



The Ordnance Survey map data included within this publication is provided by Colchester Borough Council of Rowan House, 33 Sheepen Road, Colchester CO3 3WG under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use. This map is reproduced from Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller Of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Crown Copyright 100023706 2017

Item No: 7.2

Application: 222402

Applicant: Mr And Mrs Jason Connolly

Agent: Mr Richard Lambert, ENDesign

Proposal: Replacement of existing flat roof single storey rear extension with proposed two storey

Location: 44 Marlowe Way, Colchester, Essex, CO3 4JP

Ward: Prettygate

Officer: Simon Grady

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because one of the joint applicants is a member of staff at Colchester Council.

2.0 Synopsis

- 2.1 The application seeks planning permission for the replacement of existing flat roof single storey rear extension with proposed two storey rear extension. The key issues for consideration are the design of the proposed development, as well as its impact on neighbouring amenity in terms of outlook, light and privacy.
- 2.2 The application is considered to be acceptable in design terms and would not be harmful to neighbour amenity and is subsequently recommended for approval.

3.0 Site Description and Context

- 3.1 The site contains a detached dwelling lying inside of the Central Colchester settlement. The site is not in the Area of Outstanding Natural Beauty or in a Conservation Area. There are some protected trees to the south of the application site both to the front and to the rear of the site but none are close enough to be affected by the proposed development, which is located to the north of the dwelling. There are no Listed Buildings whose setting could be affected by this proposed development. The site is in flood zone 1.

4.0 Description of the Proposal

- 4.1 This Householder application seeks planning permission for the replacement of an existing flat roof single storey rear extension with a proposed two storey extension. The existing extension would be demolished and replaced with an extension that would be 2.4m deeper than the existing extension and 0.85m wider.

5.0 Land Use Allocation

- 5.1 Residential within Colchester central settlement limits.

6.0 Relevant Planning History

- 6.1 None

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:

- DM13 Domestic Development
- DM15 Design and Amenity
- DM19 Private Amenity Space

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

- The Essex Design Guide
- External Materials in New Developments
- Managing Archaeology in Development.

8.0 Consultations

8.1 Archaeology Advisor

The Council's Archaeology Advisor confirmed that whilst the site is in close proximity to the projected route of a Roman road, the proposed extension is small in area and likely to involve little new ground disturbance. No archaeological condition is therefore recommended.

9.0 Parish Council Response

9.1 Non-parish

10.0 Representations from Notified Parties

10.1 The application did not result in any representations from interested third parties including neighbouring properties.

11.0 Parking Provision

11.1 Not affected.

12.0 Accessibility

12.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The proposed development is not considered to pose any issues in this regard.

13.0 Open Space Provisions

13.1 N/A

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 N/A

16.0 Report

16.1 The main issues in this case are:

- Principle of Development
- Design and Appearance
- Impact on Neighbouring Properties
- Private Amenity Space Provision

Principle of Development

16.2 The site contains a detached dwelling lying inside of the Central Colchester settlement boundary and within a predominantly residential area where development such as that proposed is considered to be acceptable in principle.

Design and Appearance

16.3 The design of the proposed development is considered satisfactory on its own merits. The development is visually acceptable being subordinate to and using external facing materials to match the host dwelling (render, cladding and interlocking roof tiles). The proposed extension extends the same depth as existing rear extensions and would not detract from the appearance of the existing dwelling. There would only be glimpses of the proposed extension from Marlowe Way and its design would not harm the street scene or the character of the surrounding area.

Impacts on Neighbouring Properties

16.4 The proposed extension would not have a harmful impact on neighbouring amenity and would therefore comply with Local Plan policies DM13 and DM15. 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 Additionally, the proposal does not include any new windows at first floor level that would offer an unsatisfactory angle of overlooking that harmed the privacy of the neighbouring properties, including their protected sitting out areas. The only first floor window proposed faces directly down the applicants garden and there are no side facing windows.

Private Amenity Space Provision

- 16.6 The proposed extension covers a modest footprint and would result in the loss of a very small area of the dwelling's private amenity space and the dwelling would retain a significant amount of space, in accordance with Local Plan policy DM19.

16.7 Other Considerations

Trees

- 16.8 Whilst there are some protected trees close to the application site, they are far away enough from the location of the proposed development not to be adversely affected either during the construction phase or after the extension has been completed.

17.0 Planning Balance and Conclusion

- 17.1 This modest proposed development accords with the Council's policy requirements and no objections have been received.

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. 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 Site Location Plan and drawing number End716/02 Rev A.

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

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, unless otherwise agreed, in writing, by the Local Planning Authority.

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

19.1 Informatives

19.1 The following informative is also recommended:

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.