

Date of Meeting	16 th March 2017
Application Number	17/00526/FUL
Site Address	Duchy Cottages, 2 North Road, Mere, Wiltshire, BA12 6HG
Proposal	Two storey extension to rear and proposed garage
Applicant	Mr D Ritter & Miss J Hyde
Town/Parish Council	MERE
Electoral Division	MERE – George Jeans
Grid Ref	381275 132734
Type of application	Full Planning
Case Officer	Christos Chrysanthou

Reason for the application being considered by Committee

The application has been called-in to Committee by Cllr Jeans citing concerns in respect of the design of the development and relationship to adjoining properties.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be APPROVED.

2. Report Summary

The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
- Scale and design
- Impact on amenity
- Highways

3. Site Description

The application site is a red brick mid-terraced cottage situated within an established residential area in Mere. The site is accessed off North Road and is within an adopted housing policy boundary.

4. Planning History

16/08146/FUL Proposed two storey rear extension, garage and annex REF 11/10/16

16/10509/FUL Proposed two storey rear extension, garage and annex REF 19/12/16

The previous two planning applications contained the two storey extension and garage as proposed in this application. These applications were refused due to insufficient justification to explain why an annexe was required in addition to a two storey rear extension. Consequently the LPA considered both applications to be contrary to saved policy H33 of the Salisbury Local Plan and core policy 57 of the Wiltshire Core Strategy.

5. The Proposal

Planning permission is sought for the erection of a two storey rear extension and detached garage.

6. Planning Policy

Wiltshire Core Strategy (WCS)

Core Policy 1 Settlement Strategy

Core Policy 57 Ensuring high quality design and place shaping

National Planning Policy Framework (NPPF)

Section 7 Requiring good design

7. Summary of consultation responses

Mere Town Council Objection

- *By reason of its size and mass, the extension is not subservient to the existing building and increases the volume of the existing property overmuch.*
- *The extension is inappropriate for the character of the area and would not be in keeping with the surrounding properties.*
- *Approval of this application could set a precedent for other properties in the area to follow which would spoil the character of the area.*
- *The proposed extension will be too close to other neighbouring properties, causing concerns regarding construction damage to neighbouring properties & future maintenance issues.*
- *Due to the close proximity of neighbouring properties and the size of the extension a shading impact report should be provided.*
- *The garage is very large and could create overshadowing issues for neighbouring properties. There is also a concern as to whether a garage of this size could be constructed within the space without causing damage to neighbouring property.*
- *Impact to amenity – the proposed extension due to the length and height is inconsiderate to neighbours due to overshadowing effect. The proposed extension is in breach of PPS7 and the Building Research Establishment 45° test. The elevation plans for the new extension should show the adjoining properties accurately scaled to allow proper consideration of this matter. The plans show neither of the adjoining properties and if they did, the Town Council feels that it would show that the 45° line from the extension would cause overshadowing to neighbouring properties.*

WC Highways

No objection subject to conditions

8. Publicity

The application was advertised by site notice and neighbour consultation letters.

5 letters of objection have been received citing the following concerns:

- Loss of daylight
- Out of character
- Scale of the development/ Visual impact

9. Planning Considerations

9.1 Principle of Development

The site is situated within an adopted housing policy boundary, where development is generally supported provided the development proposal complies with relevant local and national planning policies.

9.2 Scale and design

The proposed two storey rear extension would have a depth of 6m and width of 4.75m. It is also proposed to erect a single storey lean-to extension behind the neighbour's existing single storey extension which abuts the rear garden of the application site which would have a depth of 4m and width of 2.5m. The east elevation of the two storey extension would be sited 2m away from the boundary to no3 Duchy Cottages. In combination the extensions consist of an additional bedroom and ensuite at first floor level and an open plan kitchen/breakfast area and w.c at ground floor level. The rear windows are proposed to match the size and style of the windows of the existing dwellinghouse.

In addition it is proposed to demolish the existing garage and shed which are situated to the front driveway adjacent to no1 Duchy Cottages and erect a replacement garage. The replacement garage would have a width of 5.2m and a length of 9m. The height would be 3m to the eaves and 5m to the roof ridge.

