



Application No: 160935

Location: 8 The Lane, West Mersea, Colchester, CO5 8NT

Scale (approx): 1:1250

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 2015

7.4 Case Officer: Bruce O'Brien Due Date: 15/06/2016 HOUSEHOLDER

Site: **8 The Lane, West Mersea, Colchester, CO5 8NT**

Application No: **160935**

Date Received: 20 April 2016

Agent: Geoffrey Sexton

Applicant: Mr John Vince

Development: Single storey rear extension & first floor front and side extensions

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, on approval, it is called in by Councillor Patricia Moore. Cllr Moore has called in the application as she believes that the building would be out of keeping with the West Mersea Waterside Area of Special Character due to the proposal being over-bearing and not in keeping with the street scene.

2.0 Synopsis

- 2.1 The key issues explored below are the impact of the proposal on the character of the area and harmful affects on the amenity of neighbours. Both of these issues are not warranted as valid reasons for refusal.

3.0 Site Description and Context

- 3.1 The application site comprises a single, detached two storey dwelling. The site is located on the Southern side of 'The Lane' in West Mersea. To the North and North West of the application property, there are a number of listed buildings, situated within a conservation area which extends further to the West of the site, separated from the site by City Road.
- 3.2 The application property is neither listed nor situated within the conservation area boundary.

4.0 Description of the Proposal

- 4.1 The application seeks permission for three extensions.

i. A single storey extension to the rear.

This part of the scheme would fall within the limits of permitted development, and no objections have been raised against it.

ii. A raised front extension.

To the front of the property, there is a single storey lean-to style extension. The proposal aims to build above this lean-to and extend the gable end, that sits behind it, to the front of the property, thus forming a vertical gable. This part of the scheme would provide a small external storeroom at ground floor level and increase the size of a first floor bedroom.

The additional height to the top of the gable ridge will be 3.7m. The depth of this element would be 1.5m and the width 4.5m.

iii. A second storey extension above existing single storey extension.

This part of the proposal is for a second story addition above a single storey flat roofed extension that doubles as a large balcony. A revised design shows the roof to be subservient to the main dwelling. The extension would form a gable end that faces towards the West of the dwelling. Within this gable end would be French doors with a glass Juliet balcony. The height of the addition would be 3.5m to its ridge. It would be 5.3m wide (as wide as the existing first floor) and 4.2m in depth. The proposed first floor extension would provide additional living accommodation in the form of a lounge/study/music room.

5.0 Land Use Allocation

- 5.1 The site is located within the defined settlement limits and a residential area where development such as this is acceptable in principle.

6.0 Relevant Planning History

- 6.1 There is no planning history that is relevant to the proposal.

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
DP14 Historic Environment Assets
DP23 Coastal Areas

- 7.4 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

8.0 Consultations

- 8.1 No consultation responses

9.0 Parish Council Response

- 9.1 The West Mersea Town Council have stated that:

Following discussion it was agreed to recommend refusal in respect of this application on the following grounds:

1. Out of keeping with the street scene.
2. Overbearing impact on adjacent property.
3. Inappropriate for a Conservation Area.

10.0 Representations

- 10.1 There have been 5 objections; two from neighbours, one from a planning consultant on behalf of a neighbour, the Town Council and the Coast Road Association.

The main issues raised are:

1. Amenity of neighbours including loss of light to properties (7,9,10 The Lane) and loss of privacy (22 City Road).
2. Scale of the property once extended. Dominance within the street scene.
3. The proposal is out of keeping with the character of the area.

The full text of all of the representations received is available to view on the Council's website.

11.0 Parking Provision

- 11.1 The property has off-street parking for 2 vehicles and this will not be changed as a result of this proposal.

12.0 Open Space Provisions

- 12.1 This scheme raises no concerns regarding open space.

