

## Item No. 20

<b>APPLICATION NUMBER</b>	<b>CB/13/00664/FULL</b>
<b>LOCATION</b>	<b>20 The Maltings, Leighton Buzzard, LU7 4BS</b>
<b>PROPOSAL</b>	<b>Erection of two storey rear extension (resubmission of CB/13/00098/FULL)</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard South</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Berry, Bowater &amp; Dodwell</b>
<b>CASE OFFICER</b>	<b>Debbie Willcox</b>
<b>DATE REGISTERED</b>	<b>22 February 2013</b>
<b>EXPIRY DATE</b>	<b>19 April 2013</b>
<b>APPLICANT</b>	<b>Mrs C Lake</b>
<b>AGENT</b>	<b>Mr B Johnson</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call-in by Councillor Amanda Dodwell on the following grounds:</b> <ul style="list-style-type: none"><li>• <b>that the current property is overbearing and the extension will make it even more so</b></li><li>• <b>that the extension will also lead to loss of light / amenity for neighbouring properties</b></li></ul>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### Site Location:

The application site comprises a two storey semi-detached house located on the north side of the The Maltings, a residential cul-de-sac in Leighton Buzzard. Properties in The Maltings are located to the east, south and west, and to the north is a dwelling located in Linwood Grove.

The dwelling has a detached garage and parking for two vehicles on a hardstanding to the front of the property.

### The Application:

The application seeks planning permission for a part single, part two storey rear extension. The ground floor element of the extension would measure 3m deep and 5.6m wide; the first floor element would measure 1.9m deep by 4.4m wide. The roof would be hipped, with an eaves height of 5m and a ridge height of 6.1m, which is 1.3m lower than the ridge height of the main roof.

The extension would comprise a dining room and an extended kitchen at ground floor level and would allow the extension of an existing bedroom and the addition of an en-suite.

The proposed first floor element of the extension would be located on the boundary with the attached neighbour at No. 19 The Maltings and 2m from the boundary with the flanking neighbour at No. 36 Linwood Grove.

## RELEVANT POLICIES:

### National Planning Policy Framework (2012)

#### South Bedfordshire Local Plan Review Policies

BE8 Design Considerations

H8 Extensions to Dwellings

T10 Parking - New Development

*(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 for Central Bedfordshire

Policy 27: Car Parking

Policy 43: High Quality Development

*(Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013.)*

#### Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development:

Design Supplement 4: Residential Extensions and Alterations, 2010

Local Transport Plan: Appendix F - Parking Standards

#### Planning History

<b>Application:</b>	Planning	<b>Number:</b>	CB/13/00098/FULL
<b>Validated:</b>	23/01/2013	<b>Type:</b>	Full Application
<b>Status:</b>	Decided	<b>Date:</b>	22/02/2013
<b>Summary:</b>		<b>Decision:</b>	Full Application - Refused
<b>Description:</b>	Erection of two storey rear extension		

#### Representations:

##### (Parish & Neighbours)

Leighton-Linslade Town Council	Not received at time of writing the report - comments to be reported at the meeting.
Neighbours (36, Linwood Grove)	<ul style="list-style-type: none"><li>• 20 The Maltings is already overbearing, with the distance between 36 Linwood Grove and 20 The Maltings being only 5.5m at its closest point.</li><li>• 20 The Maltings sits on land approximately 1m higher than 36 Linwood Grove. The view from the living area of 36 Linwood Grove is already dominated by views of the 20 The Maltings.</li><li>• The proposed extension would add a substantial area to the existing 8m wide flank wall.</li><li>• The proposed single storey element of the scheme has not been reduced and the pitched roof on the single storey element will negate the benefits of the reduction in the first floor element of the scheme.</li></ul>

- The conservatory of 36 Linwood Grove forms the kitchen/dining room of the property and is an integral part of the living area of the dwelling.

