



**Application No:** 162426

**Location:** 7 Gunfleet Close, West Mersea, CO5 8LE

**Scale (approx):** 1:1250

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**7.3 Case Officer: Chris Harden**

**Due Date: 22/11/2016**

**HOUSEHOLDER**

**Site:** 7 Gunfleet Close, West Mersea, CO5 8LE

**Application No:** 162426

**Date Received:** 27 September 2016

**Agent:** Jamie Kelly

**Applicant:** Mr & Mrs Bixby

**Development:** Single storey extension to front of house. Resubmission of 161426.

**Ward:** Mersea & Pyefleet

**Summary of Recommendation:** Conditional 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 key issues explored below are the visual impact of the proposed front extension and its impact upon neighbouring residential amenity in terms of overlooking and any overbearing impact. It is concluded that the front extension and railing is visually acceptable and would not detract from the character of the dwelling or from the street scene. The balcony area has been reduced from that shown on the previously refused scheme (161426) and this has minimised any overlooking of neighbouring property to an acceptable level. The scheme is therefore recommended for approval.

### **3.0 Site Description and Context**

- 3.1 The site lies within the physical limits of West Mersea and comprises a detached dwelling within an estate of similarly styled properties. There are neighbouring properties either side.

### **4.0 Description of the Proposal**

- 4.1 The proposal is for the erection of a flat roofed extension at the front of the property attached to part of the existing flat roofed front garage. Part of the flat roof of the original garage would have a balcony added, constructed of glass.

### **5.0 Land Use Allocation**

- 5.1 Physical limits.

## **6.0 Relevant Planning History**

- 6.1 161426 Front extension and balcony- refused on the grounds of the larger balcony being out of keeping with the prevailing character of the area and on the potential overlooking of neighbouring properties.

## **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 Regard should also be given to the following adopted Supplementary Planning

Extending Your House?  
The Essex Design Guide  
External Materials in New Developments

## **8.0 Consultations**

- 8.1 Archaeologist states: "No material harm will be caused to the significance of below-ground archaeological remains by the proposed development. I have no objection to this application."

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 The Parish Council have stated "Following discussion it was agreed to recommend CONSENT be granted in respect of this application."

## **10.0 Representations**

10.1 No observations received.

## **11.0 Parking Provision**

11.1 2-3 spaces are retained.

## **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**

### Design, Scale and Layout

15.1 It is considered that the design, scale and form of the front extension and associated balcony is now visually acceptable and would not detract from the character of the existing dwelling and street scene. The flat roofed extension would relate satisfactorily to the form and style of the existing flat roofed garage and is a relatively modest addition. The balcony, which is now to be glazed, has been significantly reduced in size and would now be a relatively small and unobtrusive element that would not be visually detrimental to the character of the street scene. The previous reason for refusal in this respect is now considered to be overcome. The alterations to the garage to allow its conversion to a lounge would also be visually acceptable.

### Impacts on Neighbouring Properties

15.2 As the balcony has been significantly reduced in size, the opportunity to overlook neighbouring properties from the side and rear has been minimised so that it is no longer considered to be a problem. There would also be no overbearing impact or loss of light to the neighbours. It is therefore considered there would not be a detriment to neighbouring residential amenity.

### Amenity Provisions and Highway Issues

15.3 Adequate amenity space and parking space would be retained on site. At least two car parking spaces would be available.

### Other Matters

- 15.4 No vegetation would be affected by the proposal. There would also be no archaeological impact.

## **16.0 Conclusion**

- 16.1 The proposal is considered to be visually acceptable and would not be detrimental to neighbouring residential amenity.

## **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: 09/PA001, 09/PA002, 09/PA003, received 4/10/16. 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.

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 Northern and Southern side elements of the balcony shall be glazed shall be non-opening 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.

## **20.0 Positivity Statement**

- 20.1 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.