

**AGENDA ITEM NO 5**

**PART B**

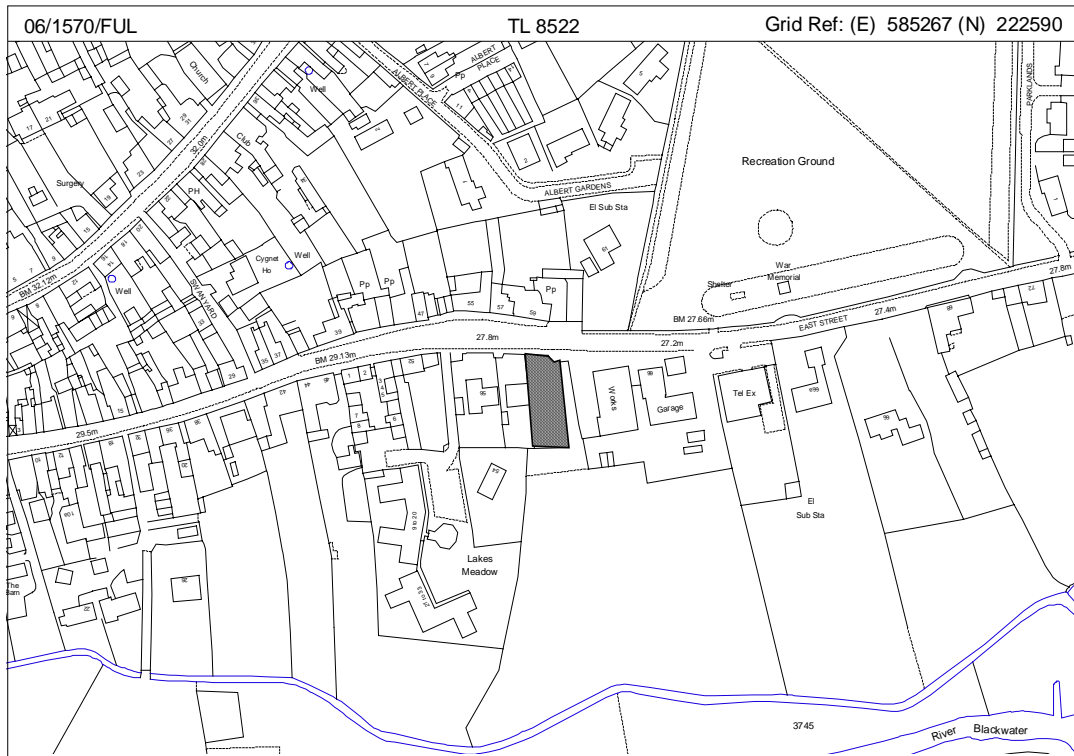
**APPLICATION NO :** 06/01570/FUL                      **DATE VALID :** 01.08.06

**APPLICANT :** Mr & Mrs S N Johns  
64 Coggeshall Road Earls Colne Colchester Essex CO6 2JR

**AGENT :** David Sadler  
Kicking Dicky Petches Bridge Finchingfield CM7 4QN

**DESCRIPTION :** Erection of two storey front extension, side garage and front dormer

**LOCATION :** 60 East Street Coggeshall Colchester Essex CO6 1SJ



**SITE HISTORY**

00/01643/FUL	Proposed loft conversion	PER	18.12.2000
06/00698/FUL	Erection of front porch, two storey front extension, garage side extension and new dormer to front elevation	REF	27.06.2006

**POLICY CONSIDERATIONS**

**Essex and Southend-on-Sea Replacement Structure Plan**  
**CS2**                      **Protecting the Natural and Built Environment**  
**HC2**                      **Conservation Areas**

**BE1            Urban Intensification**

**Braintree District Local Plan Review**

**RLP3            Development within Town Development Boundaries and Village Envelopes**

**RLP17          Extensions and Alterations to Dwellings in Towns and Villages**

**RLP95          Preservation and Enhancement of Conservation Areas**

**DESCRIPTION OF SITE AND PROPOSALS**

The application property is a semi-detached bungalow located within the village envelope of Coggeshall, within the Coggeshall Conservation Area. The bungalows are set back approximately 11 m from the street beyond front gardens laid to lawn.

