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**Item No:** 7.3

**Application:** 162647

**Proposal:** Proposed rear extension and front garden landscaping works.

**Location:** 23 Belle Vue Road, Wivenhoe, Colchester, CO7 9LD

**Ward:** Wivenhoe

**Officer:** Chris Harden

## **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 Cllr Cory who has raised concern that the proposal represents an overdevelopment of the site.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are the design, scale and form of the rear extension works and the visual impact of the garden landscaping works. The adequacy of the car parking spaces to be provided also needs to be assessed. Any impact upon neighbouring residential amenity also needs to be considered. In this case, the design, scale and form of the rear extension is considered to be acceptable and would not detract from the character of the existing dwelling or from the street scene. The proposal would not represent an overdevelopment of the site and would not detract from neighbouring residential amenity.
- 2.2 The front landscaping works would be visually acceptable and the parking space provision would be acceptable and not detrimental to highway safety. The application is subsequently recommended for approval.

## **3.0 Site Description and Context**

- 3.1 The site lies within the physical limits of Wivenhoe and is a detached, red bricked house. There are neighbouring properties either side and also dwellings to the rear.

## **4.0 Description of the Proposal**

- 4.1 The proposal involves the erection of a single storey rear extension, first floor rear extension and garden landscaping works to the front of the site.

## **5.0 Land Use Allocation**

- 5.1 Predominantly residential within the settlement limit of Wivenhoe.

## **6.0 Relevant Planning History**

- 6.1 Outline Planning Permission was recently granted for the erection of a dwelling on part of the side garden of number 23 Belle Vue Road. A Reserved Matters application for the dwelling is currently under consideration.

## **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 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations  
UR2 - Built Design and Character

7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

DP1 Design and Amenity  
DP13 Dwelling Alterations, Extensions and Replacement Dwellings  
DP14 Historic Environment Assets  
DP16 Private Amenity Space and Open Space Provision for New Residential Development  
DP19 Parking Standards

7.4 Some "allocated sites" also have specific policies applicable to them. 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 Documents (SPD):

The Essex Design Guide  
External Materials in New Developments  
EPOA Vehicle Parking Standards  
Sustainable Construction  
Wivenhoe Town Plan and Executive Summary

## **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.

- 8.2 The Highway Authority has no objections subject to conditions relating to vehicular access and surface materials.
- 8.3 The Landscape Planner has no objections in principle but recommends a landscaping condition and that either the proposed driveway surface will need to be changed to a free-draining material, or a drainage system proposed to intercept any outflow before it reaches the highway.

## **9.0 Parish Council Response**

- 9.1 Wivenhoe Town Council has stated: “The development is overbearing to the streetscape. Clauses 3.2, 3.6, 5.4 of the CBC’s SPD ‘ Backland and Infill Development’ refer. In particular 5.4 which states that “a backland or infill development should make a positive contribution to the character of the existing locality” and 3.2 which states “In some areas large gardens will be the defining character and in these areas backland and infill development will normally be resisted”

“On-street car parking will also be an issue of concern as this will need to be compliant. It should also be noted that houses built by in-filling cannot be taken off the Wivenhoe Neighbourhood Plan’s housing allocation.”

*OFFICER’S NOTE – THIS APPLICATION IS FOR EXTENSIONS, SO REFERENCES TO THE BACKLAND AND INFILL GUIDE AND TO INFILL IN GENERAL ARE NOT RELEVANT TO THIS PROPOSAL.*

## **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.
- 10.2 Councillor Cory has called in the application and has concerns about overdevelopment.
- 10.3 Two letters of objection have been received which make the following points:
- I would be adversely affected by the proposed rear extension to the house at 23 Belle Vue Road along with the proposed new house on the same site, since together they would have a considerable impact on the appearance and tranquility of the vicinity and the quality of life of its residents.
  - My dining room and sitting room would be overlooked.

## **11.0 Parking Provision**

- 11.1 Two car spaces will remain, as per the 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 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

## **15.0 Report**

### Design, Scale and Form of the Extension Works:

15.1 The designs, scales and forms of the rear flat roofed extension and rear first-floor extension are considered to be acceptable. The extension works would not detract from the character of the existing dwelling, and, being located unobtrusively to the rear, would not detract visually from the character of the street scene.

15.2 The design detailing also blends in well with the existing house. The plot is sizeable, even taking into account the potential for a dwelling to be sited on part of the garden. The extension works are therefore not considered to represent an overdevelopment of the plot. Adequate amenity space would be retained to the rear. The proposal does not conflict with the Wivenhoe Village Design Statement.

### Impact upon neighbouring residential amenity from the extension:

15.3 It is not considered the rear extensions would be detrimental to neighbouring residential amenity. Owing to their size and distance from neighbouring properties, there would not be any significant loss of light or overbearing impact. Owing to the lengthy back garden, it is also not considered that there would be any overlooking of the property to the rear from rear-facing windows. The relationship to any dwelling that might be built in future on the side garden is also considered to be acceptable in terms of residential amenity impact.

### Front garden landscaping works:

- 15.4 Subject to compliance with a landscaping condition which can be applied, the front garden landscaping works would be visually acceptable and would not detract from the character of the street scene. Part of the wall would be removed but this is not considered to have any particular historic value.
- 15.5 A condition can be applied in respect of surface water drainage to ensure there is no unacceptable outflow onto the highway.
- 15.6 The submitted proposal shows that two car parking spaces can be satisfactorily accommodated on the front garden area. Subject to compliance with the conditions suggested by the Highway Authority, it is therefore not considered there would be any detriment to highway safety.
- 15.7 Other Matters:
- 15.7 The extension works and frontage landscaping would not have any significant impact upon important vegetation.

### **16.0 Conclusion**

- 16.1 In conclusion, the extension works and front garden landscaping works are considered to be visually acceptable and would not detract from the character of the existing dwelling or streetscene. There would be no significant impact upon neighbouring residential amenity and no impact upon highway safety.

### **17.0 Recommendation**

- 17.1 The recommendation is therefore:

APPROVAL of planning permission subject to the following conditions set out below.

### **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 23BVR\_004 received 28/10/16 and 23BVR\_003 received 6/12/16.

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 – Vehicular access

The proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 4.8 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety.

## 4 - Non-Standard Condition/Reason – Unbound materials

No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

## 5 - Non-Standard Condition/Reason – Vehicular parking spaces

Two vehicular parking spaces, 2.9 m by 5.5 m shall be provided in accordance with the submitted plans prior to first use of the front garden landscaped area and shall thereafter be retained as such.

Reason: To ensure adequate parking provision in the interests of highway safety.

## 6 - Non-Standard Condition/Reason – Hard and soft landscaping

No works shall take place until a scheme of hard and soft landscaping works for the publicly visible parts of the site has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall accurately identify positions of all proposed shrubs on the site, as well as details of any hard surface finishes (including precise materials) and external works (including works to the wall), which shall comply with the recommendations set out in the relevant British Standards current at the time of submission. The approved hard surfacing and landscape scheme shall be carried out in full prior to the end of the first planting and seeding season following the first occupation of the development.

Reason: In order to ensure that there is a sufficient landscaping scheme for the relatively small scale of this development where there are public areas to be laid out but there is insufficient detail within the submitted application.

## 7 - Non-Standard Condition/Reason – Surface water drainage

No works shall take place until details of surface water drainage shall have been submitted to and approved, in writing, by the Local Planning Authority. No part of the development shall be brought into use until the agreed method of surface water drainage has been fully installed and is available for use.

Reason: To minimise the risk of flooding.

#### 8 - Non-Standard Condition/Reason – Materials

No works shall take place until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development. Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application.