

Date of Meeting	2 July 2014
Application Number	14/03465/FUL
Site Address	93 Victoria Rd, Trowbridge, Wiltshire
Proposal	Proposed extensions
Applicant	Mr David Clarke
Town/Parish Council	TROWBRIDGE
Ward	TROWBRIDGE PAXCROFT
Grid Ref	386704 158559
Type of application	Full Planning
Case Officer	David Cox

Reason for the application being considered by Committee

This application has been called in at the request of Councillor Stephen Oldrieve to consider the size of the proposed extension and its impact on neighbouring amenity.

1. Purpose of Report

To recommend that the application be approved.

2. Report Summary

The proposal would not be an overdevelopment of the site and would have an acceptable impact on neighbouring amenity and the character and appearance of the adjacent conservation area.

3. Site Description

No. 93 Victoria Road is a large detached dwelling located within a residential cul-de-sac comprising of only 6 dwellings. Each dwelling is fairly large set within good sized plots. No. 93 is located on the entrance of the cul-de-sac off Victoria Road but also has a long boundary with Hilperton Road.

The application site is not located within the Conservation Area, but is immediately adjacent to it with its boundary being on both Victoria and Hilperton Road. There is a Cooper Beech Tree within the application site that is also outside of the Conservation Area. No. 93 is well screened from both Hilperton and Victoria Road and the dwelling is set a good distance back from the access road into the cul-de-sac.

4. Planning History

No relevant history.

5 The Proposal

The proposal comprises a garage extension on the front elevation and a single storey side elevation extension.

Following receipt of concerns raised about the impact the original proposed development would have upon the existing copper beech tree, the applicant deleted the previously proposed summerhouse and re-building of the boundary wall elements of the application.

6. Planning Policy

West Wiltshire District Plan (WWDP) 1st Alteration 2004 – Policies C17 – Conservation Areas, C31a - Design and C38 - Nuisance.

The Emerging Wiltshire Core Strategy (eWCS) especially strategic objective 5 – Protecting and Enhancing the Natural, Historic and Built Environment; and Core Policy 57 – Ensuring High Quality Design and Place Shaping.

Government Guidance – The National Planning Policy Framework (NPPF).

7. Consultations

Trowbridge Town Council – Objects on the grounds of overdevelopment and the extension would be beyond the existing building line at the front of the building. There are also concerns about a copper beech tree, which if built close to could suffer. The Town Council requests that a tree preservation order be placed on it and that this application is called in.

Tree Officer – Following the deletion of the summerhouse proposal, the development would not detrimentally affect the copper beech tree and therefore there are no additional tree comments to make.

8. Publicity

The application was advertised by site notice and individual neighbour notifications and expired on 10 April 2014.

6 Letters of objection were received raising the following concerns:

- The garage section protrudes beyond the natural building line of the existing property and neighbouring property. There are 5 properties in the close and with No 93 being the first; the protrusion would affect the visual aspect of the other 4 houses.
- The proposal would be completely out of keeping with the street scene.
- The proposal would represent an overdevelopment of the site.
- The proposal would block light to No. 91 and its front patio.
- The garage extension would be ugly and overbearing on No. 93.
- Three mature trees have been pulled down and the front garden paved over. Did this require planning permission?
- This could result in more noise as the applicant works from home and has a constant stream of workmen to the property.
- Previous works have resulted in blocked driveways.

9. Planning Considerations

Principle of Development:

9.1 Residential extensions are broadly supported by WWDP Policy C31a subject to the design and impact on the street scene being acceptable.

9.2 Neighbour notifications have raised issues regarding home working and workmen visits however; small businesses (where there is no material change of use) are allowed to be run from homes without the need for planning permission. No formal complaint has been made to

planning enforcement to investigate whether the current activity requires a planning application. Any blocking up of a shared driveway is a civil matter between the relevant landowners and such matters cannot influence the determination of this application.

9.3 The driveway which is referenced by objectors is formed of mostly shingle which is a porous material that will provide adequate drainage. For the avoidance of doubt, this did not require planning permission and cannot influence the determination of this submission.

Impact on the Host Building and Street Scene:

9.4 No. 93 is a large dwelling comprising of a main two storey section with a projecting subservient gable end section of the front elevation. On its side elevation there is a subservient double garage with a bedroom above.

