

Item No. 16

APPLICATION NUMBER	CB/17/01333/FULL
LOCATION	76 Elm Avenue, Caddington, Luton, LU1 4HT
PROPOSAL	Proposed two storey rear extension and single storey side extension
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	James Peck
DATE REGISTERED	16 March 2017
EXPIRY DATE	11 May 2017
APPLICANT	Mr Burton
AGENT	ADP Designs
REASON FOR COMMITTEE TO DETERMINE	The agent, Mr Perschky of ADP Designs, works within the Highways Development Management team for Central Bedfordshire Council.

RECOMMENDED DECISION **Full Application - Recommended for Approval**

Reason for Recommendation:

The principle of enlargements and alterations of an existing residential dwelling within the application site is acceptable. The development would not result in an unacceptable impact on the character of the area, have an adverse impact on the residential amenity of neighbouring properties or highway safety. Therefore subject to conditions, the proposed development is in conformity with Saved Policies BE8, H8 and T10 of the South Bedfordshire Local Plan Review 2004, Sections 1 and 7 of the Central Bedfordshire Design Guide 2014 and Sections 4 and 7 of the National Planning Policy Framework.

Site Location:

The application site consists of a two storey semi-detached dwelling with permeable hardstanding and a driveway to the front and north-eastern side of the application site respectively. The application site is located on the north-western side of Elm Avenue, Caddington, is attached to 78 Elm Avenue and is flanked by 74 Elm Avenue to its north-west and by 13 & 14 Edgecote Close to its rear.

The vicinity of the application site is comprised of two storey detached dwellings which have had various front and side extensions.

The Application:

Planning permission is sought for a two-storey side/rear extension and a single storey side extension.

The first floor rear element of the proposed two storey side/rear extension includes a dual-pitched roof with a rear-facing gable end, a roof light in its south-western side

roof slope, a window in its rear elevation and would measure 4.9m in height above ground level up to eaves, 6.5m in height above ground level up to its highest point along its roof ridge, 4.3m in width and 3m in depth.

The ground floor rear element of the proposed two storey side/rear extension would feature a mono-pitched roof, a set of bi-fold patio doors on its rear elevation and would have dimensions of 2.9m in height above ground level up to its eaves, 3.5m in height up to its highest point where it meets the rear elevation of the first floor rear extension, 5.95m in width and 4m in depth when measured from the rear elevation of the existing dwelling.

The side element of the proposed two storey side/rear extension includes a hip-to-gable projection off the roof of the proposed two storey rear element, two roof lights in its side roof slopes, a window in its rear elevation and would measure 4.9m in height above ground level up to its eaves, 6m in height above ground level up to its highest point along its roof ridge, 1.7m in width and 3m in depth.

The proposed single storey side extension would feature a mono-pitched roof with two roof lights inserted into this roof slope, a window on its north-eastern side elevation, a door and full height window on its front elevation and would have dimensions of 2.7m in height up to its eaves, 3.8m in height up to its highest point where it meets the north-eastern side elevation of the original dwelling, 1.8m in width and 4.8m in depth.

During the determination period for the subject planning application, revised plans have been sought and adopted to amend the design of the side element of the two storey rear extension from a flat roof to a pitched roof. The width of proposed rear extension has also been reduced and hence greater clearance from the shared neighbour boundary line with 78 Elm Avenue has been provided based on residential amenity concerns raised by CBC planning officers.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 1: Parking in new developments

Section 7: Requiring good design

South Bedfordshire Local Plan Review

BE8: Design Considerations

H8: Extensions to Dwellings

T10: Parking for new Developments

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, Policies BE8 & H8 are still given significant weight. Policy T10 is afforded less weight).

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the

NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

7 Householder Alterations and Extensions

Relevant Planning History:

None.