This revised application seeks permission for the erection of a two storey front extension, side garage and front dormer.

The previous proposed front extension was refused on grounds that it would detract from the simple proportions of the host property, appearing as an unsympathetic and prominent addition, by virtue of its bulk, design and two storey appearance, to the detriment of the character and appearance of this part of the Coggeshall Conservation Area.

The two storey front extension would measure 5.75 m in length, 2.8 m in width and 6.4 m in height.

An existing detached single garage on the eastern site boundary will be demolished and replaced by a new garage with a pitched roof attached to the eastern elevation of the property.

A Flood Risk Assessment has been made. Local enquiry by the agent has revealed no knowledge of flooding of the curtilage of the application site. The site falls away from the dwelling towards the river and in addition the ground floor level is some 300 mm above the adjacent ground level.

**CONSULTATIONS**

None.

**REPRESENTATIONS**

**Coggeshall Parish Council: no objection.**

**Neighbours: two letters of objection have been received from Abbey View, 59 East Street, Coggeshall and one letter of objection has been received from 38 East Street, Coggeshall, raising the following points:**

- Bulk of new application is even bigger than previous application,
- Proposal not in keeping with the existing street scene and not in keeping with the character of the Conservation Area,
- New dormer window would overlook rooms in the house opposite.

## **CONCLUSION**

Councillor Newton has requested that the application be referred to the Braintree Area Committee for determination.

The site is located within the Conservation Area, within the village envelope of Coggeshall, where in principle there is no objection to residential extensions.

Policy RLP17 allows for extensions and alterations to existing dwellings in towns and villages provided that there is no over development of the plot, the siting, bulk, form and materials of the extension are compatible with the original dwellings and among other issues, there should be no unacceptable adverse impact on the amenities of adjoining residential properties (for example, loss of privacy, overshadowing, loss of light).

Policy HC2 of the Essex and Southend-on-Sea Replacement Structure Plan requires that developments within Conservation Areas should preserve and/or enhance the character and appearance of the Conservation Area.

Policy RLP95 concerns development within Conservation Areas. It requires that any development conforms to the highest standards of design and materials and does not detract from the character, appearance and essential features of the Conservation Area.

A detached bungalow (No. 56 East Street) two properties to the west of the application site has been extended with a single storey front addition of a similar depth to that proposed at No. 60. In these circumstances it would be difficult to resist the principle of a front extension at No. 60, subject to its form, width, bulk and design respecting the host property and the character and appearance of the Conservation Area.

Like the previous application, the front extension has been designed as a two storey addition to the bungalow. However, the form of the addition has been simplified as has the location of windows to its front face. So, although wider than the previous proposal, the addition now takes a more balanced form and a simplified design which better reflects the form, proportions and design of the host property and as a consequence, better respects the character and appearance of this part of the Coggeshall Conservation Area. The application also proposes more appropriate facing materials (brick and render) which will match rather than compete with the materials of the host property.

The property facing the application site is about 25 metres from the front wall of No. 60. At this distance the proposed upper floor front window and the single small pitched roof dormer to the front roof slope would not give rise to any material loss of privacy to the premises opposite, nor any other amenity concerns. A first floor bathroom window is proposed to the east facing side wall of the existing house. A condition is recommended to require it to be obscure glazed so that it does not prejudice the best planning of any future development for the site to the east.

In conclusion, the revised proposals are considered to have overcome the basis for the refusal of the earlier scheme. The proposals are considered acceptable in all other respects and approval is accordingly recommended.

