



**Application No:** 162182

**Location:** 6 St. Monance Way, Colchester, CO4 0PN

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

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**7.8 Case Officer: Chris Harden Due Date: 24/10/2016**

**HOUSEHOLDER**

**Site:** 6 St. Monance Way, Colchester, CO4 0PN

**Application No:** 162182

**Date Received:** 23 August 2016

**Agent:** Mr Steve Norman

**Applicant:** Mr P Walsh

**Development:** Two storey front extension. (Revision to scheme granted permission under 152311)

**Ward:** St Johns

**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 it has been called in by Councillor Chuah who considers that an increase in height of 0.4 metres compared to the previous approval is not minimal, confirms that residents have complained about the height of the extension and that Councillors should see what the extension looks like in the street scene.

## **2.0 Synopsis**

2.1 The key issues explored below are the design and appearance of the extension and its impact upon neighbouring residential amenity. The extension has already been constructed and when it was close to being finished it was noted that it differed from the previously approved plans. The proposal differs from the previously approved extension (152311) in that it is approximately 0.4 metres higher, and the windows are 0.5 metres wider in total and marginally deeper. The principle of a front extension has already been previously agreed and so it is the differences compared to the previous approval that need to be assessed.

2.2 It is concluded that the revised design and appearance of the extension would still relate satisfactorily to the character of the existing dwelling and street scene. It is also considered that the increase in height of the extension by approximately 0.4 metres does not have any significant impact upon neighbouring residential amenity in terms of loss of light or an overbearing impact. There is no impact from the revision on retained amenity space and parking provision and so these aspects are still considered satisfactory.

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

- 3.1 The site contains a two storey, semi-detached dwelling that lies within a housing estate that was built in the early 1960s. As outlined above, a front extension that forms this application has been constructed and is almost complete. There is a hard surfaced parking area to the front of the site and a driveway alongside the dwelling leading to a garage in the rear garden. The site lies a little way after a bend in the road to the south. The semi-detached properties to the north are very similar but are positioned a bit further forward and closer to the road.
- 3.2 Existing amenity space to the rear of the property is approximately 49 square metres. There is also around 18 square metres of space alongside the dwelling leading to the garage. This could be deemed as an access drive although it is a little narrow for current standards.

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

- 4.1 The proposal is for the erection of a two storey front extension to provide an extended living room downstairs and a fourth bedroom upstairs. The extension would project three metres forwards from the front of the existing house, would be approximately four metres in width and with a height to ridge of approximately 6.4 metres. Two windows would be added into the front of the extension and these would be approximately 0.5 metres wider than the previously approved windows and marginally deeper. The bricks and tiles that have been used match the existing dwelling.
- 4.2 Three car parking spaces at the front of the property on the existing hard surfaced area would be retained.

### **5.0 Land Use Allocation**

- 5.1 Within Colchester physical limits.

### **6.0 Relevant Planning History**

- 6.1 An application for a front extension (152311) was approved on 8<sup>th</sup> December 2015 following presentation at the Planning Committee. The differences between that approval and the current proposal have been outlined above.
- 6.2 An application for a rear extension measuring 3 metres by 6 metres was refused earlier in the year (151031) on the following grounds: "...the proposed two storey rear extension would increase the number of bedrooms from three to four, but would reduce the private rear garden area to approximately 35 square metres." This was deemed insufficient.
- 6.3 A previous proposal for a slightly larger extension to the rear (150296) was refused in March 2015 on the grounds of insufficient amenity space (below 30 sqm) and also on overlooking from a rear bedroom.

## **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  
H2- Housing Density  
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 Vehicle Parking Standards

Extending Your House?  
The Essex Design Guide  
External Materials in New Developments

## **8.0 Consultations**

8.1 None received.

## **9.0 Parish Council Response**

9.1 n/a

## **10.0 Representations**

### 10.1 Councillor Chuah states

“Residents have complained about the height of the extension that was not in accordance with the planning permission granted for this extension. I would like the committee to review this revision to the scheme granted under permission 152311. It would be important to view the revised proposal from the street scene. I object to the revision of this planning permission of the ridges height that has increased by 400mm (16 inches). I would not consider 400mm as quite minimal!”

### 10.2 Two letters of objection have been received which make the following points:

- Extension has not been built in accordance with the planning permission 152311. Having obtained planning permission it is our understanding that the extension should have been constructed in accordance with the plans submitted. This is clearly not the case as the ridge height is some 16 inches higher than that which was approved. We do not consider this to be minimal.
- Fail to understand that there is a genuine error by the builder who built the ridges the same height as the existing dwelling and neighbouring properties. Did he not consult the plans which clearly show that the roofline of the extension is lower than that of the existing dwelling and the planning notes also clearly state and we quote " The extension would also be marginally lower than the height of the main dwelling allowing it to appear appropriately recessive".
- Cannot understand how applicant overlooked this obvious issue as he was observed as being at home whilst work was being undertaken.
- If amendment is allowed it will follow that the structure will not be recessive and in any case the whole extension is completely out of character in the street scene.
- Non-compliance with planning permission will add to the disastrous and intrusive effect that the extension has on the whole street scene.
- We feel that if it is not rectified and allowed to stand as it is it makes a complete mockery of the planning laws.
- In fairness to local residents, a Government Inspector should be asked to give an independent opinion on the whole project. The whole cost should be borne by the applicant and builder.