Consultees:

Caddington Parish Council (30/04/17) - The paper work presented does not match the descriptions on the drawings. The drawings state a loft conversion where you can clearly see the applicant is incorporating a loft conversion in the new extension. We feel that new descriptions are needed. Also the flat roof that is shown on the front elevation and can be seen down the side of the property from the road does not meet the street scene and blend with other properties. We feel that it could be more aesthetically pleasing if the applicant continued the pitched roof all the way across and all of road parking requirements are met. If these issues are resolved then we would have no objections.

Other Representations:

Neighbours - No response from the occupier of 74 Elm Avenue. The occupiers of other neighbouring properties adjoining the application site are still being consulted at the time of writing this report with the consultation due to end on 22nd June 2017. Any comments received will be reported to the Committee.

Considerations:

1. Design Considerations

- 1.1 Saved Policy BE8 of the South Bedfordshire Local Plan Review 2004 states that proposed development should, amongst other things, enhance and reinforce the character and local distinctiveness of the area and the design, massing and scale of any proposed development should compliment and harmonise its local surroundings, nor adversely affect public views into the application site. Saved Policy H8 of the South Bedfordshire Local Plan Review 2004 focuses on

residential development and insists that proposed extensions to dwellings should be designed in such a way as to relate acceptably in design, bulk and materials to the attached dwelling and maintain adequate separation between adjacent buildings including neighbouring properties. Section 7 of the Central Bedfordshire Design Guide provides detailed design guidance for residential development to support the above local planning policies. Proposed extensions should relate acceptably with the design, bulk and character of their host dwellings, appear as subservient additions to their attached dwellings and should not dominate the design of the host dwelling. Side extensions on semi-detached dwellings should also be designed to include at least 300mm set-back from the principal front elevation of the host dwelling, be set down from the maximum height of the host dwelling by at least 300mm and ideally be set in from any shared side neighbouring boundary line by at least 1m in order to avoid a 'terracing effect' from occurring between detached properties in the streetscene.

- 1.2 The proposed single storey and two storey side extensions would be visible from the public realm and there would only be a separation of 0.8m from the shared side boundary line with the detached property 74 Elm Avenue. However, given the fact that the proposed side extensions would be set back from the front elevation of the host dwelling, would not exceed the eaves or maximum height of the existing dwelling and there would still be adequate clearance from 74 Elm Avenue, on balance, the proposed side extensions would appear as subservient additions to the host dwelling and would not detract from visual amenity in the streetscene.
- 1.3 Overall the architectural style, materials and detailing to be utilised for the proposed development is deemed to be complimentary to the architectural design of the host dwelling. Such development would not result in over-development of the application site.
- 1.4 Therefore for the reasons outlined above and subject to the imposition of conditions that would ensure the external materials used are acceptable in the context of the site, it is considered that the proposed development would not cause harm to the character and appearance of the area, in accordance with Policies BE8 and H8 of the South Bedfordshire Local Plan Review, Section 7 of the Central Bedfordshire Design Guide and Section 7 of the National Planning Policy Framework and is therefore acceptable on design grounds.

2. Impact of the Proposed Development on Neighbouring Residential Amenity

- 2.1 Saved Policies BE8 and H8 of the South Bedfordshire Local Plan Review 2004 seek to ensure that no proposed development, because of its design, mass, bulk, fenestration and materials would result in unacceptable harm to the residential amenity of nearby properties which includes ambient light levels and visual amenity. Section 7 of the Central Bedfordshire Design Guide explains that a notional 45 degree eyeline will be utilised to assess the degree of infringement that proposed development would have on adjacent properties' owners residential amenity.

