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Item No: 7.1

Application: 213273

Applicant: Mr And Mrs Barnes

Agent: Kevin Hall

Proposal: Two storey rear extension, refurbishment and alterations to roof, fenestration and external materials of the host dwelling.

Location: 5 Queens Road, Colchester, CO3 3PD

Ward: New Town & Christ Church

Officer: Hayleigh Parker Haines

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee as this was called in by the late Councillor Cope on 22nd December 2021 due to the scale and character of proposal not being in keeping, was considered out of place in a classic 1930's cul-de-sac of detached dwellings.

2.0 Synopsis

- 2.1 The key issues for consideration are the design of the proposal and associated impact on the character and appearance of the site, surrounding area and adjacent conservation area.
- 2.2 The application is subsequently recommended for approval, since the original submission a number of revised documents/plans have been received, addressing Officer concerns in relation to the scale and design of the proposal, these amendments are considered to overcome the previous concerns raised.

3.0 Site Description and Context

- 3.1 The application site sits on the corner and to the northern side of Queens Road, adjacent to a footpath and contains a single detached, chalet style bungalow. Queens Road is characterized by a variety of dwellings ranging from chalet style bungalows to two storey dwellings, predominately constructed from red brick but with some elements of render and timber features, with gable projections or bay windows adding architectural interest to the front elevation.
- 3.2 It should be noted that the application site sits directly adjacent to Colchester Conservation Area 2, which is protected by an article 4 direction because many of the features that characterise it are vulnerable to unsympathetic alterations that would damage its character.

4.0 Description of the Proposal

- 4.1 Planning permission is sought for the external refurbishment to the host dwelling including alterations to the roof form. Currently the dwelling is a chalet style bungalow with a pitched roof. The proposal is to alter the roof to provide a two storey dwelling (approximately 1.5 metre increase in height). Also proposed is the removal of the front bay windows and replacement with two storey projections with a height to match the eaves of the resultant dwelling. The proposed works also include the change in facing materials from red brick to a coloured cementitious render to the host dwelling with metal clad dormer windows, natural slate roof finish with recon stone coping to the parapet walls.
- 4.2 Planning permission is also sought for a single storey flat roofed rear extension. This would be finished in black larch cladding.
- 4.3 The proposed developments would facilitate the internal reconfiguration of the dwelling providing a tv room, study, shower room, dining room, utility and open plan kitchen/sitting area at ground floor, four bedrooms with ensembles at first floor

with the master bedroom with dressing room, bathroom and recessed balcony within the loft space.

5.0 Land Use Allocation

- 5.1 The site is within an established residential use

6.0 Relevant Planning History

- 6.1 There is no site history that is particularly relevant to the decision regarding this proposed development.

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 be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

7.2 Local Plan 2017-2033 Section 1

The shared Section 1 of the Colchester Local Plan covers strategic matters with cross-boundary impacts in North Essex. This includes a strategic vision and policy for Colchester. The Section 1 Local Plan was adopted on 1 February 2021. The following policies are considered to be relevant in this case:

- SP1 Presumption in Favour of Sustainable Development
- SP7 Place Shaping Principles

7.3 Local Plan 2017-2033 Section 2

Section 2 of the Colchester Local Plan was adopted in July 2022. The following policies are of relevance to the determination of the current application:

- ENV1 Environment
- DM12 Housing Standards
- DM13 Domestic Development
- DM15 Design and Amenity
- DM16 Historic Environment
- DM19 Private Amenity Space
- DM22 Parking

- 7.4 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide
External Materials in New Developments

8.0 Consultations

- 8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.
- 8.2 The Historic Buildings and Areas Officer originally raised concerns in relation to the design of the resultant dwelling and its impact on the neighbouring conservation area. The Officer has worked with the Agent and amended plans have been received, the revised drawings are now considered acceptable and there are no objections in terms of the proposals impact on the adjacent conservation area.
- 8.3 The Archaeological Officer has raised no concerns in relation to the proposal, subject to a pre-commencement condition.
- 8.4 Essex County Council Highways originally raised concerns in relation to the proposal due to excessively wide access. However, amended plans have been received which have overcome this objection, subject to the inclusion of two conditions to ensure that the access to the site and materials used are sufficient and policy compliant.
- 8.5 Colchester Civic Society originally raised concerns in relation to the design of the resultant dwelling. The Officer has worked with the Agent and amended plans have been received.

