

<b>Date of Meeting</b>	27 <sup>th</sup> November 2013
<b>Application Number</b>	13/02371/FUL
<b>Site Address</b>	57 Damask Way Warminster Wiltshire BA12 9PP
<b>Proposal</b>	Two storey side extension, conversion of garage to domestic room
<b>Applicant</b>	Mr and Mrs L Fullaway
<b>Town/Parish Council</b>	WARMINSTER
<b>Grid Ref</b>	387540 144292
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Carla Rose

### Background

Members will recall that this application was deferred at the last meeting of the committee on the 6<sup>th</sup> November 2013 for members to undertake a site visit.

The site visit will take place before the meeting on 27<sup>th</sup> November 2013.

Members also requested further information on the application for the report. Clearly, the site visit will be the most useful aid to members in assessing the impact of the proposal on the amenity of the adjacent property and on the appearance of the area, which are the two issues pertinent to this application.

However, although it was claimed at the meeting that the extension would be 7 metres in height at a distance of only 1.5 metres from the boundary fence with the neighbour, this is confusing two different measurements. The extension is close to the neighbour's boundary at its south-east corner, but the 7 metre high point of the ridge is further away. To clarify orientation, the proposed extension lies to the north-west of the neighbour's house.

Finally, the plans propose that the first floor side window in the side extension will be obscure glazed. If following the site visit, members considered that the ground floor window in the side elevation would result in a significant loss of privacy to the neighbour, this could similarly be dealt with by a condition requiring this window to be obscure glazed.

### Reason for the application being considered by Committee

Councillor Humphries has requested that the application be called to the Planning Committee for the following reasons:

- Scale of the development
- Relationship to adjoining properties
- Design
- Siting of the drains
- Dominance of the building
- Loss of light

## **1. Purpose of Report**

To consider the above application and to recommend that planning permission be granted.

## **2. Report Summary**

The main issues to consider are:

- design issues and impact upon the immediate area
- impact on amenity
- highway and access considerations

## **3. Site Description**

57 Damask Way is detached house on an estate development and sits amongst other detached dwellings. The site is located at the end of a cul de sac and is set back from the street frontage. The site has an existing vehicular access.

## **4. Planning History**

W/13/00404/FUL - Two storey side extension, conversion of garage to domestic room – Withdrawn 03.05.2013

## **5. The Proposal**

The proposal is for the erection of a two storey side extension and the conversion of a garage to a domestic room. The extension is 4 metres in width and 5.185 metres in depth, with a ridge height 300mm below the existing ridge line. It is set back 2 metres from the front wall of the dwelling.

## **6. Planning Policy**

West Wiltshire District Plan 1st Alteration 2004 – policies C31a Design; C38 Nuisance

## **7. Consultations**

Wiltshire Council Highways – no objections

Warminster Town Council – object because of the siting of the drains, dominance, loss of light to neighbouring property and the accuracy of the plans

Wessex Water – No objection received. Advice on sewers provided

## **8. Publicity**

The application was advertised by site notice/neighbour notification. Expiry date: 26th August 2013.

Neighbourhood Responses – 2 letters of objection have been received with the following comments from the same neighbour (summarised):

- Extension would be imposing due to location, angle, height of land and levels. It was advised

that number 57 Damask Way is at a higher height than number 59 Damask Way.

- Visual balance of property interrupted
- Front elevation does not accurately show the appearance of the dwelling. It does not show the angle. Small wall to the front of the property is not shown accurately. The neighbour advised that they have not been notified about what would happen to this wall.
- Front elevation would be ugly and appear unbalanced
- First floor window is larger than ground floor window
- Extension would be the same size as a one bedroom terraced house
- Windows around corner of dwelling do not resemble existing design
- The cul de sac is a focal point
- Opaque glazing would be harmful to the design of the estate
- Overlooking of garden and conservatory from ground and first floor window as the extension would be higher than the neighbours
- Overlooking from ground floor windows
- Opaque glazing will still give a feeling of overlooking and could be changed to clear glazing at a later time
- Downstairs window will overlook garden and conservatory because the extension will be at a higher height
- A 2m high fence would need to be constructed to avoid overlooking which would be expensive.
- Loss of light to garden and conservatory in the evening and late afternoon from Spring to Autumn. Seating area would be in the shade
- Supplementary Planning Guidance states that 10m should be between extensions and gardens, but plans show 5.5m
- Loss of privacy
- Concerns regarding car parking because a three bedroom house is proposed to be changed to a five bed room house. No extra parking is proposed and there is no off street parking
- There is already congestion and this would be exacerbated.
- 2m high wall between properties does not exist.
- Small wall to front of property is not as high or wide as indicated on drawing and is owned by number 57 Damask Way and 59 Damask Way.
- Chimney not shown on all drawings.
- Nuisance from the smoke of the chimney.
- Drain problems in area
- No objections were raised regarding the garage conversion

