



**Application No:** 162422

**Location:** 83 Ernest Road, Wivenhoe, CO7 9LJ

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

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**7.3 Case Officer: Bruce O'Brien    Due Date: 08/12/2016**

## **HOUSEHOLDER**

**Site:**                    **83 Ernest Road, Wivenhoe, CO7 9LJ**

**Application No:**   **162422**

**Date Received:**    13 October 2016

**Applicant:**           Mrs Hannah De La Rue

**Development:**      Erection of replacement ancillary outbuilding for storage.

**Ward:**                 Wivenhoe

**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 Hannah de la Rue, the applicant, is an employee of Colchester Borough Council.

### **2.0    Synopsis**

- 2.1    The key issues explored below are the proposal for a new outbuilding to the rear garden of 83 Ernest road. Also discussed is the proximity of the proposal to an established tree.

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

- 3.1    The site sits in a residential area, dominated by 1960's/70's detached bungalows and chalet dwellings. Many of these having been extended. To the North, South and West lie other residential plots, whilst the East side of the site fronts the highway. The site has front drive parking for 3 or 4 vehicles. To the rear of the site are neighbouring outbuildings and to the South there is a building that is presumed to be an annex. Where the proposal meets the Western border there is a large oak tree to the other side of the boundary.

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

- 4.1    The proposal is for an outbuilding in the rear garden of the site.

### **5.0    Land Use Allocation**

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

### **6.0    Relevant Planning History**

- 6.1    There is no planning history that has relevance to this proposal.

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

Sustainable Construction  
The Essex Design Guide  
External Materials in New Developments

## **8.0 Consultations**

8.1 The tree officer at Colchester Borough Council has recommended a condition for an arboriculture impact assessment report and associated method statement.

In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

## **9.0 Parish Council Response**

9.1 Wivenhoe Town Council have stated that whilst they have no material planning objections, but wish the Council to take the views of neighbours into account.

## **10.0 Representations**

10.1 None received.

## **11.0 Parking Provision**

11.1 Parking provision will remain unaltered.

## **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 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, Appearance, Materials

- 15.1 The design of the proposed outbuilding is satisfactory. Whilst fairly large in scale, it would be placed to the rear of the garden and would have minimal effect on the character of the area or the setting of the dwelling. The design is fairly standard for an outbuilding. It would have two sets of double doors and a sail hatch to its front and two windows to one side. The materials to be used would be unobtrusive. The external materials would be hardiplank (or similar) to the walls, upvc windows, timber doors and concrete roof tiles.

### Scale, Form

- 15.2 The scale of the proposed outbuilding is not significant. It would be sited 1.5 m from the rear boundary and 0.7m from the Southern boundary. It would be 2.02 m high to its eaves and 3.32 m to its ridge. The footprint is proposed to be 6.9 m long by 4.58 m wide.  
There would be gable ends to its front and rear elevations.

### Amenity

- 15.3 The proposal would not be materially overbearing to neighbours, nor would it cause material, harmful loss of light or overshadowing to neighbouring properties.

### Trees

- 15.4 There is a mature oak tree to the rear of the application site. Development close to this tree will be subject to an arboriculture condition.

## **16.0 Conclusion**

- 16.1 The proposed outbuilding would be of a standard form and would not create amenity issues for neighbours. Subject to an arboriculture condition, the application is recommended for approval.

## **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 83ER-10,11,and 12.

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

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

No works or development shall be carried out until an Arboricultural Implications Assessment, Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837, have been submitted to and approved, in writing, by the Local Planning Authority (LPA). Unless otherwise agreed, the details shall include the retention of an Arboricultural Consultant to monitor and periodically report to the LPA, the status of all tree works, tree protection measures, and any other arboricultural issues arising during the course of development. The development shall then be carried out strictly in accordance with the approved method statement.

Reason: To adequately safeguard the continuity of amenity afforded by existing trees.

## **19.0 Positivity Statement**

19.1 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.