



**Application No:** 161366  
**Location:** 4 Spring Lane, Wivenhoe, CO7 9QD  
**Scale (approx):** 1:1250

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**7.9 Case Officer: Chris Harden**

**Due Date: 09/08/2016**

**HOUSEHOLDER**

**Site:** 4 Spring Lane, Wivenhoe, CO7 9QD

**Application No:** 161366

**Date Received:** 14 June 2016

**Agent:** Mr David Collins, Drawing Up Plans

**Applicant:** Mr Sam Howard

**Development:** Side extension to single storey dwelling

**Ward:** Wivenhoe

**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 Rosalind Scott who has concerns about the loss of parking provision, that the bungalow is already large for the plot and that there is almost no gap between this and the neighbouring property.

### **2.0 Synopsis**

- 2.1 The key issues explored below are the design, scale and form of the extension, whether the proposal is an overdevelopment of the site, the extent of parking provision and any impact upon neighbouring residential amenity. In this case it is considered that the design, scale and form of the extension relates satisfactorily to the character of the existing dwelling and would not be detrimental to the character of the street scene. It is considered that the proposal would not represent an overdevelopment of the site. Adequate amenity space would be retained and the extension would not represent a cramped form of development. In terms of parking provision, a revised block plan has been submitted which shows adaptations to part of the front garden area to allow the provision of two parking spaces that would meet current parking standards. Parking provision is therefore considered adequate. It is also considered that there would not be any significant detriment to neighbouring residential amenity owing to the single storey scale of the extension and the overall distance from the neighbouring property.

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

- 3.1 The site lies within the physical limits of Wivenhoe and contains a single storey dwelling that has neighbouring properties either side. It is close to a junction and has an existing attached garage and some hard surfaced parking area in front.

## **4.0 Description of the Proposal**

- 4.1 The proposal is for the erection of a single storey side extension to provide a kitchen and WC/Utility room. This would result in the loss of the existing attached garage (4.7 m x 2.9 m internally). A revised block plan has been submitted to show the provision of two parking spaces at the front of the site, by increasing the extent of hard surfacing. The access kerb would also need to be lowered a bit to allow this provision.

## **5.0 Land Use Allocation**

- 5.1 Within the Physical Limits.

## **6.0 Relevant Planning History**

- 6.1 There have been no relevant recent planning applications relating to the site.

## **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 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:

Vehicle Parking Standards  
Sustainable Construction  
Extending Your House?  
The Essex Design Guide  
External Materials in New Developments

## **8.0 Consultations**

- 8.1 Highway Authority states: “The current garage does not accord with current policy standard dimensions and as such is not recognised as a parking space. The site already benefits from a vehicle access and the proposed plans show two vehicles being accommodated on-site.  
In this regard the Highway Authority does not wish to submit a formal recommendation.”

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 have stated “No material planning objections apart from loss of permeable land. Members assumed that the proposal conforms to permitted development.”

## **10.0 Representations**

- 10.1 No letters of objection or support have been received.
- 10.2 Councillor Rosalind Scott states: “The bungalow is already very large for the site it is on. There is almost no gap between this and the property next door.  
There is a parking issue in the street and on this corner the bungalow faces onto a T junction.  
This development removes the two parking bays and garage, all of which are in constant use including during the day so there would be at least two more vehicles parked in an already packed street.”
- 10.3 Head of Environmental Protection suggests the following Contaminated Land Informative: The applicant is advised that the site to which this planning permission relates is recorded as being within 100 metres of filled land (“Vanessa Drive”). Prior to commencement of the permitted development the applicant is therefore advised to satisfy themselves that there are no unacceptable risks to the permitted development from any ground gases. Where appropriate, this should be considered as a part of the design of the foundations (and may be required under Building Regulations). As a minimum, any ground gas protection measures should equal those in the main building and not compromise the effectiveness of existing gas protection measures.  
Reason: The site lies within 100m of a former (or suspected) landfill site and Environmental Protection wish to ensure that development only proceeds if it is safe to

do so. This informative should not be read as indicating that there is any known danger from landfill gas in this locality.

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

## **11.0 Parking Provision**

- 11.1 Two spaces 2.9 m x 5.5 m.

## **12.0 Open Space Provisions**

- 12.1 Not applicable.

## **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, Form and Layout

- 15.1 It is considered that the design, scale and form of the extension would relate well to the character of the existing dwelling and would not visually detract from the character of the street scene. The extension would be slightly recessive to the existing dwelling, being slightly lower and its form, fenestration and use of materials would ensure that it would not be out of keeping with the character of the existing dwelling. In addition, it is not considered that the extension would represent a cramped overdevelopment of the site as there would still be gaps to the boundary on either side of the dwelling as well as satisfactory sized space in front of and behind the resultant dwelling.

