

15.0 Report

15.1 The proposal has been amended since its original submission, following comments from the Council. The height of the proposal has been reduced and the front gable has been reduced in size, amongst other revisions.

15.2 The proposed alterations to the dwelling involve the squaring off of the footprint of the property, the raising of the roof, the construction of a gable to front and rear, the addition of dormers, and the conversion of the integral garage to habitable space.

15.3 The increase in the footprint of the property involves the squaring off of the properties footprint to the rear of the existing integral garage and a front addition accommodating an entrance hall. This increase is minimal and far less substantial than what could be achieved under permitted development rights.

15.4 The raising of the roof, construction of the two gables and addition of dormers accommodates first floor accommodation at the property. The increase in the ridge height has been reduced since the proposal was originally submitted and is considered appropriate. The heightened roof has been half hipped at both ends to reduce the new ridgelines impact upon neighbouring properties and the street scene. The other alterations to the roof are considered appropriate means of accommodating first floor accommodation. They each utilise dual pitched roofs and are well proportioned to the dwelling.

15.5 The proposed materials complement each other well. Within the immediate vicinity there is a mixture of materials used and as such there is no distinct or specific character to the area. Though they are not common in the immediate vicinity they are considered acceptable materials within this location.

15.6 The lack of distinct character within the area is also apparent in the design and size of surrounding properties. As such the alterations to the property would not impact upon any specific character within the area. It should also be noted that the application property remains relatively detached from surrounding built form and as such would not have a significant impact upon said properties.

- 15.7 In light of the above the design of the altered dwellinghouse is considered acceptable. It is well proportioned and the fenestration, additional roof elements and variations in materials ensure the massing is well articulated. The alterations are likely to mean that the property has a greater presence within the street scene, however it is not considered that this would be significant or detrimental to the character of the area.
- 15.8 The application property is set a reasonable distance from surrounding residential properties and as such would not have any significant impacts in terms of overlooking, privacy, loss of light, or being overbearing.
- 15.9 The proposed detached garage is not particularly well scaled in comparison to the host dwelling, but has been reduced in size and relocated to reduce its impact upon neighbouring properties. Its design is therefore considered acceptable. A structure of similar size could be constructed under permitted development rights.
- 15.10 The objection received concerning this proposal eludes to the fact that the proposal is not in keeping with the surrounding area, is excessive in size and is of poor design. As previously discussed the area has no overriding character. The size of the resulting dwelling is not considered excessive and is only marginally larger than the existing dwelling. Lastly, whilst the design of the proposal could not be considered exemplar it is of a good standard acceptable within such a setting as the application site.

16.0 Conclusion

- 16.1 To summarise, the proposal is not considered excessive and is of an satisfactory standard of design. Neither of which could be guaranteed were the property to be extended under permitted development rights. The applicants have co-operated with the Council in producing an acceptable proposal.

17.0 Recommendation to the Committee

- 17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

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 details shown on the submitted Drawing

Numbers 06, 05 and 07 (submitted June 2017).

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

3. The external facing and roofing materials to be used shall be those specified on the submitted application form and drawings.
Reason: To ensure that materials are of an acceptable quality appropriate to the area.
4. No works shall take place until all trees, shrubs and other natural features not scheduled for removal on the approved plans have been safeguarded behind protective fencing to the standard shown in the ABC Tree Solutions dated 16th May 2017. All agreed protective fencing shall thereafter be maintained during the course of all works on site and no access, works or placement of materials or soil shall take place within the protected area(s) without prior written consent from the Local Planning Authority.
Reason: To safeguard existing trees, shrubs and other natural features within and adjoining the site in the interest of amenity.
5. All existing trees and hedgerows shall be retained throughout the development construction phases, unless shown to be removed on the approved drawing and all trees and hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on site in accordance with the Local Planning Authorities guidance notes and the relevant British Standard. All existing trees and hedgerows shall then be monitored and recorded for at least five years following contractual practical completion of the development. In the event that any trees and/or hedgerows die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed, in writing, with the Local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998.
Reason: To safeguard the continuity of amenity afforded by existing trees and hedgerows.

18.1 **Informatives**

18.1 The following informatives are also recommended:

The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction & Demolition Works for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.