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 and Layout

- 15.1 It is considered that the proposed design improves the form and look of the exiting dwelling. Other two storey and chalet style examples in ‘The Lane’, that are also outside of the Conservation Area, have been extended and have used similar materials, in particular, timber weatherboarding. The design of the property attempts to respect and enhance the character of the area. The design improves a building of non-historical importance and poor design which lies on the periphery of an area of historic, ornamental buildings.
- 15.2 The original submitted design has been modified on the advice of officers. The roof of the proposed two storey extension element to the West of the existing property has now been made to be subservient to the original dwelling. This subservient design and the use of ‘softer’ materials ensures that the original building form remains clearly visible and that it is evident that an extension has been added; these features indicate that the building has evolved over time. It is considered that the addition of the two storey section to the top of the existing flat roof, is a design improvement that helps to create a more traditional building form.
- 15.3 A similar case can be made for the raising of the front, single storey lean-to extension. The proposed front gable end will be traditional in nature and when clad in softwood weatherboard and painted in a traditional colour, will help to improve and integrate the property with its surroundings.

Scale, Height and Massing

- 15.4 The scale of the proposed development respects the existing two storey dwelling and is in keeping with other two-storey dwellings in The Lane. There is an increase in the footprint of the building through the single storey element of the scheme. However, the contentious elements make no further increase to the footprint, just increases in height.
- 15.5 The front gable element is intended to run in line and create a continuous extension to the main roof, whereas the side extension roof will be subservient. The form of the building will change. It will become more ‘complete’ and traditional through the removal of the flat roof and lean-to elements and the replacement of them with gables.

Impact on the Surrounding Area

- 15.6 There have been a number of objections to the proposed scheme. The main issues of contention are the amenity of neighbours and the impact on the character of the area.

- 15.7 The property is not of historic character and is not in the West Mersea Conservation Area. Due to its current character, it is felt that the building was purposely excluded from the Conservation Area. However, the design attempts to integrate the building into its surroundings. A more traditional form and weatherboarding will help to achieve this aim.
- 15.8 Advice has been taken from the Conservation and Heritage Officer at Colchester Council. Their information is that negative effects on the setting of the Conservation Area and the nearby Listed Buildings will be nil. The application property is of a distinct and separate character to surrounding buildings. It does not form a prominent entrance or exit point to the Conservation Area and is not a land mark building. Additions to the current building would not hide or shroud any Listed Buildings from public view. Therefore, it is not considered that the scheme would have any harm on the character of the surrounding area.

Impacts on Neighbouring Properties

- 15.9 In terms of the amenity of neighbouring properties, the proposal does not breach any of the CBC guidelines as stated in the Essex Design Guide and the supplementary document 'Extending Your House?'
- 15.10 The proposed development is not overbearing on the outlook of neighbours. The nearest neighbours to the West (on The Lane and on City Road) have extremely limited views of the property, shrouded by buildings and vegetation.
- 15.11 Similarly, there are no concerns regarding loss of light/overshadowing. The combined plan and elevation tests of a clear 45 degree angle from the center point of the neighbour's nearest rear window are not breached and the proposal therefore satisfies the Councils standards for assessing this issue. One objection suggested a loss of light to numbers 7 and 9 The Lane. These properties are a distance of 23m from the nearest point of the proposed side extension and it is not deemed that the location of numbers 7 and 9 is near enough for the objection to be valid.
- 15.12 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 our policy guidance. As mentioned the view towards 22 City Road and number 6 The Lane, from the application property is very limited and it is not considered that views from new windows in the West elevation of the proposed scheme will infringe on the privacy, or overlook, the sitting out areas of either of these properties. The proposal removes a balcony element that is above the first floor extension. This balcony could be used year round by the applicants. It is to be replaced by a two storey extension with French doors and a Juliet balcony to the rear. It is considered that any suggested overlooking problems will be reduced through the implementation of this proposal.

16.0 Conclusion

- 16.1 A point in the objection raised by a planning consultant, on behalf of one of the neighbours, addresses the issue of harm versus public benefit, stating that the proposal would cause considerable harm with no public benefit. It is considered by officers that this scheme would cause no material harm. However, it is considered that an approval of this scheme would be of significant benefit to the public in visual amenity terms. The scheme is held to comply with the NPPF, the PPG and the Development Plan.

17.0 Recommendation

- 17.1 **APPROVE** subject to the following 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 1168/02A, 03A, 05B and 07.

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

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.