

Date of Meeting	20/05/2015
Application Number	15/01668/FUL
Site Address	221 Melksham Road, Holt, Trowbridge, Wiltshire, BA14 6QW
Proposal	Single storey extension to provide ancillary accommodation
Applicant	Ms Karen Morten
Town/Parish Council	HOLT
Ward	HOLT AND STAVERTON
Grid Ref	386756 162392
Type of application	Full Planning
Case Officer	Phil Baker

Reason for the application being considered by Committee

Councillor Trevor Carbin has requested that this application be determined by Members should officers be supportive of it and to allow Members to consider the following key issues:

- The design, bulk, height and general appearance of the proposal
- The relationship with neighbouring properties

1. Purpose of Report

To consider the above application and to recommend approval subject to conditions.

2. Report Summary

The main planning issues to consider are:

The Principle of Development
 Impact on Neighbouring Amenity.
 The Design, Scale and Visual Impact of the proposal.
 Impact on Trees.

3. Site Description

No 221 is a detached 4 bedroom dwellinghouse located on Melksham Road in Holt. The dwelling sits within a rather long but narrow plot and has its gable fronting onto the street. There are residential properties either side of the application site.

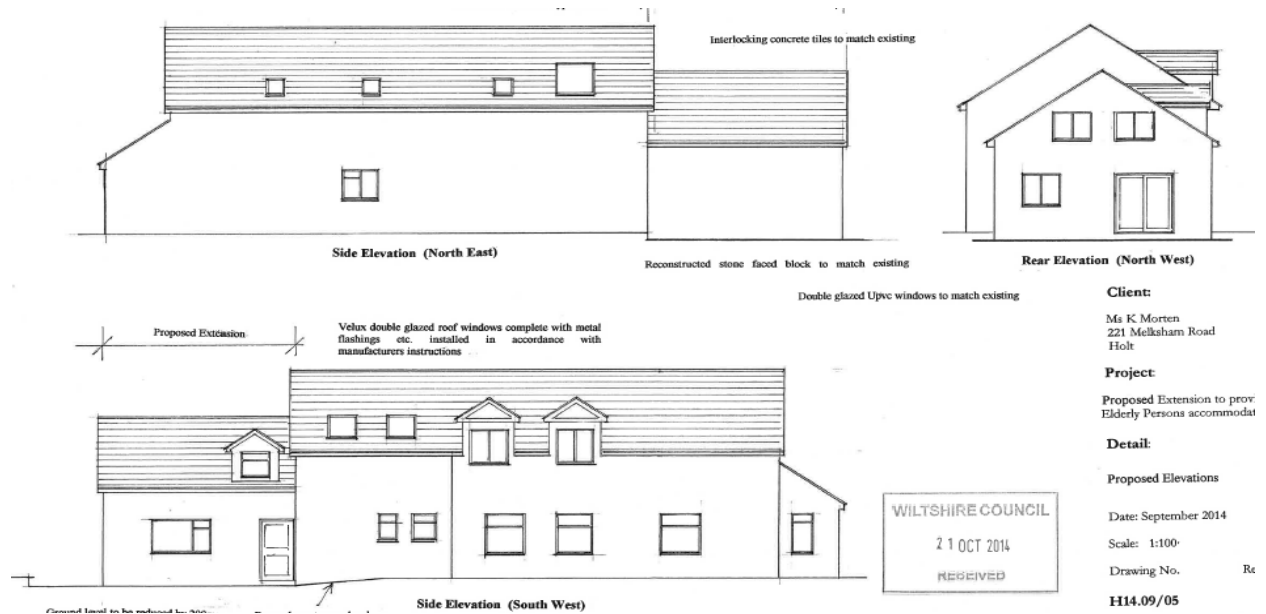
4. Planning History

14/04460/FUL was withdrawn by the applicant following officer advice due to concerns about the proposal and lack of information regarding surrounding trees.

