

REPORT FOR WESTERN AREA PLANNING COMMITTEE

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| Date of Meeting | 23 rd October 2019 |
| Application Number | 19/02724/FUL |
| Site Address | No.212 The Common Holt BA14 6QN |
| Proposal | Proposed two-storey extension and replacement roof to rear and associated internal works. |
| Applicant | Mr & Mrs S Thornton-Norris |
| Town/Parish Council | HOLT |
| Electoral Division | Cllr. Trevor Carbin |
| Grid Ref | 386681 162310 |
| Type of application | Full Planning |
| Case Officer | Jemma Foster |

Reason for the application being considered by Committee

Cllr Carbin requested that should officers be minded to support this application, it should be brought before the elected members of the area planning committee to consider the following matters:

- The scale of the development
- The relationship the proposal would have with adjacent 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

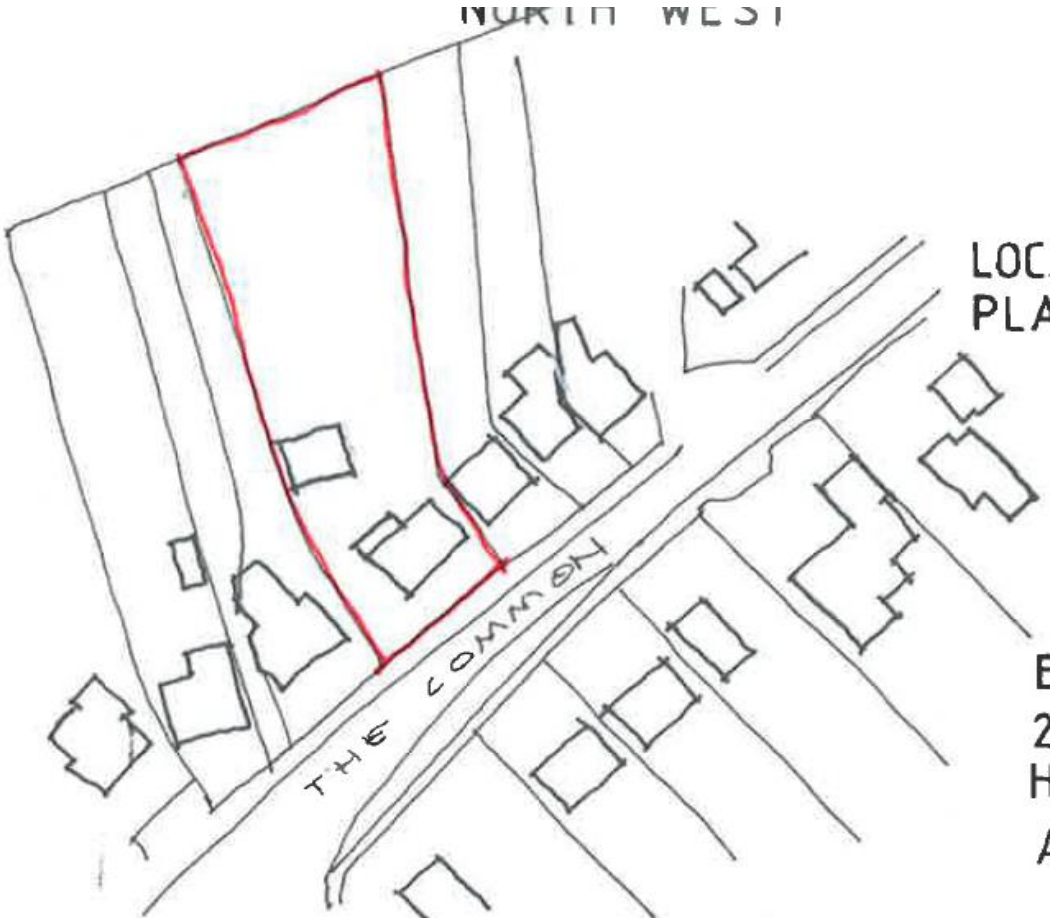
The main issues discussed in this report are the *principle of development, design issues, the impact on the immediate area, impact on amenity, and highway and access considerations.*

3. Site Description

The site is located within the Limits of Development of Holt, which is a designated large village as defined within the adopted Wiltshire Core Strategy. The application site is accessed off the north-west side of the B3107, the main arterial road running through the village.

