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Item No: 7.3

Application: 231615

Applicant: Mr Gary Pamment

Agent: Mr Gary Pamment

Proposal: SINGLE STOREY REAR EXTENSION FOR DISABLED ADAPTATION TO INCLUDE BEDROOM AND BATHROOM

Location: 7 North View Cottages, Coach Road, Great Horkeley, Essex, CO6 4AT

Ward: Rural North

Officer: Daniel Bird

Recommendation: Approval

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 issues for consideration are the design of the proposed development, as well as its impact on neighbouring amenity in terms of outlook, light and privacy.

2.2 The application is subsequently recommended for approval.

3.0 Site Description and Context

3.1 The site contains a single semi-detached residential property (see site plan for layout, orientation and relationship to neighbouring properties). The site lies within the a predominantly residential area where development such as that proposed is considered to be acceptable in principle.

4.0 Description of the Proposal

4.1 Single storey rear extension for disabled adaptation to include a bedroom and bathroom.

5.0 Land Use Allocation

5.1 The application site is a domestic dwellinghouse therefore is characterised as C3 use.

6.0 Relevant Planning History

6.1 There is no site history that is particularly relevant to the decision regarding this proposed development.

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 Local Plan 2017-2033 Section 1

The shared Section 1 of the Colchester Local Plan covers strategic matters with cross-boundary impacts in North Essex. This includes a strategic vision and policy for Colchester. The Section 1 Local Plan was adopted on 1 February 2021. The following policies are considered to be relevant in this case:

- SP1 Presumption in Favour of Sustainable Development
- SP7 Place Shaping Principles

7.3 Local Plan 2017-2033 Section 2

Section 2 of the Colchester Local Plan was adopted in July 2022. The following policies are of relevance to the determination of the current application:

- DM13 Domestic Development
- DM15 Design and Amenity
- DM19 Private Amenity Space
- DM22 Parking

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

The Essex Design Guide
External Materials in New Developments
EPOA Vehicle Parking Standards

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.

9.0 Parish Council Response

9.1 The Parish Council have not objected to this application.

10.0 Representations from Notified Parties

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.

No letters of representation were received.

11.0 Parking Provision

11.1 The Essex Parking Standards - Design and Good Practice SPD (2009), require that a dwelling of this scale features a minimum of two off street parking spaces. The driveway at the host dwelling can accommodate three vehicles, therefore the dwelling complies with the adopted standards.

12.0 Accessibility

12.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The proposed development would support a disabled resident by providing a ground floor shower room, enabling the disabled person to access such a facility and manage their personal hygiene with assistance. The scale and specifications of the proposal have been designed by an independent assessor to the relevant British standards for accessibility. As a result, the provision of this proposal would enhance the usability of the dwelling by the occupant, in line with the requirements of the Equality Act 2010.

13.0 Report

13.1 The main issues in this case are:

- Design and Layout
- Scale, Height and Massing
- Impacts on Neighbouring Properties
- Private Amenity Space Provision
- Parking Provision

13.2 Design and Appearance

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design. Adopted Policy DM13 states “Domestic development Residential alterations, extensions and outbuildings Residential alterations, extensions and outbuildings will be permitted, provided the proposal meets the following criteria:

- (i) The proposal is compatible with the scale, appearance and character of the original dwelling including taking into account the cumulative impact of such development;
- (ii) The proposal does not result in the over-development of the site, and demonstrates design in scale with its surroundings, taking into account the footprint of the existing dwelling and the relationship to neighbouring site boundaries;
- (iii) Proposals for extensions and outbuildings are subordinate to the original dwelling in terms of design and setting;
- (iv) The proposal will not result in unacceptable adverse impacts on the amenities of neighbouring residential properties, including on privacy, overbearing impact, overshadowing or loss of light;
- (v) The proposal will not result in adverse impact to the appearance of the street scene and character of the area.

13.3 The proposed extension would be single storey, feature a flat roof, with red brickwork walls and two white UPVC windows. It would measure 5.8 metres in depth by 4 metres in width, with an overall height of 3 metres. It would accommodate a bedroom and bathroom on the ground floor to improve the accessibility of these facilities to the disabled occupant of the dwelling. Whilst the proposed brick finish would contrast with the pebble dashed exterior of the

host dwelling, as this addition would be located to the rear, this variation in finish is considered acceptable.

- 13.4 In terms of scale, it is noted, that the proposal would be consistent with the requirements of permitted development *Class A Part 1 of Schedule 2 – enlargement, improvement or other alteration of a dwellinghouse* as outlined within the General Permitted Development Order, if prior approval was provided. The proposal would also be set in from the shared neighbouring boundary and feature a reduced single storey height. As a result, the scale and design of the proposed extension is considered acceptable in the context of the dwelling and surrounding area.

14.0 Impact on Neighbouring Amenities

- 14.1 Paragraph 17 of the NPPF states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy DM15 part (V) of the adopted plan states that development will “Protect and promote public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight;”
- 14.2 The proposed extension would be set in from the shared boundary with number 8 and would be single storey. Applying the 45 degree guidance outlined in the Essex Design Guide, the extension would not intercept the mid-point of the adjacent dwelling rear window. As a result, the proposal would not result in a materially harmful impact to this adjacent dwelling in terms of loss of daylight provision. The proposal would feature two windows, with one facing the rear garden and the other, onto the north-eastern boundary fence line. Owing to the single storey nature of the proposal, coupled with the windows serving a bedroom and bathroom, the proposal is not considered to compromise the privacy to neighbouring dwellings.
- 14.3 Similarly, there are no concerns regarding loss of light. 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.
- 14.4 Additionally, 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.
- 14.5 Finally, in terms of other planning considerations (e.g. damage to trees or highway matters), the proposed development does not raise any concerns.

15.0 Planning Balance and Conclusion

- 15.1 Evidence of the need for this development has been supplied by the applicant to support this application. The provision of these facilities will enhance the quality of life

of the occupant by making the property more accessible, therefore this has been afforded significant weight in the determination of this application.

15.2 The scale, design and finishing materials are considered appropriate within the context of the application site and would be sympathetic to the host dwelling. The amenities of neighbouring dwellings are not deemed to be compromised and no letters of objection have been received.

15.3 To summarise, the proposed development fully accords with the Council's policy requirements and would enhance the usability of the dwelling for the disabled occupant.

16.0 Recommendation to the Committee

16.1 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 Drawing Numbers

10 and 02

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

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.

Reason: To ensure that materials are of an acceptable quality appropriate to the area.

17 Informatives

17.1 The following informatives are also recommended:

WA1 – Application Approved Without Amendment

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.