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

## **11.0 Parking Provision**

### 11.1 3-4 spaces.

## **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**

### Design, scale and Layout

15.1 It is considered the design, scale and form of the extension remains acceptable in this context. The principle of a gable projecting forward was previously accepted and the projection and width of the extension remains as previously approved. The gable therefore remains of traditional proportions. It is not considered that the increase in height of approximately 0.4 metres results in an extension that is visually unacceptable in the street scene. Whilst the extension is not quite as visually recessive as it was before, it still relates well to the character of the street scene and would not detract from the character of the existing dwelling. When viewed in situ it is clear that the extension as built blends in very well with the character of the street scene and the materials used are also a very good match.

15.2 As explained previously, the attached property has a gable facing the road, as has the semi-detached property nearby. Those gables have a ridge height the same as the remainder of the dwelling. The building line in the street also varies so the fact that this extension would project forward and at a slightly higher level than before would not be out of keeping with the character of the street scene. It is not considered the ridge height of the extension has to be lower than the ridge of the main dwelling for it to be deemed acceptable.

15.3 The front windows are wider and slightly deeper than previously approved. However, these still relate well to the scale and design of the extension and existing dwelling and are similar proportions to other windows in the vicinity. It is therefore considered that the revised windows are visually acceptable and do not detract from the character of the existing dwelling or street scene.

### Impacts on Neighbouring Residential Amenity

15.4 There are not concerns with regard to neighbouring loss of outlook or loss of light from the dwellings either side of the proposal or opposite from the increase in height of the extension. As outlined on the application, 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 the revised proposal still satisfies this requirement. The extension would remain approximately five metres from the dwelling to the north (No.4) and this is an adequate distance to avoid any significant detrimental impact even with the increased height. Similarly, the extension would be far enough from the adjoining No.8 to avoid causing a detriment to residential amenity even with the increase in height. It is still not considered the proposal would be overbearing and it should be noted that there is no right to a view over the front garden of the applicant's site.

- 15.5 Once again, the combined plan and elevation tests are not breached in relation to the properties either side and the proposal therefore satisfies the Council's standards for assessing the light issue as set out in the Essex Design Guide and the Extending Your House? guidance.
- 15.6 At the time of the case officer's site visit, the extension had not been completed so, as before, a condition to ensure a building works management plan is submitted and agreed can also be helpful in this respect so this can be applied.

#### Amenity Space

- 15.7 The extent of amenity space retained for the dwelling has not changed from the previously approved application. It is therefore considered that there remains sufficient amenity space to serve the dwelling with its new extension. As before, a condition can be applied to remove Permitted Development Rights so that the size of the rear garden is retained as such for the future if the development goes ahead (unless a subsequent application is approved.) The applicant currently has permitted development rights so such a condition could actually help with future amenity space provision.

#### Highway Issues

- 15.8 The amount of retained parking space on the site remains the same as the previously approved application. At least three parking spaces would be retained and this would meet current parking standards, as before. As outlined above, the building works management plan condition can be re-applied to control parking of builder's vehicles.

### **16.0 Conclusion**

- 16.1 In conclusion, the revised scheme is still considered to be acceptable in terms of its design and appearance despite the increase in height and revised fenestration. It would relate satisfactorily to the character of the existing dwelling and to the street scene. The extension would still not have a significant impact upon neighbouring residential amenity or upon highway safety and adequate amenity space and parking areas would be retained as agreed before.

### **17.0 Recommendation**

- 17.1 APPROVE subject to the following conditions

## 18.0 Conditions

### 1 - \*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: 1544/44/C received 10/10/16, 1544/5A and 15445/6A received 28/9/16.

Reason: For the avoidance of doubt as to the scope of this permission.

### 2 - Non-Standard Condition/Reason

Within 2 weeks of the date of this approval, a building works management plan shall be submitted to and agreed in writing by the Local Planning Authority. All works and associated activity shall accord with the approved building works management plan during the lifetime of the development works.

Reason: In the interests of highway safety and the amenity of the area.

### 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

Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no extensions, ancillary buildings or structures shall be erected unless otherwise subsequently approved, in writing, by the Local Planning Authority.

Reason: In the interest of visual amenity and to ensure the development avoids an overdeveloped or cluttered appearance.

### 5 - Non-Standard Condition/Reason

Within one month of the date of this permission, precise details of tree and/or shrub planting scheme and of frontage hard surfaces and an implementation timetable shall have been submitted to and approved, in writing, by the Local Planning Authority. The planting shall be maintained for at least five years following contractual practical completion of the approved development. In the event that trees and/or plants die, are removed, destroyed, or in the opinion of the Local Planning Authority fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the Local Planning Authority.

Reason: To ensure an appropriate visual amenity in the local area.

## **19.0 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.

## **20.0 Positivity Statement**

20.1 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.