- 2.2 Revised plans submitted for the subject planning application show a 0.5m separation gap between the south-western side elevation of the two-storey rear extension and the shared side boundary line with attached property 78 Elm Avenue. Whilst the proposed two storey rear extension would marginally breach a vertical 45 degree eyeline when taken from the central position of the existing single storey rear extension at 78 Elm Avenue, the rear elevations of the host dwelling and the adjoining dwelling are north-west facing, the proposed extensions are modest in bulk and massing with pitched roofs and no windows would be inserted into the nearest side elevation of the proposed rear extensions. A notional 45 degree horizontal eyeline taken from the existing ground floor rear extension and the nearest first floor window on the rear elevation of 78 Elm Avenue would not be significantly occluded by the proposed development. It is considered that the proposed development would not be detrimental to the residential amenity currently enjoyed by the occupiers of 78 Elm Avenue with regards to overshadowing, loss of light, overbearingness, outlook or privacy.
- 2.3 A window is proposed to be inserted into the first floor north-eastern side elevation of 76 Elm Avenue which could result in mutual overlooking should a first floor window be inserted into the south-western side elevation of 74 Elm Avenue in the future. A planning condition stating that the proposed side elevation window for 76 Elm Avenue will be obscure-glazed and non-opening up to a height of 1.7m above floor level will be attached to any decision notice granting planning permission for the proposed development is deemed to help mitigate any potential impact that such development may have on the adjacent property. As the existing windows in the south-western side elevation of the adjacent property 74 Elm Avenue do not serve habitable rooms and as there is adequate separation between this adjacent property and properties to the rear of the application serving Edgecote Close, the proposed development would have no material impact on these neighbour's residential amenity.
- 2.4 Taking into account all of the above considerations, it is deemed that the proposal is in accordance with Section 7 of the National Planning Policy Framework, Policies BE8 and H8 of the South Bedfordshire Local Plan Review and Section 7 of the Central Bedfordshire Design Guide.

3. Car Parking and Highway Safety Considerations

- 3.1 The proposed development would result in the creation of one additional bedroom taking the total number of bedrooms serving 76 Elm Avenue to three. Section 1 of the Central Bedfordshire Design Guide states that the minimum number of off-street parking spaces that need to be provided for three bedroom semi-detached properties is two. Existing permeable hardstanding to the front of the host dwelling as well as a driveway along its north-eastern edge would be able to accommodate at least two vehicles clear of the public highway. It is also noted that Elm Avenue is a local residential road and is not a classified access route. Therefore, it is considered that the proposed development would be acceptable in the context of car parking and highway safety and so would be in accordance with saved Policy T10 of the South Bedfordshire Local Plan Review 2004, Section 1 of the Central Bedfordshire Design Guide 2014 and Section 4 of the National Planning Policy Framework.

4. Other Considerations

4.1 Consultation Comments from Caddington Parish Council

The comments submitted by Caddington Parish Council regarding the subject planning application have been noted. The proposed development would not include a loft conversion and only includes works to the ground and first floors of the host dwelling; and the proposed roof lights on the rear elevation of the proposed development serve the proposed first floor habitable space. Revised plans have been adopted during the determination period for the subject planning application which has amended the proposed flat roof of the proposed two storey side extension to a pitched roof. It is therefore considered that the Parish Council's comments regarding an inaccurate application description and the poor design of the proposed two-storey side extension have now been addressed.

4.2 Human Rights issues:

There are no human rights issues raised by this proposal.

4.3 Equality Act 2010:

There are no issues raised by this proposal that are pertinent to the Equality Act 2010.

Recommendation:

That subject to The Development Infrastructure Group Manager being given delegated authority for full consideration of any material planning considerations received from neighbour responses received in the remaining consultation period, that Planning Permission to be **GRANTED** subject to the following conditions:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The first floor window in the north-eastern side elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. No further windows or other openings shall be formed in the north-eastern first floor side elevation.

Reason: To safeguard the privacy of occupiers of adjoining properties.
(Policies BE8 and H8, SBLPR and Section 7, NPPF)

- 3 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.

(Policies BE8 and H8, SBLPR and Section 7, NPPF)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, CCB/002, CBC/003, MMAB-76EA-PA01 and MMAB-76EA-PA03/ Rev. A.

Reason: To identify the approved plans and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).

2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

3. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

4. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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