The area surrounding the site is predominantly defined by two storey detached Victorian dwellings set back from the road with some being elevated above the road level. There is a mix of styles and types of properties along The Common ranging from bungalows to detached two storey dwellings which are finished in a variety of materials. The immediate site context is characterised by property wall elevations being primarily constructed from bath stone although there are some examples of render and brick in the vicinity. Whilst the roof of the host property is finished in slate, there are examples of pan-tiled and concrete tiled roofs nearby.

To the rear of the properties within the immediate vicinity of the site, there are numerous extensions finished in bath stone, re-constituted bath stone blocks, timber cladding and others in render. The host property benefits from a relatively large rear garden which is illustrated below.



The application site is a detached, double fronted period property elevated above the road level with the driveway running along the side of the property leading to a double flat roofed garage located within the rear garden. The side wall of the garage shares a boundary/ party wall with the adjacent dwelling, number 211 The Common.



The existing dwelling is a two-storey building with an asymmetrical roof design. Fronting the highway, the property has a traditional two storey façade, however to the rear, the property has an extended rear roof creating a one and half storey façade – as illustrated below. The single storey lean-to rear addition shown above is also not original.



The dwelling is set at a slight angle to the road and has a long rear garden which replicates the width of the dwelling and driveway combined and runs in a northerly direction away from the dwelling, which results in the garden running behind the neighbours' property (No. 213). The rear garden is laid to lawn with a number of mature trees. The boundaries of the site are defined by close boarded fences at approximately 2 metres in height.

The property is not a listed building and is located outside of the Holt Conservation Area.

4. Property Planning History

W/82/00638/HIS Alteration, improvements and erection of double garage – Approved with Conditions 20.07.1982

W/97/00240/OUT Erection of three houses and garages at No's 211-212 The Common Holt – Application Withdrawn 08.05.1997

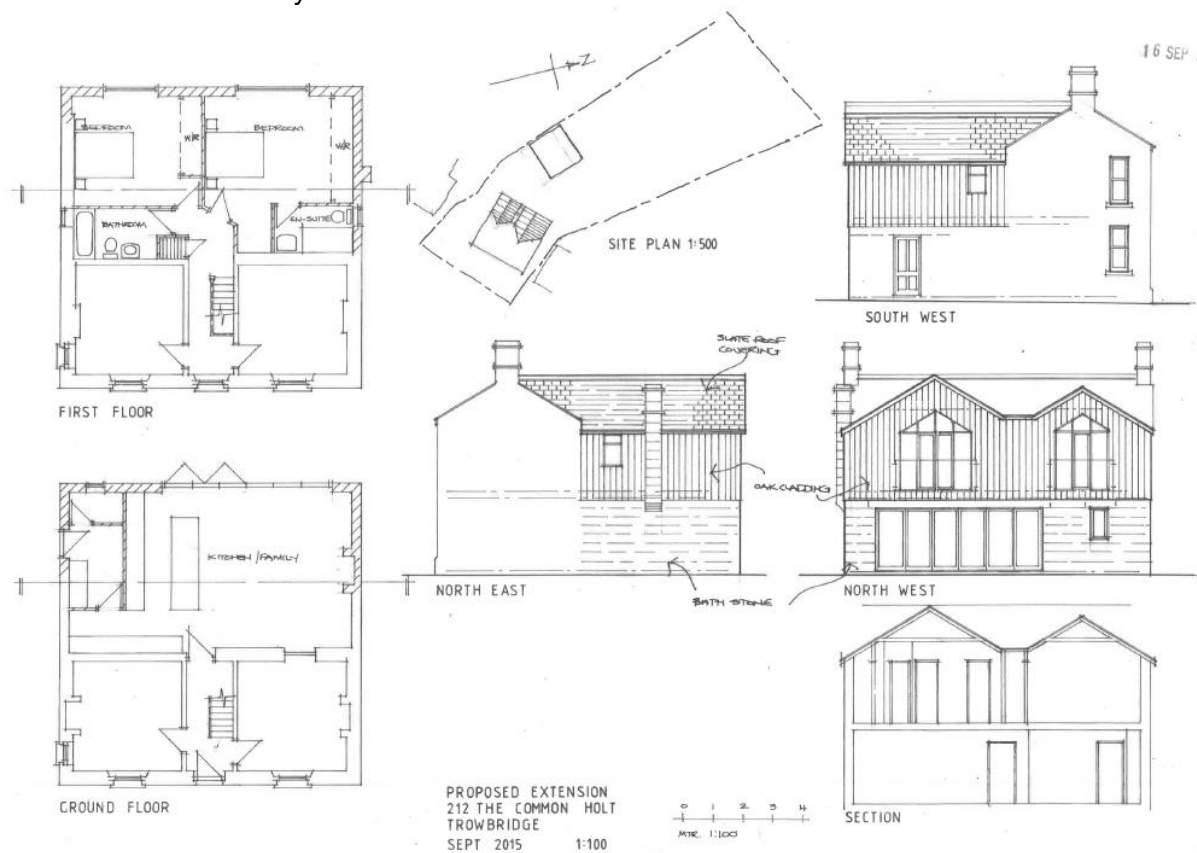
W/97/01210/OUT Erection of two detached houses with two single garages plus one single and one double garage together with associated access drive on land to the rear of No's 211/212 The Common, Holt – Application Refused 13.11.1997