14/09952/FUL – Two storey rear extension measuring approx 6.1 metres deep x 5.9 metres to the ridge sloping to 3.5 metres at eaves height was refused members at the 04/02/2015 meeting for the following reason:

"The rear extension by reason of its size, mass, bulk and height would result in a substantial addition to the dwellinghouse which accommodates a narrow plot; and it would lead to an unacceptable level of overbearing and overlooking to the immediate neighbours at No 220 and No 222 Melksham Road which would result in loss of amenity and privacy contrary to the requirements of Adopted Wiltshire Core Strategy Core Policy 57".

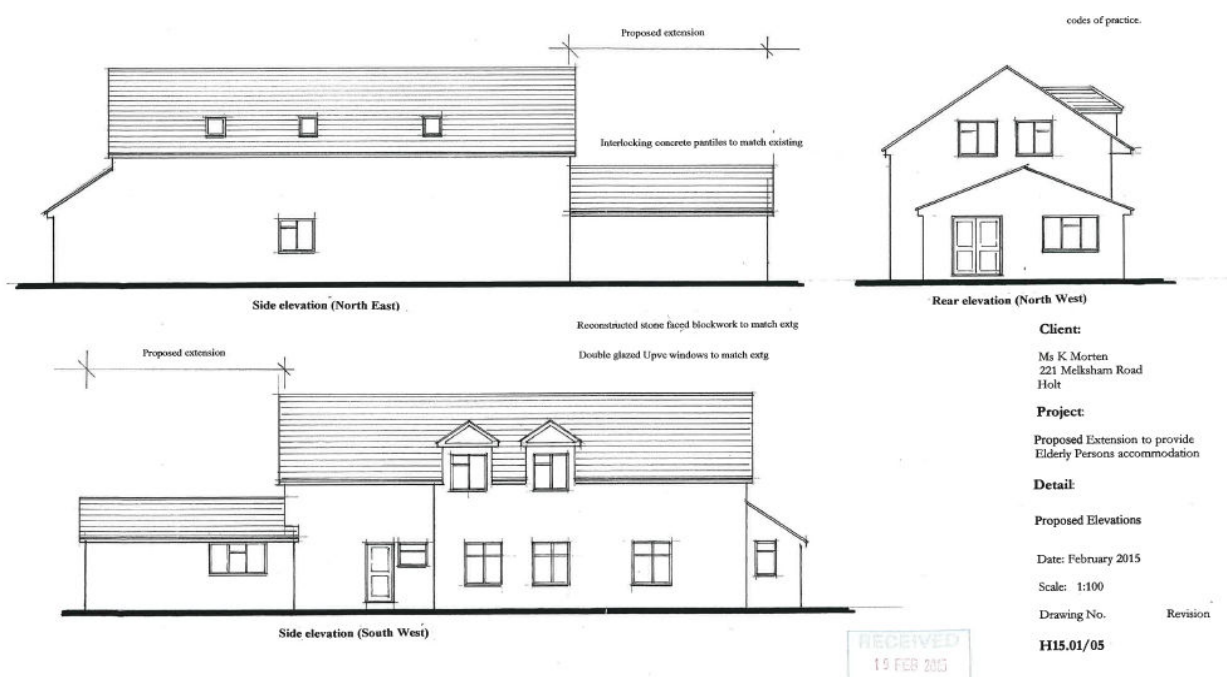
The plan drawing below illustrates the refused extension:

