



**Application No:** 152062

**Location:** 42 Anthony Close, Colchester, CO4 0LD

**Scale (approx):** 1:1250

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**7.5 Case Officer: James Ryan    Due Date: 17/11/2015**

## **HOUSEHOLDER**

**Site:**                    **42 Anthony Close, Colchester, CO4 0LD**

**Application No:**   **152062**

**Date Received:**   22 September 2015

**Agent:**                Mr Peter Tyler

**Applicant:**           Mr Christopher Lee

**Development:**      Infill front extension and rear extension

**Ward:**                 St Johns

**Summary of Recommendation:** Conditional Approval

### **1.0    Reason for Referral to the Planning Committee**

- 1.1    This application is referred to the Planning Committee because the agent works for the Council on a consultancy basis.

### **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 are considered to be acceptable and therefore an approval is warranted.

### **3.0    Site Description and Context**

- 3.1    The site is located within the predominantly residential area of St Johns. The site faces Anthony Close and sides on to St Johns Road. The garden is relatively shallow but the bungalow benefits from a side garden amenity area that is useable as it sits behind a three metre high hedge. The bungalow is a C-shape in plan.

### **4.0    Description of the Proposal**

- 4.1    The infilling of the 'cut out' element on the front is proposed along with a rear extension.

### **5.0    Land Use Allocation**

- 5.1    The site is located within the defined settlement limits where development such as this is acceptable in principle.

### **6.0    Relevant Planning History**

- 6.1    N/A

## **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 also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.

7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations  
UR2 - Built Design and Character

7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP1 Design and Amenity  
DP13 Dwelling Alterations, Extensions and Replacement Dwellings

7.4 Further to the above, the adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

N/A

7.5 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents:

Extending Your House?  
The Essex Design Guide  
External Materials in New Developments

## **8.0 Consultations**

8.1 None received.

## **9.0 Parish Council Response**

9.1 The area is non-parished.

## **10.0 Representations**

10.1 None received.

## **11.0 Parking Provision**

11.1 This scheme will not impact upon the on-site parking provision.

## **12.0 Open Space Provisions**

- 12.1 This scheme raises no issues in terms of open space.

## **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 Development Team and 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 (S106) of the Town and Country Planning Act 1990.

## **15.0 Report**

### Design and Layout

- 15.1 The design of the proposal is entirely in keeping with the design of the existing dwelling. Infilling the ‘cut-out’ section on the front elevation will provide more internal space without pulling built form forward of the majority of the front elevation.
- 15.2 The rear element is a simple rear extension with a pitched roof. It has very limited public visibility. It is therefore acceptable.

### Scale, Height and Massing

- 15.3 The front and rear extensions are acceptable in this regard.

### Impact on the Surrounding Area

- 15.4 The scheme will have a neutral impact on the street scene and is therefore acceptable in that regard.

### Impacts on Neighbouring Properties

- 15.5 The front extension will have no material impact on the neighbours.
- 15.6 With regards to the rear extension, it is considered that the proposed development would not appear overbearing on the outlook of neighbours.
- 15.7 Similarly, there are no concerns regarding loss of light. The Council policy sets out that a 45 degree angle of outlook from the mid-point of the nearest neighbouring windows should be preserved and it is considered that this proposal satisfies this requirement. The combined plan and elevation tests are not breached and the proposal therefore satisfies the Councils standards for assessing this issue as set out in the Essex Design Guide and the Extending Your House SPD.

- 15.8 As a single-storey addition, the proposal does not include any new windows at first floor level that would offer an unsatisfactory angle of overlooking that harmed the privacy of the neighbouring properties, including their protected sitting out areas as identified in the above SPD.

#### Amenity Provisions

- 15.9 This scheme allows the retention of ample useable amenity space and the side garden area that sits behind the hedge also contributes to this. The scheme is therefore acceptable in that regard.

#### Highway Issues

- 15.10 This scheme raises no highway issues.

#### Other Matters

- 15.11 This scheme does not raise any other issues.

### **16.0 Conclusion**

- 16.1 This modest scheme is only before Members as the applicant's agent works for the Council on an ad-hoc consultancy basis. The scheme is acceptable in design terms and raises no issues in terms of its impact on amenity. An approval is warranted.

### **17.0 Recommendation**

- 17.1. APPROVE subject to the following conditions

### **18.0 Conditions**

#### **1 - Time Limit for Full Permissions**

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 - \*Development to Accord With Approved Plans**

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers 595-01, 595-04 and 595-05 unless otherwise subsequently agreed, in writing, by the Local Planning Authority.

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

#### **3 - Materials to Match**

The external facing and roofing materials to be used shall match in colour, texture and form those used on the existing building.

Reason: This is a publicly visible building where matching materials are a visually essential requirement.

## **19.0 Informatives**

### **(1) ZT0 – Advisory Note on Construction & Demolition**

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.

(2) All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 08456 037631.

## **20.0 Positivity Statement**

20.1 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.