15/09224/FUL Two storey rear extension - Approved at Committee 04.02.2016

In 2015 the Western Area Planning Committee granted permission for a two-storey rear extension which would replace an existing single storey lean-to and extends it by approximately 50cm beyond the existing footprint. The approved application would create a two-storey element that would extend approximately 2.8 metres and run the width of the property.

The extension would have two gables perpendicular to the main roofline; one with a ridge height that matches the main roof and one slightly lower. The extension would be finished using bath stone at ground floor level and oak cladding around the first floor with slate roof tiles. The first-floor windows would be large with a "Juliet" balcony serving the enlarged bedrooms to the rear. The overall number of bedrooms within the property were not to be increased as part of this proposal.

Below is an extract of the elevation, floor and location plans for the proposed extension granted permission on 3 February 2016.



Since planning permission was given for the above proposal, the property has been sold and the 2015 application was not implemented; and, the consent is now time expired.

5. The Proposal

As far as this present application is concerned; and, following negotiated revisions which were submitted in early September, the applicant proposes to erect a two-storey extension with the same dimensions as the previously approved 2015 application with the addition of a single storey rear extension. The initial proposed alterations to the existing garage were also deleted from the application.

At the ground floor level, the existing studio would become part of the family/kitchen area and the new space would be converted to a living room. At first floor level, the new space would provide space for a new bedroom and en-suite. The applicant would also undertake internal

alterations comprising the provision of a relocated bathroom, landing and access to the new bedroom. The property would remain as a 4-bed dwelling.

The applicant proposes to use reconstructed stone for the side elevations and render on the rear elevation under a slate roof which differs from the previously approved application.

An extract of the proposed plans is illustrated below:



6. Local Planning Policy

The adopted Wiltshire Core Strategy (2015): CP1 Settlement Strategy; CP2 Delivery Strategy; CP7 Bradford on Avon Community Area (Holt); CP57 Ensuring High Quality Design and Place Shaping; CP61 Transport and Development; CP64 Demand Management.

The Wiltshire Car Parking Strategy

The made Holt Neighbourhood Plan (2016)

The National Planning Policy Framework (NPPF) (2019) and Planning Practice Guidance

7. Summary of consultation responses

Holt Parish Council: No comments.

Wiltshire Council Highways Department: No objections. The property would remain a 4-bed dwelling and the existing parking arrangements and vehicle access would not be altered as part of this application, I therefore wish to raise no highway objection.

