

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	5th November 2008
Application Number	08/02158/FUL
Site Address	Westways, Tetbury Lane, Crudwell
Proposal	Raising of roof ridge to provide first floor accommodation, erection of rear extension, front porch and garage (Revision to 07/03026/FUL)
Applicant	Mr L. Mitchell
Town/Parish Council	Crudwell
Grid Ref	395164E 192576N
Type of applications	Full application

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 more than five letters of objection have been received.

Summary of Report

This application seeks planning permission for the raising of roof ridge to provide first floor accommodation, the erection of a rear extension, front porch and garage at Westways, Tetbury Lane in Crudwell. The site lies just outside the Conservation Area but within within the settlement boundary of Crudwell.

The key points to consider are as follows:

- Implications on Local Plan Core Policy C3.
- Implications on Local Plan Policy H8.

Officer Recommendation

Planning Permission be GRANTED subject to conditions.

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Proposal and Site Description

This application is for the raising of roof ridge to provide first floor accommodation, the erection of a rear extension, front porch and garage at Westways, Tetbury Lane in Crudwell.

Planning permission (Ref. 07/03026/FUL) was granted for a very similar scheme in January 2008. The only differences between this application and the previously approved proposal are as follow:

- Garage door has been made wider and door to side has been omitted.
- Dormer windows have been added to the front and rear roofslope of the garage extension.
- New window has been added to rear elevation (ground floor).
- Door on rear elevation of garage has been re-sited.
- Design of the approved dormers on the front elevation has been altered.
- Design of the approved porch extension on the front elevation has been altered.

Planning History		
Application number	Proposal	Decision
07/03026/FUL	Raising of roof ridge to provide first floor accommodation, erection of rear extension, front porch and garage	Permission

Consultations

Parish Council – comments awaited.

County Highways raises no objections to the proposal subject to a number of conditions being attached to any permission granted.

Representations

8 letters of objection have been received from local residents raising the following concerns:

- Not loft conversion but first floor extension
- Overlooking
- Removal of trees and hedges
- Work undertaken without planning permission
- Development is out of keeping with local area
- Additional traffic using the already dangerous Tetbury Lane
- Conditions attached to 07/03026/FUL have not been discharged
- House being advertised as 5-bed, not 4-bed as shown on the plans
- Pavement/pedestrian refuge should be created along frontage of Westways

Planning Considerations

Local residents have noted that trees and bushes have been uprooted along the boundaries of the site. The property is located outside any Conservation Area and therefore there are no restrictions preventing the applicant from removing vegetation within the curtilage of the site. A condition will be attached to any permission granted requesting that details of any walls, fences, gates and other means of enclosure be submitted and completed prior to the dwelling first being occupied.

Impact of the development on the streetscene:

The difference between this scheme and the previously approved scheme is predominantly in the design of the front elevation of the dwelling. In order to maximise the accommodation within the house, the applicant is proposing to use the roof void above the garage to create an ensuite bathroom/dressing room.

Objectors are of the opinion that the proposal is out of keeping with the local area. Tetbury Lane is characterised by a mixture of dwelling styles and sizes, constructed in various designs and materials and it would therefore be difficult to argue that the proposal would have an adverse impact on the character and appearance of the streetscene.

Planning permission has previously been granted for a very similar scheme. On the basis that the footprint and height of the dwelling remain as previously approved and that all other alterations to the front elevation of the dwelling are minor, it would be difficult to resist the application on these grounds.

The additional dormer on the front elevation is a simple extension which has been designed to appear subservient to the main house and is considered to sit comfortably against the original property. The proposal is in keeping and will have no adverse impact on the character and appearance of the streetscene. The proposal is therefore considered to be in accordance with Policy C3 of the North Wiltshire Local Plan (2011).

Impact of the development on residential amenities:

In terms of the impact of the proposal on the amenities of local residents, consideration has been given to the objections raised by the local residents.

It has been noted that this new application includes dormer windows on the front and rear elevations of the garage extension, in addition to fenestration alterations at ground floor level. However, on the basis that there are other windows in these elevations and that the adjoining properties located to the rear of the dwelling are some distance away, it is unlikely that the proposal will have any adverse impact on the residential amenities of the adjoining occupiers. The proposed development is considered to be in accordance with Policy C3 of the North Wiltshire Local Plan (2011).

Impact of the development on highway safety:

Neighbours are concerned that the proposed development will affect traffic safety along Tetbury Lane. The proposal does allow for off-street car parking spaces to the front of the dwelling.

County Highways have been consulted and are of the opinion that the proposal is acceptable in terms of highway safety (off-street parking provision and access in and out of the site), subject to a number of conditions being attached to any permission granted. Residents have requested that a pavement/pedestrian refuge area be created along frontage of Westways. On the basis that the proposal is for an extension to the dwelling, such a request would be unreasonable and unjustified.

Conclusion

The proposed development, by virtue of its siting, scale and design, will not be harmful to the character and appearance of the streetscene, will not be detrimental to the amenities of adjoining occupiers and is acceptable in terms of highway safety. On this basis, the proposal accords with Policies C3 and H8 of the North Wiltshire Local Plan (2011).

Recommendations and Proposed Conditions / Informatives

Planning Permission be GRANTED subject to the following conditions:

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. Sufficient space for three car parking spaces (can be garages) together with a vehicular access thereto shall be provided for the dwelling, before it is first occupied, and in a position to be first submitted to and approved in writing by the Local Planning Authority. The said spaces shall not be used other than for the parking of vehicles or for the purpose of access.

Reason: In the interests of amenity and road safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

3. Prior to the use or occupation of the development hereby permitted, an area for the turning of vehicles shall be provided in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. The turning area so approved shall thereafter be kept clear for the manoeuvring of vehicles at all times.

Reason: In the interests of amenity and road safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

4. Details of all walls, fences, gates and other means of enclosure and ground surfacing materials shall be submitted to, and approved in writing by the Local Planning Authority within 30 days of planning permission being granted and shall be completed prior to the dwelling first being occupied.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

5. The materials to be used externally for the roof and walls on the proposed development shall match that of the existing dwelling in terms of type, colour, size and finish unless otherwise agreed in writing by the Local Planning Authority prior to works commencing.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

6. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that Order), the use of the garage hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever.

Reason: To safeguard the amenities and character of the area and in the interests of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no further windows or other form of opening, other than those shown on the approved plans, shall be introduced into the elevations of the dwelling hereby permitted.

Reason: In order to safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the Local Planning Authority to consider individually whether planning permission should be granted for extensions and external alterations.

Informatives:

1. 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.

Plan References

Drawing No 638/CAM/2007/1 and 638/CAM/2007/2 Rev. A date stamped 12th September 2008.

2. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3 and H8

3. You are advised that this planning permission does not override any interests that third parties may have regarding civil matters such as ownership, covenants or private rights of way. Before any works are carried out which affect land outside your ownership you should ensure the necessary consents have been obtained from all persons having an interest in the land.

If you intend carrying out works in the vicinity of the site boundary you are also advised that it may be expedient to take our own independent advice with regard to the requirements of the Party Wall Act, 1996.

Reason for Decision

The proposed residential development, by virtue of its siting, scale and design will not be harmful to the character and appearance of the streetscene, will not be detrimental to the amenities of adjoining occupiers and is acceptable in terms of highway safety. On this basis, the proposal accords with Policies C3 and H3 of the North Wiltshire Local Plan (2011).

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 4.04, 4.07, 5.01