### **RECOMMENDATIONS**

It is **RECOMMENDED** that the following decision be made;  
Application **GRANTED** subject to the following conditions and reasons :-

- 1 **TIME21 Full PP 3 Years**
- 2 **The development hereby permitted shall be carried out only in accordance with the approved plans and specifications as shown on Drawing No. 2645/1 (received 01/08/2006), unless otherwise agreed in writing by the local planning authority.**
- 3 **MAT3 Samples of Vernacular Materials**
- 4 **The first floor bathroom window on the east facing elevation of the dwelling shall be glazed with obscure glass and shall be so maintained at all times.**

### **REASONS**

- 1 **RTIM21 Time Reason**
- 2 **To ensure that the development is satisfactory in accordance with Policies CS2, BE1 and HC2 of the Essex and Southend-on-Sea Replacement Structure Plan and RLP3, RLP17 and RLP95 of the Braintree District Local Plan Review.**
- 3 **To ensure the use of appropriate materials having regard to the importance of this scheme in the Conservation Area, to ensure that the choice of materials will harmonise with the character of the surrounding development and to comply with Policies HC2 of the Essex and Southend on Sea Replacement Structure Plan and RLP95 of the Braintree District Local Plan Review.**
- 4 **In order to safeguard the privacy of adjoining occupiers and to comply with Policies CS2 of the Essex and Southend on Sea Replacement Structure Plan and RLP3 and RLP95 of the Braintree District Local Plan Review.**

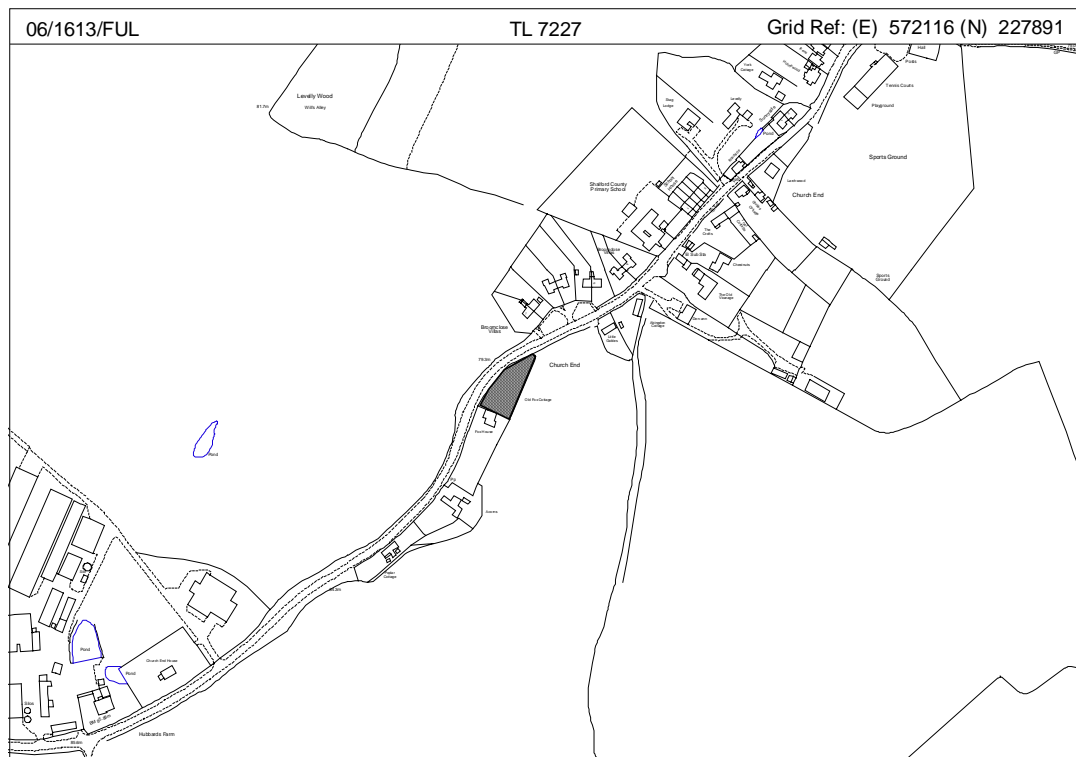
**APPLICATION NO :** 06/01613/FUL      **DATE VALID :** 07.08.06