8. Publicity

A site notice was displayed on the telegraph pole at the front of the dwelling on the 11th September 2019 and the immediate neighbours were written to with information regarding the amended application. As a result, 3 letters of objection were received on the original plans and the same three neighbours submitted objections to the amended plans – which can be summarised as follows:

Principle of Development

- Infill business development in a residential area is inappropriate - this should be a residential to commercial application.
- One business is already being run from 212 The Common, with frequent customers.
- Plans do not accurately detail the current layout.
- The block plan is incorrect and shows the plot larger than it is; 211 has rear access and has a rear extension and conservatory which is not shown on the plans.
- The neighbourhood plan (particularly H3.1) does not advocate this type of development

Design

- The size and scale of the proposed house extension is not in keeping with the Victorian stock along 'The Common'.
- Building proposal is so large and will visually impact the immediate countryside and will be overbearing and will not protect village life.
- The extension will measure 3.3 metres to the rear and 4 metres in width to a height of 6 metres (the same as the current ridge height). This is 30% larger than the original dwelling.
- The materials used will have the extension a hard look and will not blend in with the existing housing stock
- The roofline is changing so much that the height of the roof will take away all of our natural light.

Neighbouring Amenity

- Daylight and privacy for nos. 209, 210, 211 and 213 will be compromised.
- Two storey office block will cause lack of privacy, overshadow neighbouring gardens.
- The garage is built on the boundary, the increase in height from 2.6 metres to 5.5 metres along with an office at first floor will be overbearing and cause a loss of light and privacy.
- A window on the south elevation will overlook my bedroom window
- The large new windows on the north west elevation at first floor will add light to the property but will take away our right to privacy and quiet enjoyment of my garden

Highways

- One car parked on the road causes traffic congestion – dangerous at rush hour and school times - another business being run from home will significantly impact the parking.
- Request a visit from the Case Officer to the application.
- The Holt Neighbourhood Plan does not allow for backland development with unsuitable access.
- The extension due to the size, mass, bulk, height and close proximity will result in an overbearing, overlooking and loss of privacy.

Other Matters

- A tree house is also being built which looks directly into my house.
- The plans are not professional

9. Planning Considerations

9.1 Principle of Development

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1.1 Adopted WCS Policies CP1 and CP2 set out the Council's strategic plan in terms of targeting and delivering development in sustainable locations. This proposed development is classed as a minor householder application located within the established residential curtilage of the existing dwelling within the village of Holt.

9.1.2 There is no in principle objection to the proposed development.

9.2 Design Issues and Impact upon the Immediate Area

Core Policy 57 of the Wiltshire Core Strategy states that “[a] high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.”

9.2.1 Policy H2.1 of the Holt NP requires “all development to demonstrate good quality design... and respect the character and appearance of the surrounding area”.

9.2.2 The proposed extension would be a complimentary modest addition to the existing detached property. At the time of the 2015 application, officers argued that the two-storey rear addition would not represent a disproportionate extension to the dwelling – which was accepted by the committee in February 2016. Whilst this fresh development proposal would include provision of a single storey rear extension, it would not be out of keeping, constitute as overdevelopment or be harmful.

9.2.3 The proposed two-storey extension would be appropriately finished with reconstructed stone on the side elevations and render on the rear elevation with a slated roof. It would be appropriate and necessary to secure a sample of the reconstructed stone and confirmed render – which can be imposed by a suspensive planning condition along with conditioning the slate material to ensure it is all appropriate to its setting. The proposed use of materials have been cited as a concern through the received objection letters. However, officers are satisfied that the proposed use of materials would not result in any harm. It is also necessary to acknowledge that there was a mix of materials for the previously approved extensions which included the use of timber and render. The proposed use of reconstructed stone would be similar to the existing stone and there would be some design betterment when compared to the previously approved application which allowed for natural stone at ground floor and timber at first floor level.

9.2.4 Concerns have been raised regarding the proposed ‘large’ windows on the rear elevation. These windows would however be smaller than the previously approved windows and the plans also comprise the removal of the previously approved Juliet balcony. The windows although materially different to the front fenestration, are considered acceptable in design terms and there would be no substantive harm to immediate neighbours.

9.2.5 The proposed two storey and single storey rear extension would acceptably juxtapose with the existing dwelling. The proposed extension would be a subservient rear extension screened from the road and would not harm the character of the area.