9.5 The proposed garage extension would remain subservient to the existing garage although it would project 7 metres from the existing front wall. This would be approximately 3 metres further than the existing front elevation gable end projection. The garage extension would still be set back about 4.5 metres from the shared cul-de-sac access road.

9.6 On entering the cul-de-sac, the proposed extension would enclose No. 93 from the rest of the street but it would not build right up to the edge and would not be of a height or size to have an overbearing / dominant impact. The cul-de-sac would retain its overall open characteristics and appearance.

9.7 The proposal would not represent an over development of the site as the footprint of the dwelling would still be less than 50% of the total plot.

9.8 The side extension on the south western elevation would be fairly long but would be a small addition screened from the majority of public views by the existing hedgerow and No. 93 itself.

9.9 The extension would be an appropriately scaled and subservient addition to the host building. It is acknowledged that it would be built forward of the existing building but this would not cause any substantive adverse harm.

Impact on the Adjacent Conservation Area:

9.10 The extensions would be largely screened from the Conservation Area by the existing hedgerow which is not proposed to be removed. Therefore the views into and out from the Conservation Area would not be harmed by this proposal. In any regard, it is not considered that the extensions would be harmful if they could be widely seen.

9.11 The neighbour consultation raised an issue regarding the removal of trees without permission. However, consent is not required for works to trees that are not subject to a Tree Preservation Order (TPO) or those outside of a Conservation Area. In relation to the Cooper Beech Tree, a site visit was conducted with the Council's Tree Officer who advised that the works to the Cooper Beech Tree have been carefully and sensitively carried out and to a high standard. Following the deletion of the summer house and re-building of the boundary wall from this proposal, there would be no substantive risk to the tree to necessitate the issuing of a TPO.

Impact on Neighbouring Amenity:

9.12 Objections have been received from No. 91 which is immediately to the north east of the application site; and it is recognised that this proposal would result in a 13.5 metre long wall

being built approximately 1 metre away from the boundary with No 91. The plans indicate that the boundary hedge belongs to No. 93 and would not be removed by the applicant. A condition is however recommended to be added to any permission to ensure the hedge is protected.

9.13 The proposed extension would be 3.1 metres to eaves and the existing hedge is approximately 2-2.5 metres tall. Therefore the actual increase in height over the hedge would be minimal. The roof would then slope away from No. 91. It is not considered, as the site visit photographs illustrate, that the proposed extension would have an overbearing or un-neighbourly impact on No. 93. This is because it would not be of a height or close enough to have a harmful impact.

9.14 In terms of overshadowing, this would only likely occur from approximately 3pm in summer months and from 1pm in winter months. The overshadowing would only extend over the hedge and No. 93's front driveway and double garage. The front patio of No. 91 would be too far away to be directly overshadowed and there would be sufficient distance to still allow for a good level of natural daylight. Therefore the level of harm would not be sufficient in which to warrant the refusal of the application.

9.15 The first floor of the garage would have a games room, which is considered to be habitable floor space having 3 velux roof lights facing No 91. The velux roof lights would predominately look out over the front driveway which is also visible from the access road. The garage extension would block an existing bedroom window which faces the neighbouring plot; and it is therefore considered the overall impact of the velux windows would be neutral. Whilst No 91 has a fairly well screened front patio, only one velux roof light would have a view of it, but it would not be sufficiently harmful in which to refuse the application.

10. Conclusion

The proposal would result in the enlargement of the dwelling, building forward of its existing elevations, but it is not considered that it would be of an inappropriate or unacceptable size or height; and it would not cause harm to the appearance of the street scene or adjacent Conservation Area. The proposal would also not cause harm to neighbouring interests.

RECOMMENDATION

That planning permission be granted 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 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.

- 3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of all trees/hedgerow to be retained, together with measures for their protection in the course of development;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the extensions or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

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

Site Plan - Received 27 March 2014
Revised Block Plan - Received 17 June 2014
Drawing 0028/14/C - Received 27 March 2014
Drawing 0028/14/D - Received 27 March 2014
Drawing 0028/14/E - Received 27 March 2014
Drawing 0028/14/F - Received 27 March 2014
Drawing 0028/14/G - Received 27 March 2014

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