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Item No: 7.3

Application: 163110
Applicant: Mr D Webb
Agent: Peter Tyler Surveying
Proposal: Single storey side extension, two storey rear extension and erection of 1.2m high front garden wall/railings .

Location: 15 Winstree Road, Stanway, Colchester, CO3 0PZ
Ward: Stanway
Officer: Jane Seeley

Summary of Recommendation Approved Conditional

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 for consideration are the design of the proposal including its impact in the street scene, the amenity of the neighbours and Highway safety issues. The works are considered to be acceptable and an approval is recommended.

3.0 Site Description and Context

- 3.1 The site contains a pebble dashed semidetached house. The side of the front garden has low chicken wire type fencing to the common boundary with number 11. The other front boundaries are unmarked. The rear garden has screening to all boundaries. Other properties in the area have frontage treatment – walls and fences of approximately 1m or higher hedging. The access to a back land scheme, adjacent to number 17, has walling and railings.

4.0 Description of the Proposal

- 4.1 There are three elements proposed a part single storey part two storey rear extension; a single storey lean to side extension, and the erection of wall/railing and fencing to the front garden. The walling/railings and fencing is 1200cm high and the walls have piers 1450cm of high.

5.0 Land Use Allocation

- 5.1 Predominantly residential.

6.0 Relevant Planning History

- 6.1 None.

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
DP19 Parking Standards

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

The Essex Design Guide
EPOA Vehicle Parking Standards

8.0 Consultations

- 8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.
- 8.2 Essex County Council Highways - No objection; informative suggested.
- 8.3 Archaeological Adviser - No material harm will be caused to the significance of below-ground archaeological remains by the proposed development. There will be no requirement for any archaeological investigation

9.0 Parish Council Response

- 9.1 The Parish Council have stated that it does not object to the proposal, but does have concerns over the height of the wall/railings and any resulting safety issues.

10.0 Representations from Notified Parties

- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.
- 10.2 The consultation exercise have not resulted in any comments.

11.0 Parking Provision

- 11.1 A block plan has been provided which demonstrates that parking in line with the adopted standards (in this instance 2 spaces) can be provided on the site.

12.0 Open Space Provisions

12.1 This scheme raises no concerns regarding 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 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 main issues in this case are:

Design and Layout

15.2 The design of both of the proposed extensions are traditional in form and are appropriate for the host property. It is proposed to render the extension and the house; this will match the attached semidetached house.

15.3 The front garden currently has limited boundary treatment. Other dwellings in the vicinity have the benefit of front garden boundary hedging and fencing which would have been provide when the house was erected (mid 20th century). The reinstatement of boundary treatment is acceptable as is the use of walls and railings as this reflects nearby development.

Scale, Height and Massing

15.4 The scale and bulk of the extension is proportionate to the existing dwelling.

Impact on the Surrounding Area

15.5 The two storey extension will be visible over the front garden of number 11. Whilst this introduces additional bulk the impact is acceptable. The single storey element will appear as a suitably subordinate feature. The reinstatement of frontage boundary treatment will have a positive impact in the street scene. Given the mix of boundary treatments in the locality (including railings) the wall/railings/fencing are appropriate.

Impacts on Neighbouring Properties

15.6 The proposal has been assessed against Colchester Borough guidelines for issues of overlooking, overbearing and overshadowing. The relationship

with number 11 is in line with these guide lines. Likewise the ground floor windows of number 17 (the attached property) accords with the policy tests. With regards to the first floor bedroom window the relationship is held to be within tolerable levels, given this is a bedroom which would not normally be used during the day. It is noted that no concerns have been expressed by the occupant of number 17. It is considered that the proposed 2 storey element of the extension can be supported as submitted.

- 15.7 There are windows in the side elevation of number 11. These are to a ground floor bathroom and an under stair cupboard (both with obscured glazing), and a first floor landing. These rooms are not considered to be habitable for the purposes of assessing amenity. In any event it is considered that the ground floor side and 2 storey rear extensions are of sufficient distance as to not unduly impact light or outlook. The proposal includes three new side windows facing number 1. At first floor is a relocated landing window and a bathroom window; these can be conditioned to be obscure glazed. The other, in a ground floor utility room, does not directly face the ground floor windows of number 11 which as detailed above are to non-habitable parts of the house. It is concluded that the side windows will not result in any overlooking issues.

Highway Safety and Parking Provisions (including Cycling)

- 15.8 The Parish Council's concerns regarding highway safety have been discussed with the relevant Highway Authority Officer. He has advised that as there will be railings between the piers there will be a degree of intervisibility between those within the highway and users of the access. Therefore he considers that the height of the piers is unlikely to cause a hazard or impact negatively on highway safety. He has further commented that the fencing along the common boundary with number 11 is acceptable.

16.0 Conclusion

- 16.1 To summarise, the scheme is considered acceptable in terms of design, impact on amenity and highway safety and can be supported.

17.0 Recommendation to the Committee

17.1 The Officer recommendation to the Committee is for:

17.2 APPROVAL of planning permission subject to the following conditions:

1 - ZAA - 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 - ZAM 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 878 - 1A/5A/6/7A/8

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

3 - ZBB - Materials As Stated in Application

The external facing and roofing materials to be used shall be those specified on the submitted application form and drawings, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that materials are of an acceptable quality appropriate to the area.

4 - ZDG - Removal of PD - Obscure Glazing But Opening

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the first floor windows in the side (north) elevation shall be glazed in obscure glass to a minimum of level 4 obscurity before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason: To avoid the overlooking of neighbouring properties in the interests of the amenities of the occupants of those properties.

18.0 Informatives

18.1 The following informatives are also recommended:

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 - Highways Informative

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 – Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester.
CO4 9YQ.