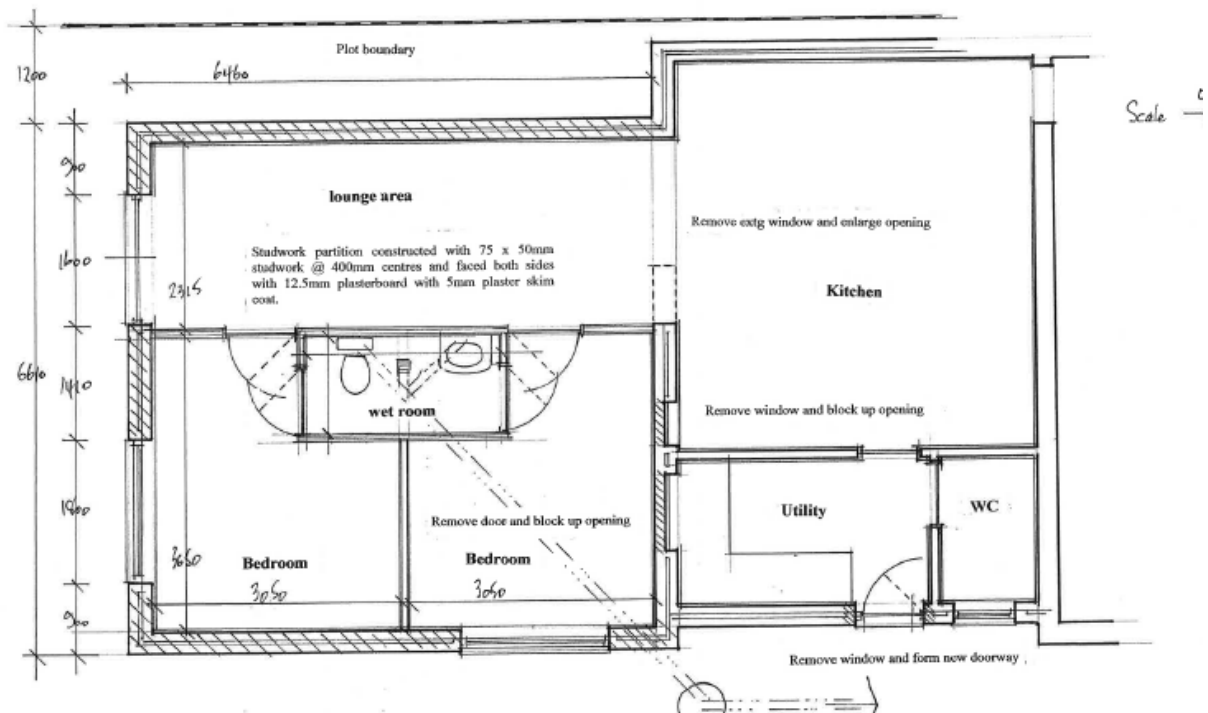


5. The Proposal

Following the above refusal, the applicants have reconsidered the proposals and have applied for a single storey rear extension comprising two bedrooms and a lounge measuring approx. 6.6m (deep) x 6.4m (long) and would be constructed from reconstructed stone with concrete pantiled roof and uPVC fenestration.

The extension is illustrated in the plan drawings below:





6. Planning Policy

Wiltshire Core Strategy (WCS) (adopted January 2015) CP57 – Ensuring High Quality Design and Place Shaping.

The National Planning Policy Framework (NPPF) also acts as a principal material consideration in the determination of planning applications. It introduces the presumption in favour of sustainable development at paragraph 14 as a 'golden thread' running through plan making and decision taking. Section 7 – Requiring Good Design is also a key relevance to this case.

7. Consultations

Holt Parish Council – No response to consultation.

Tree and Landscape Officer – No concerns raised and accepts the findings of the submitted tree survey. The nearby trees have a small diameter and would have an insignificant root system. Consideration should be given to the most appropriate type of foundation. The existing pad foundation of the old shed reduces the likelihood of any rooting in this area and therefore there would be little disruption to the existing hedge. The trees are young enough and adaptable to recover from any potential soil disturbance. From the time of the initial tree survey, there would be little extended root growth from the trees.

8. Publicity

One site notice was erected on a telegraph pole near the site/subject property; and individual neighbour notification letters were posted. Following the public notification, 2 letters of objection were received (one from each immediate neighbouring property) raising the following concerns:.

-The proposal would result in a huge 23m long building, over half the length of the plot with significant bulk. The appearance is more like a warehouse in the next garden rather than a house. The extension is even longer than the one that was refused.

- The resulting property will be completely out of character with the others in the road. The property was originally a small 2 bed bungalow and has already had multiple extensions, the

latest proposing to make it a 6 bed property. The plot is not wide enough to allow for a house of this size and the resulting design is ugly and mismatched.

- Due to the narrow plot the proposal to increase the size of the house results in a very long property. This means a lot of windows in the side of the house. Our property at 220 would be directly overlooked by 9 windows. This is unacceptable and will cause loss of privacy.