9.0 Parish Council Response

- 9.1 Non-Parished

10.0 Representations from Notified Parties

- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below:

Objection Comments

- Design – out of place – radically different to c1930s houses
- Complete contrast to, clashed with, the style, period and design of the road
- Streetscene not enhanced
- Scale unreflective of plot size – predominately the rear extension
- Fenestration and elevation materials controversial and provide little architectural merit
- Car parking and access arrangement unsatisfactory
- Impact on Conservation Area and Non-designated Heritage Assets

- Loss of privacy to No.7 Queens Road due to additional side windows on rear extension
- Sits forward of building line
- Cuboid design, unimaginative
- Visually prominent dwelling given corner plot location – exacerbates design issues
- The mature tree to the right corner of the plot is not shown in any sketches
- The revised application is no improvements and remains a carbuncle.
- The revised plans has not addressed the objections, the overall design and extent of the proposal is out of keeping with the area and size of the plot
- Remains a distinct and inappropriate change to the architecture along the road

Supporting Comments/General Comments

- Rather than attempting to imitate an old style – should embrace a modern design and the variety it will bring.
- Care must be taken to ensure the continued use of footpath 200 (Colchester)
- If the proposal is meant to be an example of a modern sustainable building – greater detail on ‘green’ items should be made.

11.0 Parking Provision

- 11.1 It is considered that sufficient on-site parking provision would be provided in line with policy DM22, this is discussed further in the below report.

12.0 Accessibility

- 12.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The proposed development does not raise any issues of potential direct or indirect discrimination.

13.0 Open Space Provisions

- 13.1 The proposed development includes appropriate provision of private amenity space and there is no need for any public open space to be provided

14.0 Air Quality

- 14.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

15.0 Planning Obligations

- 15.1 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 (s.106) of the Town and Country Planning Act 1990.

16.0 Report

16.1 The main issues in this case are:

- Design, Scale, Height and Massing
- Impact on the Surrounding Area
- Impacts on Neighbouring Properties
- Highway Safety and Parking Provisions (including Cycling)

16.2 Principle of Development

16.2.1 The application site sits within a predominantly residential area where development such as that proposed is considered to be acceptable in principle in accordance with policies SP1 and DM13

16.3 Design and Impact on the Character and Appearance of the Site and Surrounding Area

16.3.1 The recently amended National Planning Policy Framework (2021) sets out government's planning policies for England and how these are expected to be applied. The requirement for good design has become stronger as has the requirement to refuse development that is not of good design. The amended Framework requires beauty. The Framework is supported by a collection of planning practice guidance which includes a National Design Guide. This document seeks to deliver places that are beautiful, enduring and successful by setting out the characteristics of well-designed places and outlining what good design means in practice.

16.3.2 Local Plan Section 1 Policy SP7 requires all development to meet high standards of urban and architectural design, respond positively to local character and enhance the quality of existing places. Section 2 Adopted Local Plan Policies DM13 and DM15 echoes these sentiments, requiring all development to be designed to a high standard and positively respond to its context, specifying that wherever possible development should enhance the character of the site, its context and surroundings in terms of its layout, architectural approach, height, scale, form, massing, density, proportions, materials, townscape and/or landscape qualities, and detailed design features.

16.3.3 Policy DM15 Design and Amenity provides that all development, including extensions must be designed to a high standard, positively respond to its context, achieve good standards of amenity, and demonstrate social, economic and environmental sustainability. In addition, it states that development proposals must respect and, wherever possible, enhance the character of the site, its context and surroundings in terms of its layout, architectural approach, height, scale, form, massing, density, proportions, materials, townscape and/or landscape qualities, and detailed design features. Wherever possible development should positively integrate the existing built environment and other landscape, heritage, biodiversity and Arboricultural assets and remove problems as part of the overall development proposal

