

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

Report No.

Date of Meeting	5 th November 2008
Application Number	08/01721/S73A
Site Address	Naish Hill House, Lacock
Proposal	Domestic extensions (amendment to previous approval 07/01944/FUL)
Applicant	Mr J Tucker
Town/Parish Council	Lacock
Grid Ref	392690 169075
Type of applications	Retrospective

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received

Summary of Report

This application is for the creation of domestic extension to existing dwelling. It follows from an earlier 2007 permission for similar.

This report is prepared to allow Members of DC Committee to consider the proposal in the context of planning policy and guidance. The key points to consider are as follows:

- Implications of Policies C3, H3 and H8 of the adopted North Wiltshire Local Plan 2011
- Proposed amendments to 07/01944/FUL scheme
- Design, scale and appearance of extensions and alterations
- Impact upon residential amenity
- Other matters

Officer Recommendations

Planning Permission be **GRANTED** subject to the following conditions:

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Proposal and Site Description

Application relates to large detached dwelling (known as Naish Hill House) situated in open countryside. The dwelling is positioned at right angles and is elevated above the road and is some 6.0m + from the nearest neighbouring property ("Holly Cottage"), which is also Grade II listed.

The proposal takes the form of a two and single storey addition to the southern end of the property, stepping out into the garden along its length. Its basic form and mass is similar to that approved under 07/01944/FUL. Works are being carried out on site and therefore this application is substantially retrospective.

Relevant Planning History		
Application number	Proposal	Decision
07/01944/FUL	Extension to dwelling to provide additional living accommodation	Approved 25/09/08

Consultations

Lacock Parish Council :

The Parish Council objects to the application as some works are already completed and the rest in progress (nearing completion) – and clearly will be the subject of objection by others. The wall will now be 2-3 ft higher and the roof is solid instead of glass – not as agreed in the original permission in 2007. The PC thinks the work should be stopped and an application for retrospective permission should be submitted.

Representations

Four (4) letters of objection received. Main issues raised:

- Appearance of alterations would not respect existing development along Common Road
- Scale of development excessive
- Overlooking into neighbour properties and loss of privacy – excessive number windows inserted into new first floor – drop in ground levels exacerbates
- Lack of parking provision

Planning Considerations

Proposed amendments to 07/01944/FUL scheme

The differences between the approved scheme and that which is now proposed is considered to be relatively minor. Although numerous, the overall mass and basic shape of the proposal does not alter.

The amendments can be broken down into three categories :

- (i) increase in the width of single and two storey elements of the proposal and consequent decrease in roof pitch. Total width of extension will increase from 13.2m to 13.7m when measured in plan form. Does not result in an increase in overall elevational presentation to the East (toward Holly Cottage), although it does to the <internal> Western elevation since the additional width to the proposal would extend to a point further up the existing house.
- (ii) Various alterations to fenestration and detailed treatment of extension. Switch from conservatory to more enclosed garden room type single storey extension. Addition of rooflights.
- (iii) Increase in height of boundary wall to access drive to 3.1m (compared to 2.5m, as scaled from

approved plans), including introduction of stone-slate coping detail. The submitted plans do not demonstrate any increase in elevational height of the extensions to the East, when compared to the approved plans.

Design, scale and appearance

It is considered that the new proposal does represent a small degradation of the scheme in terms of proportions of windows, positioning of fenestration and increase in extension width and decrease in roof pitch, when compared to the approved scheme. Nevertheless, the differences are small and do not undermine the proposal to the extent that it could reasonably justify a reason to refuse planning permission.

The overall scale, bulk and layout of the proposed extensions do not alter. As before the proposed development is considered to have an adverse impact upon the setting of the listed Holly Cottage.

Impact upon residential amenity

It is noted that the nearest adjoining neighbour has formally objected to the scheme.

This revised proposal does involve the enlargement of the extensions previously approved. However, aside from a small differential between length of roof ridge/pitch and wall of the two-storey element, its presentation to the nearest neighbouring property at "Holly Cottage" remains largely unchanged.

The increase in height of the boundary wall (some 600mm if including stone-slate coping detail) has been clarified by the submission of large scale cross-sectional drawing. It is considered that the wall, and the proposed increase, will be visible from the neighbouring garden. However, any impact over and above the approved plans (or indeed that which would have been associated with the existing wall, which was not of a dissimilar height) is likely to be negligible and would not sustain a reason to refuse planning permission.

Other matters

The agent acting on behalf of the nearest neighbour has suggested that there are variations between approved plans and those now submitted for consideration in respect of the ridge height of the extension. It does not appear to be the applicants expressed intention to increase the height of the extension. Comparison between plans and elevations between the two schemes do reveal variations, but those amount to little more than the thickness of a drawn line and could easily be attributed to distortions through copying of plans. Even accepting the maximum height shown, it is evident that the impact upon neighbouring amenity would not be affected to a degree that would warrant a reason for refusal.

Concerns have been raised that the development being undertaken on the site would not be in accordance with either the approved plans or the plans now submitted for consideration. This planning application should be considered and determined on the basis of the plans submitted. Any development undertaken not in accordance with the approved plans would need to be addressed as a separate enforcement issue.

Recommendation:

Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

2. The development hereby permitted shall be used wholly in conjunction with, and ancillary to, the use of Naish Hill House as a single dwellinghouse and shall not be used as a separate dwelling.

Reason: To avoid the creation of additional dwellings in the countryside.

3. Within one month of the date of this permission, details of the proposed and existing levels across the site (including details of the finished floor levels of all buildings hereby permitted) shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so approved prior to the first occupation of the accommodation created.

Reason: To ensure a satisfactory layout in the interests of the amenity of the area.

4. Within one month of the date of this planning permission, details of the landscaping of the site, including wherever appropriate the retention of existing trees, shall be submitted to, and approved in writing by, the local planning authority.

The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity.

5. The proposed reconstructed boundary wall to the access drive onto Naish Hill shall be constructed in complete accordance with the details shown on cross-sectional plan (reference MWA 5064/10.10.08) and shall not exceed a maximum height of 3.1m to top of coping detail.

Reason: In the interests of amenity and for the avoidance of doubt.

Informatives :

1. The applicant's attention is drawn to the requirements of the condition in respect of landscaping and planting. It is recommended that, in the interests of neighbourliness, any such landscaping proposed immediately behind the stone boundary wall should be of a species and maturity that will not exceed the height of the boundary wall to an excessive degree.

2. The applicant is advised that construction should be kept within reasonable hours and days of the week. Works which are considered to be unreasonable would be subject to the Environmental Protection Act 1990, as a separate issue from those dealt with under planning legislation.

3. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

- Site Location Plan
- Block Plan 5064.03D
- Proposed plans 5064.02E
- Section through entrance lobby MWA 5064/10.10.08

All dated 16th July 2008, unless otherwise indicated.

Reason for Decision

The proposal is considered to be of a scale and design that does not adversely impact upon the character of the existing property. The proposal is positioned and of a scale that removes any unacceptable adverse impact upon the amenities of the nearest neighbour. As such the proposal is considered to comply with the provisions of Policies C3 and H8 of the adopted North Wiltshire Local Plan 2011.

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	1.20; 4.02; 4.04; 5.02