- The size of the proposed further development would overlap no.220 significantly causing an unacceptable enclosure, and loss of light into our garden and patio, loss of amenity and enjoyment of our own home and garden

- The proposed development does not seem suitable for elderly persons accommodation as it is badly laid out. A pure extension with more rooms for more people to live in will result in more cars, with 2-4 cars already frequently parked in front of the house. Since the access is onto a busy road then it would increase traffic and parking issues, and disturbance.

- The previous extensions on 221 have been started before planning was granted and altered as the work progressed. Neighbours are worried that this new work will start soon in order to force the acceptance of the plans retrospectively.

- This proposed overdevelopment is unsuitable, overbearing, out of keeping and will cause an unacceptable loss of privacy, light and amenity and stress to us, particularly in poor health, to enjoy our own home.

- The existing property already overlaps the neighbouring houses (on one side by 6m, on the other by around 15m) causing some loss of light, amenity and impinging on the view and aspect. Whilst a single story, the roof at 4m high would still be well above the 3m hedgeline and cause some overbearing impact, unacceptable sense of enclosure, additional shadow and loss of light.

- The additional proposed extension would cause further loss of light onto the patio and kitchen of no.222, as it would block the late afternoon sun as it falls, which would be obscured by the proposed extension, despite the slightly reduced height in the latest application.

- No. 222 would suffer loss of privacy as the proposed development rear windows would now look into our garden where the children play.

- The planning application again wrongly states that no hedges and trees will be affected. Any such further extension off the existing building at the rear and this close to the boundary line will be against my existing mature hedges on the property boundary – the revised proposal is only slightly set back. This will further damage, possibly kill them off; should they survive any such extension which will still be against them, preventing light on one side damaging their growth, survival and potential recovery from being over cut back.

- The previous application submitted an Arboricultural Impact Assessment & Tree Protection Plan which was incomplete and misleading - it completely ignores and does not include the largest tree in no.222's garden which is very close to the proposed development, not shown in the Plan and would also be directly impacted. The proposed 6m extension will be within 2m of this existing mature apple tree canopy and within 4m of the trunk, which will directly affect and damage the tree's growth and health. This would cut into the Root Protection Area of the tree, breaking British Standard BS5837 recommendations.

- The assessment also wrongly downgrades the classifications of trees making it appear more palatable – they should be at least Class B (trees of moderate quality, with a life expectancy of 20+ years) – not Class C as reported which places very little consideration or value on them.
- No. 222 disputes the Arboricultural Impact Assessment & Tree Protection Plan and its dismissal that the development area is compacted ground impervious to water and oxygen due to previous garden shed foundations (so would not impact the hedge root protection area) – which would be minor, shallow and pervious for a shed, do not cover the whole subject area and would still allow subsurface root growth.
- The development plans themselves contravene the Arboricultural assessment which states for effective tree protection “the following restrictions apply to construction exclusion zones: 1) No excavation or raising of soil levels is permitted in the tree root protection areas...”
- The revised development does propose to excavate and lower the existing ground level for the extension, further risking surface root protection areas, even were piled foundations and root barriers used as most suitable protection (which are not proposed).

9. Planning Considerations

9.1 The Principle of Development

As previously proposed, the applicant seeks permission to provide additional accommodation for elderly family members. In policy terms, there is no ‘in principle’ objection to domestic extension proposals provided it does not cause harm including neighbouring amenity. There are no policies within the recently adopted Wiltshire Core Strategy that prescriptively restricts the amount a dwelling may be extended by.

The key determining issue for this application is whether the proposed extension would cause demonstrable harm to the visual amenity of the area or substantively harm neighbouring amenity.

9.2 Impact on Neighbouring Amenity

By virtue of the height, bulk and position of the proposed extension, there would be substantive adverse harm on No 220 (to the west). During winter months, the sun rises over No 221 and then moves south past No 220, eventually setting in the west. Therefore no overshadowing would occur and No 220 would still receive all of its direct sunlight. In summer months, the sun would rise behind the extension but would rise higher in the sky and would be above the main ridge of No 221 by mid morning. As the extension would only be at a single storey level, it would only cause a minor amount of overshadowing, which would likely only overshadow the shed/ outbuildings of No 220.