**APPLICANT :** Dr P Mayo  
1 Old Fox Cottages Church End Shalford Braintree  
Essex CM7 5HA

**AGENT :** Winston Knowles MBIAT  
Hazeleigh Grange Cottage Goat House Lane Hazeleigh  
Chelmsford Essex CM3 6QY

**DESCRIPTION :** Erection of one and a half storey side extension, single storey rear extension, porch and detached garage

**LOCATION :** 1 Old Fox Cottages Church End Shalford Braintree  
Essex CM7 5HA



**SITE HISTORY**

<b>95/01156/FUL</b>	<b>Demolition of the existing public house and the erection of two semi-detached dwellings with garages</b>	<b>PER106</b>	<b>01.05.1996</b>
<b>98/00450/FUL</b>	<b>Construction of 2 no. vehicular accesses</b>	<b>PER</b>	<b>02.06.1998</b>
<b>04/02582/FUL</b>	<b>Erection of two storey side and single storey rear extension and detached garage and porch</b>	<b>REF</b>	<b>17.02.2005</b>
<b>05/01661/FUL</b>	<b>Erection of one and a half storey</b>	<b>REF</b>	<b>13.12.2005</b>

	side and rear extension, single storey rear extension, porch and detached garage		
06/00016/REF	Erection of one and a half storey side and rear extension, single storey rear extension, porch and detached garage	DISMIS	27.07.2006

## **POLICY CONSIDERATIONS**

### **Essex and Southend-on-Sea Replacement Structure Plan**

CS2	Protecting the Natural and Built Environment
C5	Rural areas not in the Green Belt

### **Braintree District Local Plan Review**

RLP2	Town Development Boundaries and Village Envelopes
RLP18	Extensions to Existing Dwellings in the Countryside
RLP78	Countryside
RLP90	Layout and Design of Development

## **REPORT**

The application site contains a modern semi detached property, with a detached garage. The site is located on the outskirts of Church End, Shalford, outside the village envelope. The property is located on a good size plot with the main garden area to the side of the dwelling. There is a mature hedge along the front boundary. Along the rear boundary are several groups of large mature trees. The trees and front hedge would not be affected by the proposal.

This application follows two previous refusals. The second refusal of permission was the subject of an appeal which was dismissed. The Appeal Inspector concluded that 'the enlarged house would not sit comfortably within its surroundings' and would 'materially detract from the character and appearance of the appeal property and unacceptably harm the open rural character of the area'. This would result in the 'property no longer appearing as a modest country cottage but it would take on the character of a much more substantial house, squeezed onto a site of insufficient depth to accommodate it with comfort'. It was also considered that the cramped appearance would be made all the more apparent by the positioning of the replacement detached garage in the limited space between the front of the extension and the road.

The current application seeks permission for the erection of a one and a half storey side extension, a single storey rear extension, a porch and single detached garage. The proposed one and a half storey side extension is 3.4 metres in height to the eaves, and 7.7 metres in height to the apex. It is 6 metres in width and 11.7 metres in depth, extending

the entire depth of the existing dwelling plus a further 2.1 metres beyond its rear wall. The proposed single storey extension is located on the rear elevation adjacent to the boundary with No. 2. It measures 2.9 metres in width, 2.2 metres in depth and 3.7 metres in height to the highest point. The proposed garage measures 3.2 metres in width, 6.3 metres in length, 2.2 metres in height to the eaves and 3.6 metres in height to the apex. It is located to the front of the dwelling, along the boundary hedge. The proposed porch measures 1.6 metres in depth, 2.6 metres in width and 4.4 metres in height to the apex.

