



**Application No:** 151921

**Location:** 2 Carlisle Close, Colchester, CO1 2YT

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

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**7.9 Case Officer: Carl Allen**

**Due Date: 04/11/2015**

**HOUSEHOLDER**

**Site:** 2 Carlisle Close, Colchester, CO1 2YT

**Application No:** 151921

**Date Received:** 9 September 2015

**Agent:** Mr Stephen Waud, Stephen Waud Associates

**Applicant:** Mr Benjamin Chowdhury

**Development:** Proposed two storey side extension to add two bedrooms, sitting room & kitchen family room.

**Ward:** Castle

**Summary of Recommendation:** Refusal

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

1.1 This application is referred to the Planning Committee as Cllr Laws has called it in for the following reasons 'I wish to call in the planning application for 2 Carlisle Close so that the planning committee can consider this application. I see no reason to not support this application. I believe precedent has been set on the riverside estate for side extensions to properties and so I'd like to see a debate amongst the committee members to determine this'.

### **2.0 Synopsis**

2.1 The key issues explored below are those of amenity and design. With regards to residential amenity the proposal raises no concerns. However, the proposal would be contrary to the design consistency of the group of dwellings that form this part of the Riverside Estate and would be detrimental to the street scene. Refusal is recommended for these reasons.

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

3.1 2 Carlisle Close is a semi-detached house on a corner plot. To the south is a boundary wall and a grass verge which has a tree with the highway of Bristol Road beyond. To the west is the front garden and the highway of Carlisle Close. To the north is the attached neighbour of 4 Carlisle Close, whilst to the east is the rear garden. The site is located in the Riverside Estate.

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

4.1 A two-storey side extension measuring 9m long, 3m wide and 6.5m high which would provide a sitting room and enlarged kitchen at ground floor. Two bedrooms would be provided at first floor. The boundary wall would be rebuilt approximately 1m closer to the highway than the existing wall. Materials would be brickwork to match the existing and plain interlocking concrete tiles.

#### **5.0 Land Use Allocation**

5.1 Residential.

#### **6.0 Relevant Planning History**

6.1 071251 – Two storey side extension and relocation of garden wall. Refused.

6.2 112247 – Two storey side and rear extension. Refused.

6.3 120922 – Two storey side and rear extension (resubmission). Refused and Dismissed at Appeal.

#### **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

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

- Extending Your House?

## **8.0 Consultations**

8.1 N/A

## **9.0 Parish Council Response**

9.1 N/A

## **10.0 Representations**

10.1 One letter and a petition from seven nearby addresses have been received in support of the proposal. These stated that permission had been granted elsewhere on the estate for two-storey extensions and that objection to the proposal could not be understood.

The full text of all of the representations received is available to view on the Council's website.

## **11.0 Parking Provision**

11.1 No change

## **12.0 Open Space Provisions**

12.1 N/A.

## **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**

15.1 The proposal would be sited on a corner plot which, given the distance and orientation to neighbours, would not result in any overshadowing to them. The rear first floor window would serve an en-suite and would be obscure glazed and so there would be no overlooking to any private amenity areas. The Proposal accords with the amenity requirements of DP1.

15.2 The main debate, therefore, is one of design and the impact on the street-scene of the two-storey side extension. The Riverside Estate is characterised by small groups of dwellings that together share a common design and goes some way to define their small area within the Estate. Number 2 Carlisle Close conforms in design terms to a small cluster of dwellings comprising number 2 to number 12 (six dwellings) which all share a common design (although there have been some very minor changes over the years – such as to the fenestration – which have been outside the control of planning). The proposed two-storey side extension would be an alien feature to this group of dwellings, given the disproportionate width being sought, and would be clearly visible in the street scene due to its location on the corner.

