



**Application No:** 161913

**Location:** 19 Layer Road, Colchester, CO2 7HT

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

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**7.3 Case Officer: Eleanor Moss**

**Due Date: 15/09/2016**

**HOUSEHOLDER**

**Site:** 19 Layer Road, Colchester, CO2 7HT

**Application No:** 161913

**Date Received:** 21 July 2016

**Agent:** Tyler Surveying

**Applicant:** Mrs Caroline Lockwood

**Development:** Two storey side extension and garden wall.

**Ward:** Shrub End

**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 is employed by this Council on a consultancy basis.

### **2.0 Synopsis**

- 2.1 The key issues explored below are the design of the proposed extension and its impact on the street scene and neighboring amenities.
- 2.2 It is considered that these are acceptable and approval is recommended.

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

- 3.1 The application site is a large detached dwelling adjacent to Layer Road and Gladwin Road, occupying a prominent corner plot. The dwelling is distinctive within its location due to the decorative turret on the front elevation. The building is within a generous sized plot and is of timber windows, red brick and grey slate construction. There is a boundary wall existing on site which is constructed of brick pillars and concrete. The surrounding area is a mix of different architectural styles and materials, although largely from the mid-twentieth century.

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

- 4.1 This application seeks planning permission for the erection of a two storey side extension and the construction of a new boundary wall. The proposed extension measures 3.6 metres wide by 19 metres deep. This is in order to replace the existing garage and utility room and provide a music room on the first floor. The detailing is the same as the existing front elevation other than the fenestration where a dormer window is proposed. The proposed boundary wall

## **5.0 Land Use Allocation**

5.1 Predominantly Residential.

## **6.0 Relevant Planning History**

6.1 90/0936 – Change of use to a care home. Approved

## **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

## **8.0 Consultations**

8.1 None received at the time of writing. Any comments received will be reported on the amendment sheet.

## **9.0 Parish Council Response**

9.1 Non-Parished

## **10.0 Representations**

10.1 None received at the time of writing.

## **11.0 Parking Provision**

11.1 Parking in excess of adopted Parking Standards will be retained.

## **12.0 Open Space Provisions**

12.1 Not applicable

## **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, Layout and Impact on Surrounding Area:

15.1 The simple detailing of the extension reflects the character and detailing of the dwelling. The proposed extension is designed to appear as a subservient addition and is complementary to the existing dwelling and therefore is considered to be acceptable. The design, scale and form of the proposed development are considered satisfactory on its own merits. The extended dwelling would still relate satisfactorily to the character of the street scene overall, which is varied. The dwelling would look appropriately designed and not over-scaled in this context.

15.2 The proposed side extension and boundary wall are considered to be relatively modest in size and appears to complement the existing dwelling. Although the side extension is prominent within the public realm, it is considered that the proposal would have a marginal impact overall.

### Impact on Residential Amenity:

15.3 The potential impact on the amenity of 2 Gladwin Road has been assessed using the principles set out in “Extending Your House?” for assessing amenity for rear extensions and also with reference to The Essex Design Guide. The proposal contains windows in the side elevation which will be conditioned as obscure glazed as part of any planning consent in order to protect neighbouring amenity. There is an additional window in the rear elevation. This window would bring forward the existing window by just over one metre and whilst some views into the neighbour’s garden would be possible it would not fundamentally change the existing situation. It also has to be taken into account that the site is in a residential area where there is a degree of

mutual overlooking between neighbours. The proposal is considered acceptable in amenity terms and accords with DP1.

## **16.0 Conclusion**

16.1 The proposal is acceptable; any impact upon neighbouring residential amenity would be marginal and does not raise any design concerns. Therefore 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 799-1, 799-4A, 799-5, 799-6A and 799-7 Option 1.

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

### **3 - 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.

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

### **4 - Non-Standard Condition/Reason**

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the windows in the side elevation shall be non-opening and 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.

## **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.

(3) **ZTA - Informative on Conditions Stating Prior to Commencement/Occupation**

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either before you commence the development or before you occupy the development. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission. Please pay particular attention to these requirements.

## **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.