- 16.3.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to desirability of preserving or enhancing the setting of the Conservation Area. Similarly, development policy DM16 of the Local Development Plan seeks to enhance and protect the historic environment and its setting. Where a proposed development would cause less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 16.3.5 The proposed developments to alter the roof and front elevation are considered to significantly alter the appearance of the dwelling and would be highly visible from within the public realm. The existing bungalow sits quietly in its mature garden, creating a smooth transition between the conservation area and Queens Road. The current design and scale of the bungalow is very in keeping with its surrounding and provides to the aesthetic cohesiveness of the street, as described above.
- 16.3.6 The proposed works would have a notable impact and would materially alter the character to the dwelling and the surrounding area. However, it is considered that in terms of scale and height the resultant dwelling would be comparable to a number of neighbouring properties, and therefore, this alone is not considered to be uncharacteristic of the surrounding area. Furthermore, the finishing materials proposed to the dwelling are largely in keeping with those found within the streetscene and are not objectionable. Whilst the metal cladding proposed to the dormer roof alterations is not a material commonly found within the surrounding area, this is considered to integrate with the roof material proposed and assist in breaking up the visual bulk of built form at the site and therefore, this is, considered acceptable.
- 16.3.7 The design of the resultant dwelling has changed significantly compared to the original plans received; to overcome Officer concerns in regards to the impact on the surrounding area, whilst the proposed roof form and flat roof aspects of the proposal are no overly characteristic of Queens Street, whereby there is a relatively strong character, the proposed scheme is considered to delicately reflect a more modern approach whilst maintaining key aspects of the street character, and therefore, whilst this would not fully integrate with the streetscene, this would in its own right reflects the change in architecture and approach to design, this is not considered to be unduly harmful to the character and appearance of the streetscene and wider area.
- 16.3.8 The proposed single storey rear extension is considered to be an acceptable addition to the site and would be a subservient addition to the resultant dwelling, the level of glazing proposed is not overly reflective of the current site, however, given this is to the rear of the dwelling and would not be highly visible or prominent within the public realm, this is not considered to result in significant harm as to warrant the refusal of the application.

16.4 Impact on Neighbouring Amenity

16.4.1 Adopted Development Policy DM15 states that all development must be designed to a high standard and avoid unacceptable impacts on amenity. This includes protecting existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight. The adopted Supplementary Planning Document (SPD) the Essex Design Guide also provides guidance on the safeguarding of residential private amenity.

16.4.2 The application site is bordered by five neighbouring properties, to the north are No.17 and No.19 Roddam Close to the east is No.25 The Avenue (Flats) , to the south is No.16 Queens Road and to the west is No.7 Queens Road

16.4.3 Due to the degree of separation from the neighbouring properties to the north east and south, it is not considered that the proposed development would result in an unneighbourly form of development in terms of overbearing or loss of light to these neighbouring occupiers. The proposal includes a number of additional first floor windows are proposed alongside dormer roof alterations and a recessed balcony. Due to the sufficient degree of separation, it is not considered that these would offer an unsatisfactory level of overlooking in terms of the neighbouring properties to the north. Similarly, due to the orientation of the dwelling, it is not considered that these windows would result in any concerns in terms of loss of privacy to the neighbouring properties to the east or south.

16.4.4 The resultant dwelling would sit approximately 4 metres from No. 7 Queens Road, it should be noted that this neighbouring property is at a slightly higher ground level than the application site. The two storey aspect would not project beyond the rear elevation of this neighbouring property. There is a ground floor door to the eastern side of this neighbouring property serving a utility room, and large glazed openings to the rear of this neighbouring property. The single storey rear extension would project beyond the neighbouring properties rear extension by approximately 2.6 metres, however, given the single storey nature of this extension, the relationship between the properties and that No.7 benefits from a larger glazed opening along the entirety of the rear elevation it is not considered that the proposal would result in a material loss of light to habitable rooms.

16.4.5 It is noted that a number of additional first floor windows are proposed alongside dormer roof alterations and a recessed balcony. These would offer some views of No.7 amenity space however this would be the north-eastern corner of the site and therefore, it is not considered that this would result in a material loss of privacy to the detriment of this neighbouring occupiers amenity.

16.4.6 It is noted that some views of the proposed dining area would be available from the neighbouring properties eastern side door due to the level of glazing proposed to this elevation. However, given the degree of separation, that this opening is not a habitable room and does not benefit from glazing, it is not considered that this would result in an unacceptable level of overlooking to the detriment of the occupiers of the resultant dwelling.