15.3 The concern is more than purely design-based however. The site is on a prominent corner which gives views down Bristol Road. The following reason for the refusal of application 120922 (which was dismissed at appeal) is key:

*‘Riverside Estate, otherwise known as Castle Gardens, represents a typical development from the early 1970s. This is characterised by an open plan layout and a spacious arrangement around dwellings which are not of themselves very large and have generally small gardens. The impact on the open views down Bristol Road would be altered (up to nearly two metres) from the east and west, and this would set an irresistible precedent for other spacious corners. The result would be to erode the open plan nature of Riverside Estate.’*

15.4 The Inspector agreed with this judgement, with the following key phrases:

*‘I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding area.’*

*‘The appeal site lies within a housing estate characterised by its high-density development within an open spacious layout, particularly at corner locations.’*

*‘The proposed two-storey extension, due to its scale, bulk and position would unacceptably encroach into the corner setting of the appeal property, eroding the openness at this prominent corner location, particularly when viewed along Bristol Road.’*

*‘As regards precedent, I have considered the proposal before me on its individual merits. Nevertheless, I do consider that to allow the appeal would make it difficult for the Council to resist similar proposals.’*

*‘I conclude that the proposal would have an adverse effect on the character and appearance of the surrounding area.’*

15.5 The ruling from the Inspector is, thus, very clear. Further, it must be recalled that this was for an extension measuring just under 1.9 metres in width as opposed to the 3 metres being sought here. To permit the current application would be to ignore the Inspector’s conclusions; there has been no change to any policy/guidance or any other material circumstances to justify this change of position.

- 15.6 Despite what has been claimed, it is not the case that there are many two-storey extensions on houses in this estate, and certainly not on prominent corners. Members must be aware that if they approve this application, views down Bristol Road across the spacious corner will be lost. A precedent will then be set for other such corners and the whole character of the estate will change. Thus, whilst this application would represent the smallest gross floor space of all the previous applications, the principle of a two-storey side extension remains unacceptable.
- 15.7 That the proposal includes pushing the existing boundary wall out into the verge area also underlines that the proposal is not well suited for both the site and the immediate area.
- 15.8 The applicant makes reference 5 Bristol Road (opposite the site) as an example. This extension dates from the 1980s and whilst less harmful than the application at hand (in that it obstructs views down a shorter stretch of road) this does demonstrate the negative impact which such a development can create.

## **16.0 Conclusion**

- 16.1 Whilst there would be no overshadowing or overlooking issues the proposal would be contrary to the design consistency of the group of dwellings that form this part of the Riverside Estate and would be detrimental to the street scene. This matter has already been tested at appeal with a less impactful extension and there are no material reasons to reach any different conclusion now.
- 16.2 Members are, therefore, respectfully requested to refuse this application.

## **17.0 Recommendation**

- 17.1 REFUSE planning permission for the reasons set out below.

## **18.0 Reason for refusal**

### **1 - Non-Standard Refusal Reason**

The proposal for a two-storey side extension would result in a dwelling design that would be out of character with the surrounding dwellings of 2-12 Carlisle Close which all share a common front design and together make up a small group of dwellings with a strong design conformity. Small clusters of dwellings that share a design is part of the character of dwellings in the Riverside Estate. The proposed extension would be contrary to this and would be out of character with both the immediate group of dwellings and the wider Riverside Estate - by reason of having a very wide two-storey side extension and would be detrimental to the street scene by closing off long views across a spacious corner - which is the character of this estate. Policies DP1 (Design & Amenity) and DP13 (Dwelling Alterations, Extensions and Replacement Dwellings) of Colchester Borough Council's Local Development Framework Development Policies (adopted October 2010 and revised July 2014) and Policy UR2 (Built Design & Character) of the Council's Core Strategy (adopted December 2008 and revised July 2014) support development which respects or enhances the surrounding area. In

these regards the proposal is contrary to UR2, DP1 and DP13. The proposal is also contrary to the Council's Supplementary Planning Guidance "Extending Your House" (adopted April 2005) which requires extensions to be well designed and to be in keeping with the main dwelling and surrounding development.

## **20.0 Positivity Statement**

20.1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.