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**Item No:** 9.5

**Application:** 181235

**Applicant:** Mr and Mrs D Syrett

**Agent:** Mr Steve Norman

**Proposal:** Erection of an extension to an existing garage.

**Location:** 35 De Vere Road, Colchester, CO3 4EA

**Ward:** Prettygate

**Officer:** Benjy Firth

**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 Council employee.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are the design of the proposal and its impact on neighbouring amenity.
- 2.2 The application is subsequently recommended for approval.

## **3.0 Site Description and Context**

- 3.1 The application site sits on the south side of De Vere Road, within the Prettygate area to the west of Colchester. The site contains a detached dwelling set back from the highway. A single detached garage currently sits adjacent to the dwelling on its eastern boundary.

## **4.0 Description of the Proposal**

- 4.1 The application seeks permission to extend an existing detached garage to a degree that would see it attach to the dwelling.

## **5.0 Land Use Allocation**

- 5.1 The site is within the defined settlement limits and has no relevant allocation.

## **6.0 Relevant Planning History**

- 6.1 The property has previously been subject to single story and two story rear extensions.

## **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:

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

- 7.4 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide

- 7.5 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. The following emerging policies are considered to be relevant:

Policy DM12: Housing Standards  
Policy DM13: Domestic development  
Policy DM15: Design and Amenity

Paragraph 216 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 may therefore be taken into consideration in the determination of this application. In the context of this application proposal there are no fundamental unresolved objections to the aforementioned policies in the emerging plan and it is considered, at this stage, that the relevant policies in the emerging Local Plan are consistent with the Framework. The Emerging Local Plan 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 No comments were received.

## **9.0 Parish Council Response**

- 9.1 No comments were received.

## **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 Comments were received from a neighbouring property querying details of footings, boundary issues and works access. These issues are covered by legislation beyond the remit of planning and are not considered material planning considerations.

## **11.0 Parking Provision**

11.1 The proposal retains adequate parking provision to the front of the property to comply with policy.

## **12.0 Open Space Provisions**

12.1 The proposal retains adequate private amenity space to comply with policy.

## **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**

### The Proposal

15.1 The proposal seeks to extend the existing detached garage at the property to increase its width and depth. The dual pitched roof pitched will be maintained at its current pitch and as such the height of the garage will increase to incorporate the additional width. The increased width of the structure also facilitate the structure physically attaching to the dwelling.

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

## Design

- 15.3 The extensions proposed to the garage are of a modest size and adopt a traditional architectural approach. The proportions of the resulting structure relate well to the host dwelling and adopt a materials palette in keeping with the sites residential setting.
- 15.4 The development is therefore considered visually acceptable and would not detract from the appearance of the original building. Consequently the design and layout do not harm the surrounding area either.
- 15.5 The proposal is therefore acceptable in terms of design.

## Impact on Neighbouring Amenity:

- 15.6 The proposed structure is single story and does not incorporate any windows. On this basis there are no concerns regarding neighbouring privacy.
- 15.7 The proposed structure only sees a marginal increase in the scale of built form at the site and would largely be viewed against a back drop of existing built form. The proposed structure would sit adjacent to the side window of a neighbouring property. However, it is not common practice to preserve views from side facing windows particularly on the ground floor, as these views could be impinged upon by development conducted under permitted development rights. On this basis there are no concerns regarding overbearing.
- 15.8 Said side window on the neighbouring property also constitutes the only concern regarding loss of light. This window serves an open plan area within the neighbouring property that also benefits from light from the rear of the property. Additionally, the eaves height of the proposed structure is modest and lower than what could be constructed under permitted development rights without any consideration of neighbouring amenity. Although it is acknowledged that the proposal will have an impact on the light enjoyed through this window, on balance it is not considered this impact would be so detrimental as to warrant refusal of this application.
- 15.9 The proposal is therefore considered acceptable in terms of impacts on neighbouring amenity.

## Other Matters

- 15.10 In terms of other planning considerations (e.g. damage to trees or highway matters), the proposed development does not raise any concerns. There are no trees in proximity of the proposed development and the proposal retains adequate, policy compliant, parking and private amenity space provision.

## **16.0 Conclusion**

- 16.1 This proposal is of an acceptable design and, whilst there would be impacts upon the amenities of the occupiers of neighbouring properties, 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 1815/4 and Site Location Plan.

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.

## **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.