### Impact upon neighbouring residential amenity.

- 15.2 It is considered that there would not be any significant detriment to neighbouring residential amenity owing to the single storey scale of the extension and the overall distance from the neighbouring property. There would still be around a 1 metre gap to the side boundary to the South and the neighbouring property is also approximately 2 metres from the boundary. Accordingly the proposed single storey extension would not appear overbearing on the outlook of neighbours.

- 15.3 Similarly, there are no concerns regarding loss of light to the neighbouring property owing to the scale of the extension and the fact that there is some distance from the side of the neighbouring property. 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 SPD. As this is a single storey extension, it is not considered there would be any overlooking issues.

#### Parking Provision

- 15.4 The proposal would result in the loss of parking provision within the existing garage, which internally measures 4.7 m by 2.9 m which is below current parking size standards. However to compensate for this loss, the applicant has indicated provision for two parking spaces at the front of the property, measuring 2.9 m by 5.5 m which would meet the current parking provision standards. This would entail provision of some additional hard surfacing and some extra dropped kerbing but would ensure parking provision would accord with the current parking standards. The extra hard surfacing would also be visually acceptable as some soft grassed area and a path would still be retained. Whilst the property is close to a junction it is considered this parking arrangement would work satisfactorily without being detrimental to highway safety. The highways authority has raised no objections and acknowledges that the existing garage "does not accord with current policy standard dimensions and as such is not recognised as a parking space. The site already benefits from a vehicle access and the proposed plans show two vehicles being accommodated on-site." A condition can be applied to ensure that the two parking spaces are provided prior to first occupation of the extension and are thereafter retained for parking.

#### Amenity Space

- 15.5 It is considered that adequate amenity space would be retained on the site. The extra footprint of the extension would make little difference to the private amenity area to the rear and no extra bedrooms would be provided in the scheme.

#### Other

- 15.6 As the site lies within 100 metres of filled land in Vanessa Drive, the contaminated land informative as suggested by the Head of Environmental Protection will be applied. There would be no impact upon significant vegetation.
- 15.7 It is not considered the proposal would contravene the provisions of the Wivenhoe Village Design Statement. It would be of appropriate design and scale, would not undermine the character of the street scene and would provide adequate parking provision.

### **16.0 Conclusion**

- 16.1 It is considered that the design, scale and form of the extension relates satisfactorily to the character of the existing dwelling and would not be detrimental to the character of the street scene. It is also not considered that the proposal would represent an overdevelopment of the site. There would be adequate parking provision and retained amenity space and it is not considered there would be any 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 DUP071-PL-03 B, DUP071-PL-04 B received 16.7.16 and DUP071-PL-05 A received 30.6.16.

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

### **3 - \*Parking Laid Out Prior to Occupation In Accordance With Plan**

Prior to the first use of the extension hereby approved hereby permitted, 2 parking spaces with appropriate access over dropped kerbs shall have been laid out within the site in accordance with the approved plan DUP071-PL-05 A. The approved parking spaces shall thereafter be maintained free from obstruction and available for parking use at all times.

Reason: To ensure that there is satisfactory parking provision at the site at the time when the development becomes occupied.

### **4 - Materials to Match**

The external facing and roofing materials to be used shall match in colour, texture and form those used on the existing building.

Reason: This is a publicly visible building where matching materials are a visually essential requirement.

## **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) The applicant is advised that the site to which this planning permission relates is recorded as being within 100 metres of filled land ("Vanessa Drive"). Prior to commencement of the permitted development the applicant is therefore advised to satisfy themselves that there are no unacceptable risks to the permitted development from any ground gases. Where appropriate, this should be considered as a part of the design of the foundations (and may be required under Building Regulations). As a minimum, any ground gas protection measures should equal those in the main building and not compromise the effectiveness of existing gas protection measures.

Reason: The site lies within 100 m of a former (or suspected) landfill site and Environmental Protection wish to ensure that development only proceeds if it is safe to do so. This informative should not be read as indicating that there is any known danger from landfill gas in this locality.

(4) With particular regard to any dropped kerb work, no works affecting the highway should be carried out without prior arrangement with, and to the requirements and satisfaction of, the Highways Authority. The applicant is advised to contact Essex County Council on 08456037631, or via email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ with regard to the necessary application and requirements.

## **20.0 Positivity Statement**

20.1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.