16.4.7 Taking into account the above assessment, it is considered that the proposed development would not appear overbearing on the outlook of neighbours. 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. Similarly, there are no concerns regarding loss of light. The combined plan and elevation tests are not breached and the proposal therefore satisfies the Councils standards for assessing this issue as set out in the Essex Design Guide.

16.5 Amenity Space and Landscaping

16.5.1 Development Policy DM19 requires all residential development to provide private amenity space to a high standard, where the siting, orientation, size and layout make for a secure and usable space. For houses of four bedrooms as proposed a minimum of 100m² of useable amenity space is required.

16.5.2 The site benefits from a spacious garden that would remain in excess of 100m² and therefore, there are no concerns in relation to this.

16.6 Parking, Access and Highway Safety

16.6.1 Policy DM22 states that the Council will refer developers to the Essex Planning Officers Association (EPOA) Vehicle Parking Standards which is an adopted SPD (November 2009). This policy requires that a minimum of two parking spaces should be provided for each dwelling of two or more bedrooms

16.6.2 The proposal would result in an additional three bedrooms at the application site resulting in a five bedroom dwelling with the minimum parking provision required being two spaces. The existing garage on site would remain unaltered (besides the roof form) with the hardstanding to the front of the site measuring approximately 4 metres by 8 metres which would provide sufficient parking for one vehicle. The garage measures at 2.6 metres by 9.3 metres (2.3 at its narrowest point) internally and whilst this does not comply with the minimum internal standards of 3 metres it is considered that this would provide parking provision for a reasonable sized vehicle and therefore, on balance, there are no concerns in relation to parking.

16.6.3 The proposal includes alterations to the existing access in that the wall to the eastern side would be reinstated. Highways originally raise concerns as the proposed access was too wide and would not be compliant with the required standards. However, this has been reduced and the wall reinstated and therefore, these objections have been overcome.

17.0 Planning Balance and Conclusion

17.1 Taking into account the above assessment, it is considered that the proposed development is acceptable and is therefore, recommended for approval.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

1. ZAA - 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. ZAM - Development to Accord with Plans

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers: 2487/01 Rev F, 2487/11 Rev C, 2487/12 Rev C, 2487/13 Rev C, 2487/14 Rev D and 2487/15 Rev D

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

3. Z00 - Archaeology

No works shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation that has been submitted to and approved, in writing, by the Local Planning Authority.

The scheme shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works.

The site investigation shall thereafter be completed prior to development, or in such other phased arrangement, as agreed, in writing, by the Local Planning Authority. The development shall not be occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance Adopted Development Policy DM16 (2010, Revised 2014) and the Colchester Borough Adopted Guidance titled Managing Archaeology in Development (2015).

4. ZBC - Materials to be Agreed

Prior to their inclusion in the works hereby approved, precise details of the manufacturer, types and colours of the materials to be used in the construction of the development hereby permitted shall be submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development.

Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application.

5. ZMM - Additional detail on windows, doors, eaves etc...

Prior to their inclusion in the works hereby approved, additional drawings that show details of any proposed new windows, doors, eaves, verges, cills and arches to be used, by section and elevation, at scales between 1:20 and 1:1, as appropriate, shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved additional drawings.

Reason: There is insufficient detail with regard to this to protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. ZKH – Vehicular Access Completed Prior to Occupation

Prior to first occupation of the proposed development, the proposed vehicular access shall be reconstructed at right angles to the highway boundary and to a width of 4.5 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that there is a satisfactory access available at the time when the site becomes occupied in the interests of highway safety.

7. ZIF – No unbound Surface Materials

No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid the displacement of loose material onto the highway in the interests of highway safety.

19.1 Informatives

19.1 The following informatives are also recommended:

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. 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 and be investigated by our enforcement team. Please pay particular attention to these requirements. To discharge the conditions and lawfully comply with your conditions you should make an application online via www.colchester.gov.uk/planning or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

3. INS – Archaeology Informative

PLEASE NOTE The submitted scheme of archaeological investigation should be in accordance with an agreed brief. This can be procured beforehand by the developer from Colchester Borough Council. Please see the Council's website for further information: www.colchester.gov.uk