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Item No: 7.3

Application: 182499

Applicant: Mr Gary Pamment

Proposal: Proposed single storey rear extension.

Location: 14 Trafalgar Road, Colchester, CO3 9AS

Ward: Prettygate

Officer: Sean Tofts

Recommendation: Approval subject to conditions

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 Colchester Borough Homes (Gate Way Partnership) staff.

2.0 Synopsis

- 2.1 The application seeks the erection of a flat roofed single story rear extension to allow for a disabled user bedroom and shower room.
- 2.2 The application is subsequently recommended for approval

3.0 Site Description and Context

- 3.1 The dwelling is semi-detached and located in a predominantly residential street.

4.0 Description of the Proposal

- 4.1 The scheme seeks the erection of a shower room and bedroom off of a new lobby to the rear of the property.

5.0 Land Use Allocation

- 5.1 Residential location.

6.0 Relevant Planning History

- 6.1 No relevant planning history.

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:

H3 - Housing Diversity
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
DP12 Dwelling Standards
DP13 Dwelling Alterations, Extensions and Replacement Dwellings
DP16 Private Amenity Space and Open Space Provision for New Residential Development
DP17 Accessibility and Access

- 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

- 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 and the Contaminated Land Officer have no objection subject to an informative.

9.0 Parish Council Response

9.1 Not applicable

10.0 Representations from Notified Parties

10.1 The application resulted in a number of notifications to interested third parties including neighboring properties. The full text of all of the representations received is available to view on the Council's website.

10.2 No representations have been received from third parties.

11.0 Parking Provision

11.1 No change in parking is required or sought.

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 development is in a residential area and the scheme is considered acceptable in principle.

Design and Layout

- 15.3 The design and layout of the proposal can be summarised as a single storey rear extension with a flat roof. The layout of the building includes some windows which only face onto the properties own private amenity space and the layout of the proposal affords the property a new internal lobby connected to the existing kitchen to one side and a bedroom to the other with an ensuite bedroom.
- 15.4 The design and layout of the proposal is considered acceptable and suited to the needs of the applicant whilst not impacting negatively on the required provision of private amenity space.

Scale, Height and Massing

- 15.5 The scale of the development is limited not considered excessive and is broadly in line with what would be expected as a result of the need identified for the intended user. In terms of the height of the development the single storey and flat roof nature of the development is considered acceptable. Similar rationale can be applied to the massing of the development and location of the extension is in officers view the most logical for the proposed uses.
- 15.6 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 on the Surrounding Area

- 15.7 There is no material harm caused by the proposal. The proposal will not be visible from the street scene or any public vistas.

Impacts on Neighbouring Properties

- 15.8 The most significant planning issues are the design of the proposed development, as well as its impact on neighbouring amenity in terms of outlook, light and privacy. The extension is 7.8 metres in length and close to the boundary with the attached property. The next door neighbour has a kitchen to the ground floor that runs along the back of the property with a window and glazed door. The window is located a sufficient distance away from the proposed extension to not be impacted by the development in terms of impact on light. The glazed door is closer to the extension but by virtue of the single storey height of the extension the proposal complies with the Councils 45 degree test in the vertical direction and is therefore considered acceptable in this respect.

Amenity Provisions

- 15.9 The amenity space for the dwelling is in excess of the minimum provision required for this size of dwelling. No other amenity concerns are identified.

Landscape and Trees

- 15.10 No material impact on any trees or landscape matters.

Highway Safety and Parking Provisions (including Cycling)

- 15.11 No change in parking provision, including cycle storage.

Public Open Space Provision

- 15.12 Not applicable

Private Amenity Space Provision

- 15.13 The amenity space is in excess of the minimum provision required for this size of dwelling.

Parking Provision

- 15.14 The development does not result in any change in parking provision.

Other Matters

- 15.15 No other potential issues have been identified.

16.0 Conclusion

- 16.1 To summarise, the proposed development fully accords with the Council's policy requirements and no objections have been received.

17.0 Recommendation to the Committee

- 17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following condition:

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 Plans Submitted

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Number 04 dated July 2018.

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.

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.

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

18.0 Informatives

Contaminated Land Informative:

The applicant is advised that the site to which this planning permission relates is recorded as being within 250 metres of filled land ('London Road'). 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 250m of a former (or suspected) landfill site ('London Road') 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.