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Item No: 7.5

Application: 190690

Applicant: Mr Richard Brett

Agent: Not Applicable

Proposal: Ground floor extension and first floor addition to existing bungalow.

Location: Springbourne, Spring Lane, West Bergholt, CO6 3HJ

Ward: Lexden and Braiswick

Officer: Sean Tofts

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application has been called-in by Councillor Lewis Barber due to representations received from objectors resident in the immediate vicinity.

2.0 Synopsis

- 2.1 The key issues for consideration are the contextual appropriateness of the development, in terms of scale and mass and the potential impact on neighbouring properties and upon the street scene.

- 2.2 The application is recommended for approval.

3.0 Site Description and Context

- 3.1 Springbourne is a detached bungalow located on Spring Lane, West Bergholt. Though all the properties along this road are detached, but there is a noticeable variation in the character of dwellings in many respects including the style, scale and height of properties. The lane has no overarching coherent style or strict standard rhythm although there is a prevailing building line fronting the lane. It is appreciated that the lane has evolved over time due to the incremental additions and amendments to the dwellings in the vicinity including infill development. The existing dwelling is located on land slightly raised above the level of those to adjacent to the property on the opposite side of the lane (Poplar Cottage), on slightly lower ground than that to their immediate neighbours to the north (Denbery) and are raised in relation to the dwelling to the south (Summertyme). The property is set back from the lane along the same established building line as the immediate neighbours and the rear garden is a relatively generous size with a high level of privacy is afforded to the host property and neighbours. Many of the gardens adjacent to the property benefit from mature and well-established planting.

4.0 Description of the Proposal

- 4.1 The scheme seeks to convert the existing bungalow from a single storey dwelling to a two-storey dwelling. The proposal incorporates features including lowered eave heights and dormers/gables typical of chalet bungalows. The additions to the dwelling do not increase the footprint of the dwelling on the ground however the proposal does include an increase in ridge height and massing.

5.0 Land Use Allocation

- 5.1 The land is in existing residential use and will remain so.

6.0 Relevant Planning History

- 6.1 There is no relevant planning history for the property however the dwelling to the North, Denbery, has been redeveloped to a similar mass and scale. Opposite this the new relatively new infill plot, Teko House, is also of a similar character to the proposal in terms of style, scale and mass.

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. In Particular, the following policy is of direct relevance to this application:

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

DP13 Dwelling Alterations, Extensions and Replacement Dwellings

DP16 Private Amenity Space and Open Space Provision for New Residential Development

DP19 Parking Standards

DP20 Flood Risk and Management of Surface Water Drainage

- 7.4 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;
1. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
2. 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 a full and final examination, it is not considered to outweigh

the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

- 7.5 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 Archaeological Advisor commented that 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.

9.0 Parish Council Response

- 9.1 The West Bergholt Parish Council object and stated that

“The Parish Council is not opposed to an extension to this dwelling in principle, however, the proposal is not in keeping with the surrounding buildings. The application is contrary to the Village Design Statement adopted by CBC listed below:

Policy DG3 General Design: all proposed new build and extensions must enhance the area and make a positive architectural contribution.

DG7 Buildings must be in harmony with the surroundings in respect of materials, colour, texture, proportion and scale.

DG8 Planning applications must show contextually the impact of their proposals on adjacent building by means of adequately detailed plans with accurate street elevations.

DG10 Any development should reflect the character of the surrounding area and protect the amenity of neighbours. It should reinforce the uniformity of the street by reflecting the scale, mass, height, form, materials, fenestration and architectural details of its neighbours.

Policy DG37 (lack of a street scape), providing no information on the visual impact it will have on neighbouring properties and the greater affect on the street scene.

DG13 (New buildings should respect the height of buildings immediately adjacent), being too tall next to the neighbouring bungalow and the existing extension of the house to the left. The roof pitch is significantly steeper.

The neighbouring bungalow garden wraps around the back of Springbourne, and will now be overlooked by the first floor of the proposed extension.

This area is identified in the emerging Regulation 16 West Bergholt Neighbourhood Plan Map PP6 identified Spring Lane as part of a Character Area and therefore the loss of the uniqueness of the properties in this area which contribute to its particular character should be resisted.

The PC would support a proposal with a reduce ridge height and more in keeping with the adjacent properties and with mitigating measures to address the overlooking.”

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 the representations received are available to view on the Council’s website. However, a summary of the material considerations raised is given below.

- The scale, mass and bulk of the proposal is not acceptable and too large on considering the impact upon neighbouring properties and the street scene;
- The inclusion of the second floor will impact on the privacy of neighbouring properties;
- The sewage system will be under further pressure;
- The telegraph pole will need to be moved and this will impact on neighbours;
- The increase roof area will impact on the streets ability to contend with removing water suitably in times of heavy downpours;
- There has already been a lot of development within the road – this further development will further exacerbate this;
- Larger shadows will be cast on the neighbouring gardens;
- Issues of loss of light and privacy to neighbouring properties;
- Several issues that are not general planning considerations were raised such as the potential impact on the structural integrity of the proposed dwelling.

