



**Application No:** 152075

**Location:** Bear House, 40 Chitts Hill, Colchester, CO3 9ST

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

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## **7.4 Case Officer: Richard Collins**

## **HOUSEHOLDER**

**Site:** Bear House, 40 Chitts Hill, Colchester, CO3 9ST

**Application No:** 152075

**Date Received:** 22 September 2015

**Agent:** Mr Peter Tyler

**Applicant:** Mr Christopher Glanville

**Development:** Proposed two storey rear extension.

**Ward:** Lexden

**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 the agent works for the Council on a consultancy basis.

### **2.0 Synopsis**

- 2.1 The key issues explored below are the design of the proposal and its impact on the amenity of the neighbours. Both are considered to be acceptable and therefore an approval is warranted.

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

- 3.1 The site is located within the predominantly residential area of Lexden. The site faces Chitts Hill, set back with a large frontage. The property enjoys a large area garden, and has been previously extended.

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

- 4.1 The application seeks planning permission for a part two-storey/part single-storey rear extension.

### **5.0 Land Use Allocation**

- 5.1 The site is located within the defined settlement limits where development such as this is acceptable in principle.

## **6.0 Relevant Planning History**

6.1 The application site has been subject to previous planning applications:

- 090854 - Proposed two storey rear extension – Approved 25/8/09
- 98/0238 - 2 storey front extension, conversion of garage to kitchen and new attached single garage – Approved 30/4/98
- 97/1074 - Two storey front extension, conversion of garage to kitchen and new double garage – Refused 29/9/97
- 87/0118 - First floor side extension for bedroom – Approved 6/3/87

## **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:

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 Further to the above, the adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

N/A

7.5 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.

## **9.0 Parish Council Response**

9.1 The area is non-parished.

## **10.0 Representations**

10.1 None received.

## **11.0 Parking Provision**

11.1 The scheme will not impact upon the on-site parking provision.

## **12.0 Open Space Provisions**

12.1 This scheme raises no issues in terms of open space.

## **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 design of the proposal is entirely in keeping with the design of the existing dwelling. The roof form and use of materials is appropriate to the existing dwelling, and being a rear extension it has very limited public visibility. It is therefore acceptable.

### Scale, Height and Massing

15.2 The rear extension is acceptable in this regard.

### Impact on the Surrounding Area

15.3 The scheme will have a neutral impact on the street scene, given the very limited public visibility between dwellings, and is therefore acceptable in that regard.

### Impacts on Neighbouring Properties

15.4 The rear extension is not considered to be overbearing on the outlook of neighbours.

- 15.5 Similarly, there are no concerns regarding loss of light. 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. 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 and the Extending Your House SPD.
- 15.6 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 as identified in the above SPD.

#### Amenity Provisions

- 15.7 This scheme allows the retention of ample useable amenity space. The scheme is therefore acceptable in that regard.

#### Highway Issues

- 15.8 This scheme raises no highway issues.

#### Other Matters

- 15.9 This scheme does not raise any other issues.

### **16.0 Conclusion**

- 16.1 This modest scheme is only before Members as the applicant's agent works for the Council on an ad-hoc consultancy basis. The scheme is acceptable in design terms and raises no issues in terms of its impact on amenity. An approval is warranted.

### **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 584-1, 584-5, 584-6 and 584-7.

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

### **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.

### **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.