This proposal has been revised from the previous refused application to try and address the points raised in the Inspectors report. The changes made involve the omission of a one and a half storey rear extension and a reduction in the depth (by approximately 4m) of the side extension. The side extension would accommodate a lounge and music room at ground floor and 3 bedrooms and a study at first floor level. It would add over 80% to the floor area at the dwelling.

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

Seven letters of representation have been received from local residents. Six letters support the application for the following reasons, which are directly related to planning:

- The problems raised at the time of the previous applications have been addressed
- The proposed floor area is now only 85% of the current floor area of the property
- The neighbouring property is no longer overlooked
- It would enhance the property
- Not detrimental to the location
- Proposal of good design.

The letter of objection raises the following grounds:

- The revised proposals do not overcome the Inspector's reason for refusal
- Consider the extension adds 92% to the existing floor area
- What would prevent further extension if this application were approved?

### **CONSIDERATIONS**

#### **Local Plan Policy**

**Policy RLP18 of the Braintree District Local Plan Review states that planning permission will be granted for the extension of a habitable, permanent dwelling in the countryside, subject to the siting, design and materials of the extension being in harmony with countryside setting and compatible with the scale and character of the existing dwelling and the plot upon which it stands. Extensions will be required to be subordinate to the existing dwelling in terms of bulk, height, width and position.**

**Furthermore, RLP90 of the Braintree District Local Plan Review states that in considering proposals for new development the scale, density, height and massing of buildings should reflect or enhance local distinctiveness, there shall be no undue or unacceptable impact on the amenity of any nearby residential properties and that the layout, height, mass and overall elevational design of buildings and developments shall be in harmony with the character and appearance of the surrounding area.**

### **Other Material Planning Considerations**

**The recent appeal decision is clearly a material planning consideration and represents a very recent interpretation of the application of the Council's policy on house extensions in the countryside. The appeal Inspector acknowledged that 'in direct front view, the extension would not overwhelm, the existing house but would appear subordinate'. However, 'seen in more oblique views from, in particular, the north-west, the considerable depth and bulk of the extension would be clearly seen beyond the boundary hedge, making it appear unduly large in relation to the existing house'.**

**The current application represents a significant reduction on the proposals the subject of the appeal. The rear extension has been deleted and the depth of the side extension has been reduced from about 15.7m to 11.7m. Nevertheless, the side extension would still be more than 2m deeper than the host dwelling and would not, as a consequence, appear subordinate to it in the views from the north west that the Inspector highlighted in the decision notice. Moreover, the siting, size and design of the detached garage remains as proposed in the appeal proposals and therefore fails to address the Inspector's view that the garage would contribute to the cramped appearance of development at the site. For these reasons it is recommended that the proposals are refused.**

**The Inspector considered that the appeal proposal would have appeared overbearing when viewed from the neighbouring property. The removal of the rear extension and the reduced depth of the side extension has meant that the current proposals are considered acceptable in amenity terms.**

The proposals do not raise any highway concerns because no changes are being made to the site access and sufficient off-street parking space will be retained.

## **RECOMMENDATIONS**

It is **RECOMMENDED** that the following decision be made;  
Application **REFUSED** for the following reasons :-

- 1 The site lies within an area where rural planning policies apply. Policies C5 of the Essex and Southend on Sea Replacement Structure and RLP78 and RLP79 of the Braintree District Local Plan Review seek to restrict development in the countryside to that which can only take place in the countryside. All development should be sympathetic to the rural landscape character. Policy RLP18 of the Braintree District Local Plan Review allows for the extension of existing dwellings in the countryside subject to the siting, design and materials of the extension being in harmony with the countryside setting and its bulk, siting and scale being subordinate to the existing dwelling. The proposed extension, by reason of its siting, bulk and depth, would dominate the existing dwelling, compromising its scale, proportion, and character to the detriment of the rural character of the locality, contrary to the policies referred to above. The proposed garage, by reason of its bulk and siting in relation to the proposed extension, would result in a level of development which would appear cramped at the site, to the detriment of the setting of the dwelling and the rural character of the locality, contrary to the policies referred to above.**
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