



The Ordnance Survey map data included within this publication is provided by Colchester Borough Council of Rowan House, 33 Sheepen Road, Colchester CO3 3WG under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use. This map is reproduced from Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller Of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Crown Copyright 100023706 2017

**Item No:** 7.4

**Application:** 183117

**Applicant:** Mr Ross Mason

**Agent:** Jake Tharp

**Proposal:** Single storey detached garage at rear of garden

**Location:** 18 Gladstone Road, Colchester, CO1 2EB

**Ward:** New Town and Christ Church

**Officer:** Daniel Cooper

**Recommendation:** Conditional Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee by Cllr Cope for the following reasons: The size of the proposed development and its impact on the Conservation Area. A further concern has been raised on the impact on amenity to 16 Gladstone Road.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are the impact on the Conservation Area and the impact on amenity to 16 Gladstone Road.

- 2.2 The application is subsequently recommended for Approval

## **3.0 Site Description and Context**

- 3.1 The application site is a corner plot located on the junction of Gladstone Road and Granville Road located within Colchester's Conservation Area: New Town.

- 3.2 The host dwelling is an end of terrace that has previously been extended out to the rear.

- 3.3 Planning permission has previously been granted for a single storey garage at the same location as this application under reference 162327.

## **4.0 Description of the Proposal**

- 4.1 This application seeks permission to erect a single storey detached garage at the rear of the garden.

## **5.0 Land Use Allocation**

- 5.1 Residential

## **6.0 Relevant Planning History**

- 6.1 On 6<sup>th</sup> January 2017 planning reference 162327 granted permission for a single storey detached garage of a similar design at the same location.

## **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  
ENV1 - Environment

- 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

- 7.4 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

## **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 Archaeological Officer**

No material harm will be caused to the significance of below-ground archaeological remains by the proposed development. There will be no requirement for any archaeological investigation.

### **8.3 Historic Buildings and Areas Officer**

The revised proposals have addressed the concerns regarding the impact of the proposals on the Conservation Area , by reducing the size of the proposed garage, both in terms of footprint and height, and by changing the treatment of the elevations, adopting the same design that was approved by the latest application (ref. no 171381). Although the reduction of its dimensions did not bring it back to the scheme of Planning Permission 162327, it is considered a satisfactory effort to mitigate the impact on its setting. The change of the front elevation's design, to refer the architecture of the main house, is also an improvement to the scheme. Therefore and on the basis of the revised proposals, there are no objections from a heritage perspective to the support of the proposals.

## **9.0 Parish Council Response**

### **9.1 Non-Parished**

## **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 A number of comments were received raising concerns over the size and design of the initial proposal and the impact on the Conservation Area. Concerns were also raised regarding the use of the proposal given the size.
- 10.3 In addition, an adjoining neighbour raised objection on the initial proposal regarding the loss of amenity and light to their garden area.

## **11.0 Parking Provision**

- 11.1 The previously approved garage at this location (162327) did not meet the required parking provision for garages under the EPOA Parking Standards so cannot be considered as a parking space. It is noted that this proposal likewise falls short of the requirements and therefore cannot be considered a parking space.
- 11.2 Given the above the proposal will not result in any loss of current parking provision.

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

## **15.0 Report**

### Principle

- 15.1 The application site sits in a residential setting within the defined settlement and as a result the development proposed is acceptable in principle.

#### Design and Impact upon Conservation Area:

- 15.2 The proposal seeks consent for a single storey garage to the rear of the back garden. After amendments the design is similar in appearance to the previously approved garage under reference 162327.
- 15.3 When taking into account what can lawfully be constructed on the site under reference 162327, this proposed garage differs slightly in dimensions with a 300mm increase in height, a 746mm increase in width and a 100mm decrease in depth.
- 15.4 The revised scheme very closely reflects the same design as previously approved on site. The proposed materials are painted timber detailing to match the house, a painted timber garage door and red facing brickwork. This is considered to be acceptable for the age and character of the property and wider Conservation Area.
- 15.5 Given the similarities with the already approved garage, the minor increase in height is not considered to have a significant negative impact on the character of the Conservation Area and is considered acceptable in design.

#### Impact on Amenity

- 15.6 The main consideration regarding amenity would be the impact on the adjoining neighbour to the West.
- 15.7 It is noted that the neighbour's garden is narrow and therefore any impacts on amenity could be exacerbated. That being said the alterations in height, width and depth from what is already approved are considered minor in this respect.
- 15.8 Although it is acknowledged that the proposal will have an impact on the light and outlook enjoyed in the neighbouring garden, on balance it is not considered this impact would be so detrimental from what is already approved at this location as to warrant refusal of this application.

#### Parking:

- 15.9 The previously approved garage at this location (162327) did not meet the required parking provision for garages under the EPOA Parking Standards so cannot be considered as a parking space. It is noted that this proposal likewise falls short of the requirements and therefore cannot be considered a parking space. The proposal therefore will not result in a loss of currently authorised parking provision.
- 15.10 In addition, the site is in a sustainable area where lower parking provision is considered to be acceptable.

### Accessibility

- 15.11 As the proposal is for a single storey detached garage without any changes to current access arrangements there are no concerns with Policy DP17 Accessibility and Access.

## **16.0 Conclusion**

- 16.1 To summarise, the proposal is of an acceptable design and considered to very closely relate to what can lawfully be built on site. It is considered that the amendments to the design and dimensions mitigates the impact on the setting and character of the Conservation Area.

- 16.2 Whilst there would be some impact upon the amenities of the occupier of the neighbouring property, such impacts would be within acceptable bounds.

## **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 G18-01 received 2<sup>nd</sup> January 2019 and GL8-03E received 11<sup>th</sup> March 2019.

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, 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. Z00 – Ground Levels**

The floor level of the garage shall accord with the submitted details on drawing GL8-03 E.

Reason: For the avoidance of doubt as to what has been considered and approved and the interests of visual and residential amenity.

### **5. ZDR - \*Ancillary to Host Dwelling\***

The development hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as 18 Gladstone Road.

Reason: For the avoidance of doubt as to the scope of the permission as this is the basis on which the application has been considered and any other use would need to be given further consideration at such a time as it were to be proposed.

## **18.0 Informatives**

18.1 The following informatives are also recommended:

### **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. ZTB - Informative on Any Application With a Site Notice**

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.