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Item No: 7.4

Application: 171679
Applicant: Mr Gary Pamment
Agent: Mr Gary Pamment
Proposal: Proposed disabled bathroom
Location: 21 Glisson Square, Colchester, CO2 9AJ
Ward: Shrub End
Officer: Daniel Cameron

Recommendation: Approval subject to conditions.

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because the applicant is Colchester Borough Homes.

2.0 Synopsis

- 2.1 The key issue for consideration is the impact of the proposed extension on the neighbouring properties.
- 2.2 The application is subsequently recommended for approval subject to the conditions given at the conclusion of this report.

3.0 Site Description and Context

- 3.1 Glisson Square is located within Shrub End ward to the immediate west of Shrub End Sports ground and can be accessed from either Boadicea Way or Duncan Road. The area predominantly consists of two storey, semi-detached properties built of red brick. The rear gardens of semi-detached houses are separated by a large fence.

4.0 Description of the Proposal

- 4.1 The application seeks permission for the erection of a rear extension to the property to provide the tenant with a disabled accessible bathroom. The extension is single storey in height, extends some 2.7 metres from the original rear wall of the property and close to the boundary with the neighbouring property.

5.0 Land Use Allocation

- 5.1 The current local plan allocates the area as predominantly residential.

6.0 Relevant Planning History

- 6.1 There is no relevant planning history.

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 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

UR2 - Built Design and Character
ENV1 - Environment

- 7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

DP1 Design and Amenity
DP13 Dwelling Alterations, Extensions and Replacement Dwellings
DP16 Private Amenity Space and Open Space Provision for New Residential Development

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

The Essex Design Guide
Managing Archaeology in Development.

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 Council's Archaeological Advisor commented that the proposed works would result in no material harm to below ground remains and has stated that no conditions would be required.

9.0 Parish Council Response

- 9.1 The application is located within an unparished town centre ward.

10.0 Representations from Notified Parties

- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. No representations have been received.

11.0 Parking Provision

- 11.1 The application will not affect the current level of parking currently available at the property, nor will it result in additional parking need.

12.0 Open Space Provisions

12.1 While the proposed extension will reduce the level of existing garden to the rear of the property, the remaining garden will still be above the standard required by policy DP16.

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

15.0 Report

15.1 The main issues in this case are:

- The Principle of Development
- Design and Layout
- Scale, Height and Massing
- Impacts on Neighbouring Properties

15.2 Planning permission is required for the proposed development as it is located within 2 metres of the boundary and the height of the extension exceeds that allowed under permitted development.

15.3 Local policies DP1 and DP13 are directly applicable to the development being considered. These policies seek to protect existing residential amenity, particularly in regard to privacy, overlooking, and shadowing. Further guidance is set out in the adopted Essex Design Guide.

15.4 In terms of design, the proposed development is acceptable and would fit with the wider aesthetic of the area. The siting of the extension has been determined by the need of the tenant to access the bathroom from their bedroom. Its single storey height ensures that any impact upon the surrounding area is minimal. Materials have been selected to match those exhibited by the existing property.

15.5 The neighbouring semi-detached property is separated from the application site by a fence which runs the length of the rear gardens. A conservatory serving the neighbouring dwelling (adjacent to the proposed extension) sits a good distance away from the boundary. The single storey nature of the proposed extension ensures that any issues of impact upon neighbouring privacy are negligible; no overlooking would be possible from the extension and no windows would face out onto the neighbours residence. In terms of existing light, there would be little impact upon the neighbour’s property as good levels of light would still reach the rear of both properties especially considering they face south.

Some shadowing would be inevitable, especially in the early mornings, however, this would not impinge upon the neighbour's enjoyment of the conservatory and would not be sufficient to result in pronounced harm to their amenity.

- 15.6 For the reasons given above, the proposed is not considered to conflict with Local Plan policies UR2, ENV1, DP1 and DP13, the advice of the Essex Design Guide or the guidance set out in the NPPF.

16.0 Conclusion

- 16.1 To summarise, the application is proposing a modest rear extension to an existing property in Shrub End. The proposal is acceptable in principle and is of an acceptable design. Impacts upon neighbouring properties will be slight and no material objections have been received regarding the application. Based on arguments raised within this report, the recommendation to committee is to approve the application subject to the conditions below.

17.0 Recommendation to the Committee

- 17.1 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 Approved Plans

The development hereby permitted shall be carried out in accordance with the details shown on the submitted drawings numbered 10 and 02.

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

3. ZBB – 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.

18.0 Informatives

18.1 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. ZTB - Informative on Any Application With a Site Notice

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.