



**Application No:** 151318

**Location:** 35 Yorick Road, West Mersea, Colchester, CO5 8AJ

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

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**7.6 Case Officer: Chris Harden Due Date: 18/08/2015**

**HOUSEHOLDER**

**Site: 35 Yorick Road, West Mersea, Colchester, CO5 8AJ**

**Application No: 151318**

Date Received: 23 June 2015

Agent: Mr Jamie Kelly

Applicant: Mrs J Woolley

Development: First floor and rear extensions

Ward: West Mersea

**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 applicant's son is a Borough Councillor.

## **2.0 Synopsis**

- 2.1 The key issues explored below are consideration of the design, scale and form of the extension, its impact upon the character of the street scene and any impact upon neighbouring residential amenity. It is explained that amendments have been negotiated and the report concludes that the impact upon the character of the area and the amenity of immediate neighbours is acceptable. Approval is, therefore, recommended.

## **3.0 Site Description and Context**

- 3.1 The site lies within the physical limits of West Mersea and is a single storey dwelling. Either side are single storey dwellings, although within the street are dwellings of various sizes, including two storey and one and a half storey dwellings.

## **4.0 Description of the Proposal**

- 4.1 The proposal is for the erection of a first floor extension on the main part of the dwelling which would involve raising the roof by increasing its pitch, whilst keeping the eaves at the same height. The ridge of the roof would, therefore, be raised from 5.7 metres to 6.9 metres above ground level. The western side of the dwelling would also be extended eastwards by 1.2 metres at the new full height.

- 4.2 The existing single storey front wing would also have the roof pitch raised by 0.8 metres so that the ridge would be 5.1 metres above ground level. A rear single storey extension would also be provided which would project 4.3 metres rearwards and would have a pitched roof up to a height of 3.8 metres above ground level facing eastwards and a flat- roofed element facing westwards.

## **5.0 Land Use Allocation**

- 5.1 West Mersea settlement boundary.

## **6.0 Relevant Planning History**

- 6.1 There is no planning history of particular relevance to the site.

## **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  
DP12 Dwelling Standards  
DP13 Dwelling Alterations, Extensions and Replacement Dwellings  
DP16 Private Amenity Space and Open Space Provision for New Residential Development  
DP19 Parking Standards
- 7.4 Regard should also be given to the following adopted Supplementary Planning  
Sustainable Construction  
Extending Your House?  
The Essex Design Guide

## **8.0 Consultations**

- 8.1 The consultation exercise has not resulted in the receipt of any statutory consultee comments.

## **9.0 Parish Council Response**

- 9.1 The Parish Council have made no observations.

## **10.0 Representations**

10.1 Seven letters of objection have been received (from a total of three neighbours), the latest relating to the revised plans. The letters make the following points.

- (i) Raising roof height of roof ridge from 19'10" to 23' 5" will significantly increase the area and height of the flank wall, causing considerable loss of light and sunlight to our living room, garden and property and affect our visual amenity.
- (ii) Unnecessary raising of front ridge roof void from 15' to 17'6" will cause loss of light to our property and front garden.
- (iii) Unnecessary height of roof ridge at 13' on proposed rear gable over a void roof. Will exclude considerable light and sunlight from our garden, conservatory, and patio and will reduce visual amenity.
- (iv) High level window in the east elevation will totally overlook our conservatory, patio and garden, reducing our privacy and security.
- (v) Present distance from our boundary to flank wall is only 33" so proposal will result in overshadowing, overbearing and over development of a very small plot.
- (vi) Continuity and character of street view will be adversely affected.
- (vii) Drains shared by 5 properties - main manhole is on our property and has been great problem in the past.
- (viii) Raising west wall and bringing it closer to my property will cause an overbearing affect.
- (ix) 50% of site being developed is an overdevelopment.
- (x) Major re-build, which will require considerable demolition work first, including the entire west facing outer wall and roof. Considerable disruption to neighbours, many of whom are elderly.

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

## **11.0 Parking Provision**

11.1 The dwelling would have space for two cars to park at the front of the property so would accord with Policy DP19 Parking Standards.

## **12.0 Open Space Provisions**

12.1 There is no requirement for any public open space provision for this application.

## **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 It is considered that the design, scale and form of the extensions are acceptable in terms of their impact upon the character of the street scene and upon the character of the existing dwelling. The height of the existing dwelling would only be raised by 1.2 metres to 6.9 metres and the eaves would stay the same height. Whilst this would be higher than the bungalows either side, it would not be out of keeping with the scale and height of some of the other dwellings in the street and would not visually dominate the adjacent bungalows too significantly. There is already therefore some variation in the types and sizes of dwellings in Yorick Road so it is considered the alterations would relate visually satisfactorily to the character of the area.
- 15.2 Similarly, the front wing of the property is only being raised by 0.8 metres to 5.1 metres and this resultant height would look acceptable in this context. The proposed rear extension would not have a significant visual impact upon the street scene and would fit in with the character of the dwelling.
- 15.3 A key consideration is the impact of the proposals upon neighbouring residential amenity. It is considered that the increase in height of the main roof by 1.2 metres and moving the flank wall closer to the west side boundary by 1.2 metres would not result in a significantly detrimental impact upon neighbours in terms of an overbearing impact, loss of light or loss of outlook. The conservatory on the side elevation of the bungalow to the west would still be 2.5 metres from the new flank wall and this distance would allow adequate light to the property whilst not being unacceptably overbearing or resulting in a significant loss of light.
- 15.4 Similarly it is considered that No. 37 is far enough from No. 35 to avoid there being a significant loss of light, overbearing impact or loss of light from the raising of the main roof or front element. The fact that the eaves are being retained at the same height and the roof tapers towards the new ridge height helps minimise the impact upon the amenity of both properties either side.
- 15.5 The height of the rear extension has been reduced to 3.8 metres above ground level and this avoids any significant loss of light or overbearing impact. Other amendments that have been undertaken to minimise the impact upon neighbours include the omission of a chimney and the handing of the location of the kitchen.
- 15.6 The first floor side window on the west elevation serves a bathroom and so will therefore be obscure glazed. There will, therefore, not be overlooking of No. 37 from this window. A condition can also be applied to ensure the roof lights on the rear elevation have their lower cill a minimum of 1.7 metres above the internal first floor level. This will avoid any overlooking from the rear too and will accord with the SPD.
- 15.7 Finally, there will be no impact upon highway safety, vegetation or wildlife.

## **16.0 Conclusion**

- 16.1 In conclusion it is considered that the scale, form and design of the extensions would relate satisfactorily to the character of the street scene and to the existing dwelling itself. The scheme is also considered acceptable in terms of its impact upon neighbouring residential amenity. The proposal has been amended in a number of ways to attempt to alleviate some of the neighbour's concerns, including the reduction of the roof height on the rear extension to a height lower than that allowed under Permitted Development. The amended scheme is, therefore, considered acceptable.

## **17.0 Recommendation**

- 17.1 APPROVE subject to the following conditions

## **18.0 Positivity Statement**

- 18.1 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.

## **19.0 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 YR/PA001B received 24/7/15 and YR/PA002C and YR/PA003C received 31/7/15.

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

The first floor bathroom window on the east elevation shall be obscure glazed and thereafter retained as such and the rooflights on the rear elevation shall have a lower cill level no less than 1.7 metres above the first floor level.

Reason: In the interests of neighbouring privacy.

## 20.0 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.