## **9. Planning Considerations**

### **9.1 Design issues and impact upon the immediate area**

It is considered that the proposed extension would not have an adverse impact upon the character of the existing dwelling and the street scene because the proposed extension is set back from the front elevation of the dwelling with a ridge line lower than the existing. Revised plans show that the extension is no longer proposed to be at an angle, which would mean that the extension would be more in keeping with the host dwelling. Furthermore, matching materials are proposed to be used which would mean that the proposed extension would harmonise with the existing dwelling and its surroundings.

A neighbour raised concerns that the use of opaque glazing would be harmful to the design of the estate and that the first floor window would be larger than the ground floor window. It is not considered that opaque glazing would be harmful to the design of the estate because an opaque glazed window could be inserted at a later stage without the need for planning permission. The plans show the ground and first floor windows being the same size. Concerns were also raised that the visual balance of the property would be interrupted. For the reasons already discussed

this is not considered to be a concern.

For the reasons discussed above it is considered that the proposal complies with policy C31a

## **9.2 impact on amenity**

Due to the orientation and location of the proposed extension it is not considered that loss of light and overshadowing should warrant a reason for refusal as it would not be any worse than the loss of light and overshadowing caused by the existing dwelling.

It is not considered that the proposed extension would be overbearing because the extension is set in approximately 1m to the neighbouring boundary and approximately 8.1m to the neighbouring dwelling and because a pitched roof is proposed.

A first floor window is proposed in the side elevation of the dwelling serving a bedroom. The plans have been annotated to say that it will be a non-openable and obscure glazed which is considered to be acceptable to ensure it does not overlook the garden of 59 Damask Way.

A first floor window is proposed in the front elevation serving a bathroom. The plans have been annotated to show that this is proposed to be obscure glazed, which would prevent overlooking of the neighbours property.

For the reasons discussed above it is considered that the proposal complies with policy C38

## **9.3 Highway and access considerations**

It is recognised that the number of bedrooms is proposed to increase and that a garage is proposed to be converted. However, the plans show that there is space for three cars to the front of the property and therefore the Councils Highways Officer has recommended no objections. Furthermore, the garage could be converted under permitted development rights.

## **9.4 Other**

The location of the drains was raised as a concern. If the extension is proposed to be built over any public drain it would be the applicant's responsibility to contact Wessex Water and relocate them.

A neighbour mentioned that a 2m wall does not exist between the properties and that the chimney is not shown on all plans. The plans indicate that there is a wall to the front of the property that was seen on site. No other boundary treatments are shown on the plans. Revised plans show the position of the chimney.

A neighbour advised that the small wall to front of property is not as high or wide as indicated on drawing and is owned by number 57 Damask Way and 59 Damask Way. The elevational drawings show that this wall is proposed to be set further back by approximately 0.4m. It is not reasonable to request further clarification on this because the applicant has signed certificate A to say that they own the land and because the wall is shown on the drawings.

## **10. Conclusion**

In conclusion it is considered that there would be no harm to the character and appearance of the dwelling or the street scene and that there would be no harm to neighbour amenity. Approval is therefore recommended.

**RECOMMENDATION: Grant permission 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. The first floor windows in the southern elevation serving a bathroom and east elevation in the extension shall be obscured glazed prior to the first occupation of the extension hereby permitted and shall be so maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

4. The development hereby permitted shall be carried out in accordance with the following approved plans: PL01 E, PL02 E, PL03 E, PL04 E, PL05 E received on 27.08.2013

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

**INFORMATIVE:**

The applicant is advised of the following information from Wessex Water:

Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system. Sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and applicants should survey and plot these sewers on plans submitted for Planning or Building Regulations purposes. It will be important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact our sewer protection team on 01225 526333 at an early stage if you suspect that a section 105a sewer may be affected.