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Item No: 7.3

Application: 182627

Applicant: Mr Michael Devine

Agent: Barker Associates

Proposal: Additional floor space is to be added into the roof creating two more bedrooms, skylight and dormer windows will provide natural light to the space. Fitting new roof structure and preparing fire damage. Repair fire damage to the garage.

Location: 32 Wren Close, Stanway, Colchester, CO3 8ZB

Ward: Stanway

Officer: Chris Harden

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 a member of staff.

2.0 Synopsis

- 2.1 The existing relatively modern house was struck by lightning and the whole roof is now missing. The garage has also been damaged. The proposal is for repairs and additional works involving additional floor space in the roof, creating two more bedrooms, skylight and dormer windows. The fire damage to the garage would also be repaired.
- 2.2 The design, scale and form of the proposed extension works, including dormer windows and garage repair are in keeping with the character of the existing dwelling and street scene. There would be no significant detriment to neighbouring residential amenity, adequate parking and manoeuvring space would be retained and there would be no impact upon vegetation. The application is subsequently recommended for approval subject to conditions.

3.0 Site Description and Context

- 3.1 The dwelling is a relatively modern two storey property that lies within the settlement limits and within an estate of similarly styled properties. The house was struck by lightning and the whole roof is now missing. The garage has also been damaged.

4.0 Description of the Proposal

- 4.1 The proposal is to raise the roof of the property when replacing it so that the overall height of the building would be 9.2 metres compared to the previous height of 8.5 metres. This would enable the provision of two extra bedrooms and includes the construction of dormer windows and rooflights. The total number of bedrooms would thus be 5. The front gable would also be increased in height from 7.3 metres to 8.1 metres. The fire damage to the garage would also be repaired.

5.0 Land Use Allocation

- 5.1 Settlement Limits.

6.0 Relevant Planning History

6.1 F/COL/01/0976

Phase 2, Churchfields, Church Lane, Stanway Colchester CO3 8LP
Application to amend condition 03(2) of COL/90/1904 to extend specified time period from five to six years regarding submission of all reserved matters for outline application for mixed use development comprising business/employment 11.3 net acres,
Approve Conditional - 01/12/2006

6.2 121040

Application for a new planning permission to replace extant planning permission F/COL/01/0976 in order to extend the time limit for implementation.
Approve Conditional – 04/09/2012

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 The adopted Site Allocations (adopted 2010) policies are not relevant to the case.

- 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
Managing Archaeology in Development.
Stanway Joint Design Statement and Parish Plan

7.6 Submission Colchester Borough Local Plan 2017-2033

The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing.

Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan;
2. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
3. The degree of consistency of relevant policies to the policies in the Framework.

The Emerging Local Plan is at an advanced stage and is, therefore, considered to carry some weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

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 Environmental Protection have no objections and make the following comments:

Should planning permission be granted Environmental Protection wish to make the following comments:-

NOTE: Demolition and Construction

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.

9.0 Parish Council Response

9.1 The Parish Council have “no objections” to the application.

10.0 Representations from Notified Parties

10.1 No comments received.

11.0 Parking Provision

11.1 At least four are spaces.

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 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 (s.106) of the Town and Country Planning Act 1990.

15.0 Report

15.1 The main issues in this case are:

The Principle of Development

15.2 The site lies within the settlement limits and the proposal should be judged on its planning merits. The most significant planning issues are the design, scale and form of the proposed development, as well as its impact on neighbouring amenity in terms of outlook, light and privacy having particular regard to Policy DP1 of the Local Plan. Retained amenity space and parking provision also needs to be considered.

Design, Scale and Form

15.3 The design, scale and form of the proposed development is considered satisfactory on its own merits. The resultant height and form of the dwelling would visually relate well to the prevailing character of the street scene and would not be out of keeping with the character of the existing dwelling. The dormers are of an appropriate scale to ensure they are not too dominant in the roof. The front wing would also be of a visually appropriate height. The works to the garage would also be in keeping with the street scene.

- 15.4 Accordingly the proposal would comply with Policy DP1 of the Local Plan which provides that development must respect and enhance the character of the site and surroundings in terms of architectural approach, height, size, scale and form. Policy DP13 is also complied with which provides that residential alterations will be supported where they meet other policy requirements.

Impact Upon Neighbouring Residential Amenity

- 15.5 Development Plan policy DP1 requires all development to be designed to a high standard that protects existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, and daylight and sunlight.
- 15.6 The existing dwelling is located on the edge of the estate and is positioned a little way from neighbouring dwellings. Whilst the house has increased in height, the proposed development would not appear overbearing on the outlook of neighbours. 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.
- 15.7 Similarly, there are no concerns regarding loss of light. 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.
- 15.8 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. Whilst there are dormers and rooflights being added in to the roof, there are already windows at first floor level on these elevations and the new additions do not alter overlooking aspects in any significant way. The proposal also complies with Policy DP1 in this respect as existing amenity is protected, including with regard to overlooking, daylight and sunlight.

Other issues

- 15.9 Finally, in terms of other planning considerations, the proposed development does not raise any concerns. Adequate parking and manoeuvring space is retained on site, in accordance with Policy DP19 and the adopted Parking Standards which require two vehicular car parking spaces.
- 15.10 Adequate Private amenity space would be retained. Policy DP16 states that for dwellings with 4 or more bedrooms, 100 m² should be provided and the site retains over 100 m² of such space. No vegetation would be affected and there are no archaeological implications.

16.0 Conclusion

- 16.1 To summarise, the design, scale and form of the proposed extension works, including dormer windows and garage repair, are in keeping with the character of the existing dwelling and street scene. There would be no significant detriment to neighbouring residential amenity, and adequate parking and manoeuvring space would be retained. The proposal is considered to adhere to the provisions of the Local Plan.

17.0 Recommendation to the Committee

- 17.1 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: BA/P18-449-002, BA/P18-442_001, BA/P18-449 300 B, BA/P18-449 301 B, BA/P18-449 302B, BA/P18-449 303 B, BA/P18-449 304 B, BA/P18-449 305 B, BA/P18-449306 B, BA/P18-449 307 B, BA/P18-449 308 B, BA/P18-449 309 B, BA/P18-449 200 B, BA/P18-449 201 B, BA/P18-449 202 B, BA/P18-449 203 B received 29/10/18.

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

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.

18.0 Informatives

- 18.1 The following informatives are also recommended:

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.