9.3 Residential Amenity

The proposed two-storey extension would not adversely impact upon neighbouring amenity in the form of overlooking, overshadowing or overbearing as it is exactly the same as that previously approved. The February 2016 committee report for the previously approved application (pursuant to the two-storey extension) stated the following which equally applies to this application:

9.3.1 The two properties located either side of the proposed extension are No.211 and No.213. Property No. 210 forms a semidetached unit to No.211 and lies to the southwest of this dwelling. Property No.209 lies again to the southwest of No.210. As described above, the layout of the gardens along this street mean that the gardens start to run behind those of the neighbouring properties, for example the garden of No.209 runs behind No.210; and, the garden to No.210 runs behind No.211 and so on (reference site location plans below).



OS Plan down load from SAMS



Extract from applicants Site Location Plan

9.3.2 The proposed extension would project off the rear of No.212 and would enhance the size of the existing bedrooms that face the rear garden at present. Directly behind the host dwelling is an existing large single storey double garage which would provide a degree of screening from any potential overlooking from the rear elevation of No.212 over any neighbouring properties gardens. No. 209 is displaced from the application site by two dwellings and No. 210 is displaced by one dwelling. As such, the potential for any degree of impact is minimal. This is equally the case for the rear amenity space of No.210. It is therefore considered that the concerns raised about loss of privacy to these two properties amenity space, would be inconsequential and it would not substantiate a robust reason for refusal.

9.3.3 Following a direct line of sight from the rear elevation of the proposed extension to the boundary of No.211, there would be a distance of approximately 15.5 metres. Bearing in mind that there is a large double garage directly in between the rear elevation and site boundary, it is again argued that there would not be a significant detrimental impact on the privacy of the neighbouring garden to justify a refusal. With regards to garden space of No.213, this area of land angles away from the proposed extension and there would be no direct overlooking from the proposed development into the amenity area of that property.

9.3.4 No. 212 has three windows facing out over the applicant's garden serving two bedrooms and a bathroom. With this existing arrangement in mind, officers submit that the proposed

development would not result in a situation substantially different to what exists at present. It is therefore concluded that overlooking from the rear elevation is not grounds for refusal.

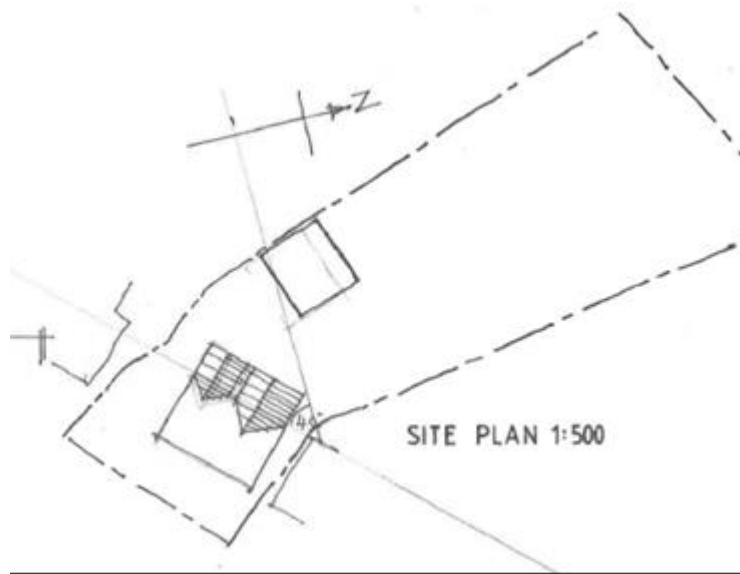
9.3.5 Turning to the side elevations, the proposal would create a new window in either side elevation for two bathrooms. Both of these windows are recommended to be conditioned to be obscure glazed. The window to the north-east elevation, facing No.213, would be directly opposite the one and half storey element to the rear of No.213 and would not create any overlooking of the neighbouring property or its amenity area. Turning to the elevation facing No.211, there is existing first floor bedroom window. Also, there are existing windows and openings facing towards the application property including at first floor level overlooking into the amenity area of the applicants dwelling.



