



Application No: 150923

Location: 31 Marlowe Way, Colchester, CO3 4JP

Scale (approx): 1:1250

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7.5 Case Officer: Eleanor Moss Due Date: 31/07/2015

HOUSEHOLDER

Site: **31 Marlowe Way, Colchester, CO3 4JP**

Application No: **150923**

Date Received: 7 May 2015

Agent: Stour Valley Design

Applicant: Mr & Mrs Smith

Development: Front extension and single storey rear extension.

Ward: Lexden

Summary of Representation: Conditional Approval

1.0 Reason for Referral to the Planning Committee

1.1 This application is referred to the Planning Committee because Councilor Buston requested this application to be determined at Committee for the following reasons:

- The size, scale and design of the property are disproportionate to the size of the plot and out of keeping with the surrounding properties
- The proposed extension is overly dominant on the frontage
- The location of the extension proposed in the Application impacts on the privacy and outlook of the adjoining property
- The proposed extension is out of character for Marlowe Way
- The external design of the proposed building has little or no architectural merit , and would not provide the required high standard of design or the appropriate architectural approach and would not lead to an enhancement of the area's character

2.0 Synopsis

2.1 The key issues explored below are that of design and amenity. The proposal is considered to have an acceptable design that would not result in any amenity issues – such as overlooking or overshadowing. Approval is recommended.

3.0 Site Description and Context

- 3.1 The application site is a two storey detached dwelling within Marlowe Way. The existing house incorporates deliberate asymmetry into its design and the asymmetrical roof is a key element of the building's character. The next door dwelling has the same design, again with an asymmetrical gable fronting the street. Similar asymmetry can be found in other dwelling designs in the area, however the area is made up of various designs. In addition, the existing dwelling is characterised by a single attached flat roof garage to the front elevation, similarly the next door dwelling also mirrors this.

4.0 Description of the Proposal

- 4.1 This application seeks planning permission for the erection of a first floor extension and single storey rear extension. It is worth noting that the rear extension has already been granted permission under application 146375. The proposed first floor front extension measures 5.1 metres wide by 3.6 metres, effectively retaining 1.1 metres of existing flat garage roof. This is in order to provide an additional bedroom on the first floor. The amended scheme incorporates asymmetry into its design and includes an asymmetrical roof in order to appear as a natural addition to the property which does not conflict with the original. In addition, the proposed design has been amended to include panelled render on the front elevation, in order to harmonise with the original dwelling.

5.0 Land Use Allocation

- 5.1 Residential

6.0 Relevant Planning History

- 6.1 This application site has previously been refused a front extension under application 146375. Under this scheme the asymmetry of the original dwelling would have been disturbed by the symmetrical and conventional gable end proposed to the front extension which did not respect the architecture of the original building. The depth of the extension caused it to dominate the composition. The extension largely obscured the rendered element of the first floor behind it, leaving just a small, triangle visible behind it and intruding a third material (hardiplank cladding) to the front elevation. This use of materials appeared incoherent and failed to respect the architecture of the building. The front balcony was more generally harmful to local character, being a feature that is alien to the local area.

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
DP13 Dwelling Alterations, Extensions and Replacement Dwellings

- 7.4 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents:

Extending Your House?
The Essex Design Guide

8.0 Consultations

- 8.1 None received at the time of writing

9.0 Parish Council Response

- 9.1 N/A

10.0 Representations

- 10.1 One objection has been received from the neighbouring property, a number of concerns were raised and these are summarised as follows:

- Detrimental impact upon residential amenity. Specifically the objection raised concerns regarding six glazed areas, (back door, first-floor patio doors and four windows)
- Poor design with little architectural merit
- Inappropriate for the area and fails to respect the character and appearance of Marlowe Way
- Concerns regarding overlooking into front bedroom windows
- Creating a blank, oppressive elevation to No. 29 Marlowe Way
- Overbearing impact upon first floor front patio area

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

11.0 Parking Provision

- 11.1 Parking provision is not affected by this proposal which complies with current car parking standards.

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 and Layout

15.1 The proposed single-storey front extension would project by 3.6 metres from the original dwelling and would match the width of the existing garage; as such the resulting extension would be set back and articulated from the front wall of the garage, ensuring the proposal would read as a subservient addition that would not overwhelm the original dwelling.

15.2 The single-storey front extension, whilst projecting forward of the existing dwelling, would not harm the setting of the site, given its setback from the highway, and given that the extension matches the appearance of the original dwelling. It is not in conflict in terms of materials and design and as such would not be read as an addition which is out of keeping.

Impact on Surrounding Area

15.3 Marlowe Way is a residential cul-de-sac characterised by two-storey residential properties which are varied in terms of style and design. The application site itself is large and can accommodate the proposed development comfortably.

15.4 Neighbouring properties are two-storey in form, with single-storey attached and detached additions. The palette of materials on surrounding properties is also mixed. In particular, the design influence has been attributed to 38 Marlowe Way which has previously been given planning permission for a single-storey front extension over the flat roof garage. It is considered that the proposed development will not have any adverse impact on landscape character, the setting of the site, or the wider area.

Impact on Neighbouring Properties

- 15.5 Objections have been received from the neighbouring property which raised concerns regarding the amount of light entering the front elevation of 29 Marlowe Way. Guidance in Supplementary Planning document 'The Essex Design Guide' is that a 45 degree angle from the mid point of windows is required in order to preserve outlook. 'Extending your house?' requires a combined plan and elevation 45 degree zone of protection to be preserved. This proposal complies with both those tests.
- 15.6 Concerns have also been raised regarding the first floor patio on the front elevation of 29 Marlowe Way. The arrangement of a first floor patio on the front elevation is certainly unusual, especially as the flat roof does not contain any balustrading to protect users of the patio from harm. As this non-habitable area is already very open within the cul-de-sac, with direct overlooking from other properties, it is not considered that the proposed extension will cause a detrimental impact upon the amenity of the first floor patio area. The patio door which serves a bedroom will not be impacted upon in terms of outlook and light as the windows and doors on the front elevation all pass the 'tests' as described above. Furthermore, the extension is to the north of its nearest neighbour (29 Marlowe Way) and so direct sunlight will not be affected.

16.0 Conclusion

- 16.1 The design of the proposed replacement dwelling is appropriate and minimises its impacts upon the neighbouring properties. No test for overbearing, overshadowing or overlooking as laid out within the 'Extending Your House?' SPD has been infringed and no unacceptable impacts have been identified. The proposed replacement dwelling would not appear out of character in the street scene or as an overly prominent addition. Your Officer therefore recommends approval.

17.0 Recommendation

- 17.1 APPROVE subject to the following conditions

18.0 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 precise accordance with the details shown on the submitted drawing numbers 1043/02 B, 1043/05 A and 1043/TOPO.

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

3 - Non-Standard Condition/Reason

No development shall take place until such times as, precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction, including window, fascia, soffit and porch details, have been submitted to and approved, in writing, by the Local Planning Authority. Such materials and finishes as may be approved shall be those used in the development unless otherwise subsequently agreed, in writing, by the Local Planning Authority.

Reason: In order to ensure a high quality finish to the development appropriate to its traditional design.

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.

(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.

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.