The proposed exterior materials of the rear extension and garage are to match the main dwellinghouse. The scale and design of the development proposal are considered acceptable and as the proposed extension would be sited to the rear of the property it is considered that the character of the cottage would be preserved.

9.3 Impact on amenity

Officers note the representations made by the parish council and the occupiers of neighbouring properties.

Single storey rear extension

The proposed single storey extension would be built up against the rear wall of the single storey rear extension of the neighbour no1 Duchy Cottages and would adjoin the proposed

two storey extension. The neighbour's single storey extension does not have any windows to the north elevation facing the rear garden of the application site.

Due to the limited scale of the proposed single storey extension and as the adjacent garden forms part of the applicant's residential curtilage it is considered that this part of the proposal would not impact neighbour amenity.

Two storey rear extension

There are no side facing first floor windows which directly overlook neighbouring properties.

The first floor rear window of the neighbour no1 Duchy Cottages closest to the proposed two storey extension serves a bathroom and the far side first floor rear window serves a bedroom. Whilst the two storey extension would be visible from the rear first floor windows of no1 Duchy Cottages as the extension is on the north elevation of the dwelling, a reduction in sunlight to adjacent properties is unlikely to occur. As the nearest first floor window of no1 Duchy Cottages serves a non-habitable room it is considered that the two storey extension would not unduly impact on the amenity of no1 Duchy Cottages to warrant refusal.

The boundary to the neighbour no3 Duchy Cottages consists of a 6ft closed boarded fence alongside hedging which is approximately 2.8m-3m in height. It is accepted that due to the height and mass of the proposal, at certain times of the day (evening) during the lighter months of the year, some shadowing could occur to the patio area of the neighbour no3 Duchy Cottages. However as the proposed extension is on the north elevation and would be located at a sufficient distance away from the boundary which already consists of 2.8m-3m hedging it is considered that the level of shadowing to the patio area of no3 Duchy Cottages that could occur only during certain times/months would not be severe to warrant refusal of planning consent.

Detached garage

The replacement detached garage would be sited next to an adjacent single bay garage and at a distance of 8m away from the neighbour no1 Duchy Cottages. The windows to the west elevation of no1 Duchy Cottages serve the dining room and kitchen at ground floor level and a bedroom at first floor level. Officers consider that despite being sited on slightly higher ground levels than the cottages, due to the distance between the garage and the side elevation of the neighbour no1 Duchy Cottages and being sited to the west of the neighbouring property, the proposed garage would not result in significant undue shadowing to warrant refusal.

There would be 3no high level windows to the rear (north) elevation of the garage which would be positioned 2.6m above the finished floor level. These windows would face over the garden of the neighbour no1 Duchy Cottages. As the windows would serve a garage and not habitable accommodation whilst there would not be any overlooking per-se the applicant proposes to obscure glaze the windows. Officers note that the existing garage and the neighbour's garage both have windows to the rear elevations.

9.4 Highways

WC Highways have considered the proposed development and subject to appropriate conditions have responded with no objection. The proposal will not detrimentally affect highway safety.

10. Conclusion

The proposed development conforms to the objectives of core policy 57 of the Wiltshire Core Strategy and the aims of the NPPF. Therefore, the Local Planning Authority considers that planning permission should be granted.

Officers note that the proposed two storey and single storey extensions would be built up against the neighbour's single storey rear extension. The applicant is advised that they may be required to enter into a party wall agreement with the neighbour.

RECOMMENDATION

It is recommended the application be approved, subject to the following Conditions:

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application Form

Floor Plans/Elevations/Location Plan (Existing) Date rec. 19/01/17

Drg. no. 02.1 Floor Plans/Elevations/Roof Plan Date rec. 19/01/17

Drg. no. 4.4 Garage (Proposed) Date rec. 19/01/17

REASON: For the avoidance of doubt and in the interests of proper planning.

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area.

4) The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

5) No part of the development hereby permitted shall be first brought into use until the access and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety

7) Before the development hereby permitted is first occupied the rear windows in the north elevation of the detached garage shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

INFORMATIVE

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

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