A view towards No. 211 (in the middle ground of the photo)

9.3.6 Officers duly submit that the proposed extension would not create any greater level of harm compared to what exists at present. In response to the overbearing concerns which have also been raised by neighbours, officers report that the separation distances between the host property and proposed extension when compared to the neighbouring properties (No's 209 and No 210) and acceptable and there would be no significant impact to warrant a refusal.

9.3.7 The proposed two-storey extension that would site adjacent to No.213 would create the biggest change to the built form. Planning guidance offers a general rule of thumb to assist the appraisal and determination of these types of applications to specifically help understand the potential impacts on neighbouring properties. With reference to the 45-degree rule, the following plan illustrates how by applying the 45-degree test to the neighbouring property windows at No.213 the proposed development would not compromise the rule of thumb and officers are satisfied that the rear extension would not result in harm to the immediate neighbouring property.



Plan showing the 45-degree rule

9.3.8 With regards to the potential for impact on No.211, whilst the owner's outlook would be altered by having an extended rear structure built off the host property facing their side door, the outlook change would be largely appreciated within a small part of the neighbouring garden. It is also important to fully appreciate that there is no right to a view across third party land and officers would respectfully argue that within urban locations such as towns and villages, it is a well-established characteristic for some properties being located in relatively close proximity to neighbouring dwellings. This application does not propose to close a gap between properties; and, it is important to record that the primary openings of the dwelling at No 211 are found to the front and rear elevations and would remain unaffected by the proposed development.

9.3.9 In regard to overshadowing concerns, the orientation of the dwelling and the neighbouring properties, there already exists at present a degree of overshadowing of the amenities of the neighbours and site. The two-storey extension would result in a minimal increased overshadowing for a certain part of the day at certain times of the year. It would not however be significant, and nor would it adversely harm the enjoyment of the amenities or facilities of the surrounding properties to justify a refusal. Officers have given due regard to garden orientation and the separation distances between the proposed extension and the site boundaries (whilst acknowledging the slope of the roofs project away from the boundaries); and officers duly submit that the proposed extension would not result in an oppressive form of development and nor would it cause adverse overbearing impacts on the occupiers of the neighbouring dwellings.

9.3.10 The proposed single storey extension would not overlook, overshadow or overbear neighbouring properties to their detriment. The proposal is therefore considered to comply with CP57.

9.4 Other Matters

The professional quality of the plans is not something that can be taken into consideration when assessing the application. Officers are satisfied that the plans are sufficiently clear and detailed to enable an informed decision to be made on this application.

9.4.1 Concerns have been raised regarding the plans being incorrect – namely the block plan failing to include extensions on neighbouring properties. In response to this, members are advised that the case officer has visited the site and is aware of the existing relationships the host property has with neighbouring properties and the juxtaposition with completed extensions; and this report sets out the officers full and an appropriate assessment.

9.4.2 Concerns have also been raised regarding a tree house being constructed in the garden and that the allegation that there is a business being run from the host property. The tree house does not form part of this application submission; and as such, it would be unreasonable to take it into consideration when making a determination on this application. Any concerns regarding a business being run from the property that would result in a change of use or any other unauthorised works at the property are separate matters that require an investigation by the planning enforcement team.

9.4.3 Policy H3.1 has been cited by an objector as to how the proposal fails to comply with the Neighbourhood Plan. Policy H3.1 is however a policy that applies to infill housing. This application is clearly not an infill house proposal and basing a refusal on such a policy would be unreasonable.

10 Conclusion (The Planning Balance)

The proposal would represent a modest extension to an existing dwelling that would be built with appropriate materials that not have an adverse impact upon neighbouring amenity. As such it is recommended for approval.

11 RECOMMENDATION: APPROVE 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. No development shall commence on site beyond slab level until the exact details and samples of the materials to be used for the external walls have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

3. The slate to be used in the development hereby permitted shall match the existing building in terms of their material, colour, texture, profile and pattern of laying.

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

4. Before the development hereby permitted is first occupied the windows in the North East elevation and South West Elevation serving the bathroom and en-suite shall be glazed with obscure glazing only and 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.

5. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans annotated as Existing, Proposed Extension received by the Local Planning Authority on 3rd September 2019.

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