



Application No: 152700

Location: 19a Belle Vue Road, Wivenhoe, Colchester, CO7 9LD

Scale (approx): 1:1250

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7.3 Case Officer: Chris Harden

Due Date: 28/01/2016

Site: 19a Belle Vue Road, Wivenhoe, Colchester, CO7 9LD

Application No: 152700

Date Received: 3 December 2015

Agent: Mr Kevin Hall, Hall Duncan Associates

Applicant: Mr & Mrs A Scott

Development: Proposed alterations and extension

Ward: Wivenhoe Quay

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 Liddy on the grounds of concerns at the size of the extension, its overbearing impact and a loss of light to neighbours either side.

2.0 Synopsis

- 2.1 The key issues explored below are the size, design and appearance of the extension, its impact upon neighbouring residential amenity and whether there would be enough amenity space for the property.
- 2.2 It is concluded that the size, design and appearance of the extension would relate satisfactorily to the character of the existing dwelling and would not have an impact upon the character of the street scene. It is also considered there will not be a significant impact upon neighbouring residential amenity and that adequate amenity space would be retained.

3.0 Site Description and Context

- 3.1 The site contains a two storey dwelling with its gable facing the road and the building was approved in 2005. It was constructed in the side garden of number 21. The overall site has a width of approximately 7.5 metres and a rear garden depth of 18.5 metres. There is a hard surfaced area in front of the dwelling.
- 3.2 To the north-east of the site, approximately 1.3 metres from the side boundary, lies the two-storey detached property of number 21. To the south-west, approximately, 1.4 metres from the side boundary, lies the single-storey detached dwelling of number 19.

4.0 Description of the Proposal

- 4.1 The proposal is for the erection of a single-storey, predominantly flat roofed rear extension. It would measure 5.6 metres in width, which is 0.4 metres narrower than the existing dwelling, would project rearwards by 3.7 metres and would have a height to its flat roof of 2.425 metres. (The amended plan has reduced its height marginally by 75 mm). Within the central area of the roof there would be a range of raised rooflights pitched to a ridge height of 3.125 metres above ground level.

5.0 Land Use Allocation

- 5.1 Predominantly residential, within the physical limits of Wivenhoe.

6.0 Relevant Planning History

- 6.1 The dwelling proposed to be extended was approved in April 2005 under application RM/COL/05/0741 following Outline approval O/COL/04/1872 which removed permitted development rights for extensions under Condition 08.

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
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 Guidance/Documents:

- Vehicle Parking Standards
 - Extending Your House?
 - The Essex Design Guide
 - External Materials in New Developments
- Wivenhoe also has a village design statement.

8.0 Consultations

8.1 Councillor Liddy called in the proposal and has the following concerns: “The proposed extension will increase the size of the dwelling by at least one quarter. The present dwelling overshadows the adjacent dwellings and the proposed extension will be overbearing and will substantially reduce the daylight available to the neighbours on each side. An inspection of the plans suggests that the proposed extension will violate the 45 degree rule.”

In addition to the details reported above, the full text of all consultation responses is available to view on the Council’s website.

9.0 Parish Council Response

9.1 The Parish Council has made no observations.

10.0 Representations

10.1 One letter of objection has been received which makes the following points:

- Incredibly concerned about the impact the extension will have on our house and garden. Were led to believe when we bought the property three years ago that the house that had been built on the plot (19a) had been developed with planning conditions and it would not be able to increase in size. With this in mind we built our own extension in line with the existing building so that we would not encroach at all on the plot next door.
- The proposed extension will be highly visible from our kitchen and an imposing brick wall will take up a large part of the view. As we have just installed large patio doors at great expense you can imagine that we find this incredibly worrying.
- We absolutely oppose this planning proposal and will be seeking advice and support from one of our local Councillors.

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

11.0 Parking Provision

11. There is a hard surfaced area at the front of the site which can accommodate two cars.

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 form

- 15.1 It is considered that the design, scale and form of the rear extension is visually acceptable and would relate satisfactorily to the character of the existing dwelling. The flat roof has kept the height of the extension low and the fenestration, detailing and matching brickwork would tie in satisfactorily with the appearance of the existing dwelling. The extension would also be set in slightly from the existing dwelling on either side so the gable end of the dwelling would still be apparent. The roof windows would also add an appropriate detail to the roof without any detriment to visual amenity. As the extension is to the rear of the property there would be no detrimental impact upon the character of the street scene. Overall, the proposal accords with the Policy aims of the Local Plan and does not conflict with the provisions of the Wivenhoe Design Statement.

Impacts on Neighbouring Properties

- 15.2 It is not considered there would be any significant impact upon the residential amenity of the neighbours either side of the application site. The height of the flat-roofed part of extension has been kept down to 2.425 metres and it is also not located directly on the boundaries on each side. This height and distance will ensure that the extension would not appear overbearing on the outlook of neighbours either side. 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 the proposal satisfies this requirement. Accordingly there are no concerns regarding loss of light to the neighbours either side. The combined plan and elevation tests are not breached and the proposal therefore satisfies the Council’s standards for assessing this issue as set out in the Essex Design Guide and the Extending Your House? publication.

Other Matters

- 15.3 It is considered that adequate amenity space would be retained for the dwelling as the property has a relatively long garden. In addition, parking provision would be unaffected at the front of the property. No vegetation of significance would be affected.

16.0 Conclusion

- 16.1 It is considered that the rear extension would be acceptable in terms of its design, scale and form and it would not have a significant impact upon neighbouring residential amenity.

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 accordance with the details shown on the submitted Drawing Numbers: 2358.01B, 2358.02A, 2358.05A, 2358.06A, 2358.07A received 8.1.16.

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

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.

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.