



**Application No:** 152376

**Location:** 50 Chapel Road, Stanway, Colchester, CO3 0PX

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

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**7.4 Case Officer: Richard Collins**

**Due Date: 25/12/2015**

**Site:** 50 Chapel Road, Stanway, Colchester, CO3 0PX

**Application No:** 152376

**Date Received:** 30 October 2015

**Agent:** Peter Tyler - Tyler Surveying

**Applicant:** Mr Gordon Curtis

**Development:** Rear extension and alterations to the roof.

**Ward:** Stanway

**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 Stanway, and to the east of Stanway Primary School to which it shares a common boundary. The property is single-storey and set back from the main highway by approx. 47 metres, and reached via a private drive off Chapel Road. A public footpath runs adjacent to the south-east boundary of the site which connects Chapel Road to the north, with Villa Road to the south.

## **4.0 Description of the Proposal**

- 4.1 The application seeks planning permission for a single-storey rear extension to the rear to create an en-suite to bedroom 1, and an extension to the existing dining room.
- 4.2 The extension off the existing dining room will result in a re-configuration of this part of the dwelling, which includes reducing the size of the existing garage (internally) by creating a utility room, and a raising of the roof on this part of the dwelling by approx. 0.7 metres and provision of a roof lantern.

## **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 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 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:

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

## **8.0 Consultations**

- 8.1 None

## **9.0 Parish Council Response**

- 9.1 No objections.

## **10.0 Representations**

10.1 None received.

## **11.0 Parking Provision**

11.1 The scheme will not impact upon the on-site parking provision, which already enjoys a large turning and parking area, and double garage.

## **12.0 Open Space Provisions**

12.1 This scheme raises no concerns 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. The roof form and use of materials is appropriate to the existing dwelling, and being rear extensions they have very limited public visibility. It is therefore acceptable.

### Scale, Height and Massing

15.2 The extensions are acceptable in this regard.

### Impact on the Surrounding Area

15.3 The design of the scheme will have a neutral impact on the street scene, given the very limited public visibility, and is therefore acceptable in that regard.

15.4 It is noted that the extension to increase the height of the roof by approx. 0.7 metres sits adjacent to the public footpath, however it is considered this increase in height is minor, and will not adversely affect the users of the public footpath.

### Impacts on Neighbouring Properties

15.5 The extensions are not considered to be overbearing on the outlook of neighbours.

- 15.6 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 Council's standards for assessing this issue as set out in the Essex Design Guide and the Extending Your House SPD.

#### Amenity Provisions

- 15.7 This scheme allows the retention of ample useable amenity space. The scheme is therefore acceptable in that regard.

#### Highway Issues

- 15.8 This scheme raises no highway issues. With regards to the public footpath, an informative will be added to the planning permission advising the public's rights and ease of passage shall be maintained free and unobstructed at all times.

#### Other Matters

- 15.9 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 633-1A, 633- 4A, 633-5A, and 633-6.

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

#### **3 - \*Protecting Public Rights of Way**

The public's rights and ease of passage over PUBLIC FOOTPATH number 149-3 shall be maintained free and unobstructed at all times.

## **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) - Protecting Public Rights of Way**

The public's rights and ease of passage over PUBLIC FOOTPATH number 149\_3 shall be maintained free and unobstructed at all times.

## **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.