11.0 Parking Provision

11.1 There is no change in the quantum of parking and no additional parking need has been identified in conformity with adopted parking standards.

12.0 Accessibility

12.1 Not applicable and no issues arising.

13.0 Open Space Provisions

13.1 The rear garden area complies with adopted policies concerning private amenity space. .

14.0 Air Quality

- 14.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

15.0 Planning Obligations

- 15.1 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.

16.0 Report

- 16.1 The main issues in this case are:

- The Principle of Development
- Design, Layout, Scale, Height and Massing
- Impact on the Surrounding Area
- Impacts on Neighbouring Properties
- Other Matters

The Principle of Development

- 16.2 In principle, the creation of accommodation at first floor level is considered acceptable. The dwelling is a detached dwelling on a proportionately scaled plot and a further material consideration is that the existing property benefits from permitted development rights. Permitted development rights would allow for the current dwelling to potentially convert the existing loft space to create first floor accommodation; albeit in a different manner to that currently sought by this application.

Design, Layout, Scale, Height and Massing

- 16.3 The proposed alterations to the dwelling amount to a second-floor extension that will not increase the ground floor footprint of the dwelling. The material considerations pertinent to this proposal are whether the scale mass and height of the dwelling will have a materially harmful impact upon the street scene and amenity of neighbouring properties. The design, layout, scale, height and massing of the proposal in isolation are considered generally acceptable and the potential for material harm to neighbouring amenity and the street scene are dealt with in the following relevant sections of this report.

Impact on the Surrounding Area

- 16.4 The dwelling is sited along a lane of dwellings that vary in height and type (bungalows, chalet bungalows and full two storey houses in some cases). The lane is eclectic in style and there is no overriding prevailing character to the lane as would be expected in such a location where over time homes have been extended, amended and in some case developed later than other homes (There are 2 infill plots within the lane).

- 16.5 Though the proposal seeks to increase the ridgeline of the dwelling it is considered that there is no material harm caused by this in terms of the street scene. The street scene has as suggested evolved over time and some of the dwellings have benefitted from larger extensions than that sought in this case.

Impacts on Neighbouring Properties

- 16.6 One of the points highlighted within the consultation process with neighbours was the various perspectives of the impact on the amenity of surrounding properties and the amenity enjoyed from them. The proposal does include the addition of non-habitable rooms (bathrooms and bedrooms) to the first floor however 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. There are 2 bedrooms proposed facing the front of the dwelling at first floor. However these windows will not be forward of the current building line and the location of the two current bedrooms within the dwelling. To the rear of the property there will be 2 bathrooms and a third bedroom, and it is suggested that the level of oblique overlooking into surrounding neighbouring gardens is as would reasonably be expected and is acceptable for a residential area. In summary the development would not appear overbearing on the outlook of neighbours. The Council policy sets out that a 45-degree angle of outlook from the mid-point of the nearest neighbouring windows should be preserved and it is considered that this proposal satisfies this requirement in all instances.
- 16.7 The consultation has also raised issues in relation to loss of light. The combined plan and elevation tests (45 degrees from the centre point of the affected habitable room windows – Essex Design Guide) have not been breached. The proposal therefore satisfies the Council's adopted policy standards for assessing this issue as set out in the Essex Design Guide. The issue of loss of light to the dwelling to the south can be given little weight when considering the orientation of the plots and siting of the dwellings relative to the sun path.
- 16.8 It is evident that the ridge height of the proposed extension to the dwelling is higher than currently in place however it is deemed to be acceptable in terms of the relationship with neighbouring properties and issues arising from the increased ridge height are mitigated by the lowered eaves. It is noted that the building is as low in height as reasonably practicable to include the accommodation sought by the applicants. It is also considered that the proposal would not be overbearing on neighbouring properties.

Other Matters

- 16.9 Finally, in terms of other planning considerations (e.g. damage to trees or highway matters), the proposed development does not raise any concerns. There have been some other points raised through the consultation process such as the structural integrity of the dwelling however this is generally not a matter for planning in this case. This is a Building Control issue.

- 16.10 The points raised by the Parish Council note the schemes compliance or otherwise in relation to the Village Design Statement. Village design statements do not hold statutory weight in planning decisions and though it is noted that the emerging Neighbourhood Plan identifies the location as a character area the Council do not consider that the proposal within this application would impact negatively on the prevailing mixed character of the area. It is also appreciated that the Neighbourhood Plan can only hold limited weight until formally adopted.

17.0 Conclusion

- 17.1 To summarise, the proposed development generally accords with the Council's adopted policy requirements and though several objections have been received, the development is considered acceptable based on the merits of the scheme. No material harm has been identified in terms of the impact on the amenity of neighbouring dwellings or resultant changes in the street scene.

18.0 Recommendation to the Committee

- 18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following condition(s):

1. ZAA – Time Limit

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. ZBB – Materials

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.

3 ZAM (Development to accord with approved plans)

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawings 16004 REV B and 16006 REV B.

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.