There would be more of an impact on No 222 (to the east). During the winter, the low sun would set relatively in line with the extension which would cause some overshadowing. However during the summer, the sun would be much higher and should be well above the ridge of the extension, which would limit the level of overshadowing. Therefore on balance, whilst some overshadowing would occur, it would not be at a level in which to warrant the refusal of the application.

The impact on the level of natural daylight penetrating No 222 is difficult to quantify. However, due regard must be given to the existing level of vegetation and hedgerow planting along the existing boundary. It is considered that the extension would not cause a significant loss of daylight, more than the vegetation screening.

As far as overlooking and loss of privacy concerns are concerned, it is firstly important to duly acknowledge that the existing dwelling has upper floor windows in the rear (south-west) garden facing elevation. By virtue of the single storey form of the extension, the development would not create enhanced overlooking. No windows are proposed in the north-west side elevation. A ground floor bedroom window is proposed on the south-west elevation facing No 220. In recognition of the close proximity to neighbouring garden, a planning condition could be imposed to require the window to have obscure glazing to protect residential amenity and privacy.

Overall, officers consider that the proposal complies with CP57 of the Wiltshire Core Strategy adopted January 2015 and would not conflict with the NPPF.

9.3 The Design, Scale and Visual Impact of the Proposal

It is important to appreciate that this proposal differs from the application which was refused earlier this year. This application is for a single storey rear extension with no dormer. The materials to be used would be complimentary to the host building (i.e. reconstructed stone, concrete tiles and uPVC fenestration). Officers appreciate the concerns raised about increasing the size of the property set within a relatively narrow plot, sited close to both neighbouring boundaries. Officers are also fully aware that the existing dwelling extends beyond the rear walls of both neighbouring dwellings at No. 220 and 222. However, the rear extension would cause no substantive harm. The detailing and use of materials are acceptable; and officers submit that the proposed extension would not harm the dwelling house or be out of keeping with the local area.

Officers consider that the proposal complies with CP57 of the Wiltshire Core Strategy adopted January 2015 and would not conflict with the NPPF.

9.4 Impact on Trees

As reported above, the Council's tree officer raises no concern. Future tree growth should be anticipated and the foundation selection should be given due consideration at building warrant stage.

10. Conclusion

The proposed development is considered to be acceptable in principle and would not have a demonstrably unacceptable impact on residential amenity to warrant refusal; and as a consequence, the application is hereby recommended for approval subject to conditions

RECOMMENDATION – Approval subject to 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:

Location Plan received on 19/2/2015; DWG H15.01/01 received on 19/2/2015; DWG H15.01/02 received on 19/2/2015; DWG H15.01/03 received on 19/2/2015; DWG H15.01/04 received on 19/2/2015; DWG H15.01/05 received on 19/2/2015; DWG H15.01/06 received on 19/2/2015

REASON: To define the terms of this permission in the interests of good planning practice.

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 of those used in the existing building.

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

4. No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall specify whether the excavated materials are to be taken off site or are to be used on site. If the latter applies, the applicant shall be required to submit details and extent of any re-grading works, showing the relationship with existing vegetation, boundaries and levels. The development shall not be occupied until such time as the earthworks have been carried out in accordance with the details approved under this condition.

REASON: To ensure a satisfactory landscaped setting for the development.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no additional wall or roof openings, other than those shown on the approved plans, shall be formed within the development hereby permitted or on the host building unless approved by the planning authority under a separate application.

REASON: In the interests of residential amenity and privacy.

6. The development hereby permitted shall be carried out in full accordance with the recommendations contained within the submitted Arboricultural Impact Assessment & Tree Protection Plan.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

7. Before the development hereby permitted is first occupied, the bedroom window in the south western elevation shall be glazed with obscure glass [to an obscurity level of no less than level 4] and the windows shall be maintained or replaced with similar obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.