



Application No: 161930

Location: 83 Ernest Road, Wivenhoe, Colchester, CO7 9LJ

Scale (approx): 1:1250

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7.3 Case Officer: Chris Harden

Due Date: 07/10/2016

HOUSEHOLDER

Site: 83 Ernest Road, Wivenhoe, Colchester, CO7 9LJ

Application No: 161930

Date Received: 28 July 2016

Applicant: Mr & Mrs Robert And Hannah De La Rue

Development: Proposed alterations and extensions

Ward: Wivenhoe

Summary of Recommendation: Conditinal Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because the applicant is an employee of Colchester Borough Council.

2.0 Synopsis

- 2.1 The key issues explored below relate to design and amenity. It is held that both of these matters are satisfied. No objections have been received and approval is recommended.

3.0 Site Description and Context

- 3.1 The site contains a single-storey dwelling which already has rooms in the roof and a rear facing dormer and side rooflights. It lies within an estate of similar properties. It is a varied street scene and the neighbouring property to the South has front dormers.
- 3.2 The dwelling lies within a predominantly residential area where development such as that proposed is considered to be acceptable in principle and judged on its planning merits. There is no recent site history that is particularly relevant to the decision regarding this proposed development.

4.0 Description of the Proposal

- 4.1 The proposal is for the extension of the rear part of the existing roof to provide an enlarged bedroom with a rear-facing first floor window, plus a single-storey rear extension, front porch and two quite small front dormers.

5.0 Land Use Allocation

- 5.1 Predominantly residential

6.0 Relevant Planning History

- 6.1 F/COL/04/0179 – Loft conversion. Approved 29th March 2004.

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:
Extending Your House?
The Essex Design Guide
External Materials in New Developments
Wivenhoe Village Design Statement

8.0 Consultations

- 8.1 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 Wivenhoe Town Council: No material planning objections apart from views of neighbours to be taken into consideration.

10.0 Representations

10.1 None.

11.0 Parking Provision

11.1 Parking will not be affected

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 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

15.1 Design: The design, scale and form of the alterations is considered satisfactory on its own merits. The additional roof area would sit quietly to the rear of the property, as would the single-storey rear extension.

15.2 The front porch, whilst quite large would still be visually acceptable in this context. The dormers on the front are small and would be visually acceptable in the roof.

15.3 Overall the development is visually acceptable and would not detract from the appearance of the original building or character of the street scene. Consequently the design and layout do not harm the surrounding area either.

15.4 Amenity: Owing to the distance of the works from the neighbouring property and their scale, 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 it is considered that this proposal satisfies this requirement.

15.5 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 and the Extending Your House guide.

15.6 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.

There is already a rear facing dormer and the two replacement windows would not increase overlooking.

15.7 A condition relating to the two extra side rooflights can be applied to ensure no overlooking.

15.8 Other Matters: Finally, in terms of other planning considerations (for example, damage to trees or highway matters), the proposed development does not raise any concerns. No vegetation would be affected and the existing hard surface at the front of the property would still provide adequate parking. There would still be adequate rear private amenity space.

15.9 The proposal would not conflict with the aims of the village design statement.

16.0 Conclusion

16.1 In conclusion, the proposal carries no concerns in terms of design and amenity and is hereby recommended for approval.

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: 01, 02, 05 and 06 received 1.8.16.

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

3 - 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, unless otherwise agreed, in writing, by the Local Planning Authority.

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

4 - *Removal of PD - Obscure Glazed & Non-Opening (Check Building Regs)

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the new rooflights in the North and South elevations shall have either their bottom sills a minimum of 1.7 m above floor level or be bottom-hung and glazed in obscure glass to a minimum of level 4 obscurity before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason: To avoid the overlooking of neighbouring properties in the interests of the amenities of the occupants of those properties.

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) ZTA - Informative on Conditions Stating Prior to Commencement/Occupation

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either before you commence the development or before you occupy the development. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission. Please pay particular attention to these requirements.

To discharge the conditions and lawfully comply with your conditions you should make an application online via www.colchester.gov.uk/planning or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

20.0 Positivity Statement

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.