## **Consultations/Publicity responses**

Buckingham and River Ouzel Internal Drainage Board Requested an informative regarding soakaways

## **Determining Issues**

The main considerations of the application are;

- 1. Design Considerations**
- 2. Impact on Residential Amenity**
- 3. Parking and Highway Safety**
- 4. Other Issues**

## **Considerations**

### **1. Design Considerations**

The proposed rear extension has been designed to be subservient to the subject dwelling, with a significantly lower ridge line and a scale that would not dominate the subject dwelling. Its design is sympathetic to the existing character and appearance of the subject dwelling. Unlike the previously refused application (CB/13/00098/FULL) the proposed roof would merge appropriately with the projecting roof of the attached neighbour at No. 19. It is therefore considered that the design of the extension would complement and harmonise with the subject dwelling and its wider surroundings and thus the proposal conforms with policies BE8 and H8 of the South Bedfordshire Local Plan Review.

### **2. Impact on Residential Amenity**

The attached neighbour at No. 19 The Maltings has a rear building line set further back than that of the subject dwelling and the first floor element of the proposed rear extension would not project beyond this rear building line. The proposed single storey element of the extension would project beyond the rear building line of No. 19 by only 1m, and would not block a 45 degree line taken either horizontally or vertically from the mid-point of the rear windows of No. 19. Consequently the extension would not result in an unacceptable loss of amenity to occupiers of this property.

The previous application was refused because of the incongruous roof design, and because of the impact that the extension would have on the occupiers of No. 36 Linwood Grove. This property has a ground level circa 1m lower than that of the subject dwelling. No. 36 was originally set approximately 7.5m from the flank wall of the subject dwelling, and was orientated so that views from some of the rear windows faced the flank wall of No. 19. The subject dwelling is currently a dominant feature in the rear garden of No. 36. A rear conservatory has since been constructed to No. 36, with glazed sides and a glazed roof.

The previously refused extension would have measured 1m deeper and would have been located 1m closer to the boundary with No. 36 than the current proposal. The ridge height of the extension would also have been 0.5m higher. The application was refused on the basis that the proposed extension would exacerbate the already overbearing nature of the subject dwelling on the occupiers of No. 36 to an unacceptable degree.

As a result, the likely impact of the current proposal on No. 36 has been analysed carefully. The proposal would no longer break a vertical 45 degree line from the midpoint of any of the windows or doors of the conservatory of No. 36. Sunlight calculations have been carried out and it was discovered that the point of the conservatory closest to the extension, at the height of the midpoint of the French doors, would only lose sunlight for half an hour each day between the autumn and spring equinoxes. For the other six months of the year there would be no loss of sunlight to No. 36. It is considered that this level of loss of light is within acceptable limits.

The potential exacerbation of the overbearing nature of the property has also been considered. It is noted that the subject dwelling is currently approximately 8m wide. The previous proposal would have increased the width by 37.5%, while the current proposal would increase the width of the dwelling by 25%, so the impact would be reduced. More importantly, the extension at first floor level would be set back from the side building line of the existing house by 1m, thus further reducing the impact. As a rule of thumb, an unacceptably overbearing impact is created by a building which has a height greater than the separation distance from the neighbouring windows; if the separation distance is greater than the height, then the impact is likely to be acceptable. As the roof of the extension would hip away from the neighbour at an angle of less than 45 degrees, the appropriate height calculation would be the eaves height of the proposed extension. Taking into account the 1m difference in ground levels, the eaves height of the extension would be 6m higher than the ground level of No. 36. The separation distance from the closest point of the conservatory to the flank wall of the first floor element of the extension would be 6.5m, and thus the separation distance would be greater than the height of the extension.

The ground floor extension has not been reduced in depth or width, however, the eaves of the ground floor element are only 2.5m high and the roof would hip away from the neighbouring property at an angle of less than 45 degrees. It would therefore not result in any loss of light, nor would it appear unacceptably overbearing from No. 36.

Taking all this into account, it is considered that the proposed extension would not significantly increase the overbearing nature of the subject dwelling to the neighbour at No. 36, and, on balance, and given the presumption in favour of sustainable development, the impact upon this neighbour is considered to be within acceptable limits.

The proposal is therefore considered to be in accordance with policies BE8 and H8 of the South Bedfordshire Local Plan Review.

### **3. Parking and Highway Safety**

The Council's Parking Standards require that three bedroom houses provided three off-street parking spaces. The proposed extended dwelling would have three bedrooms and the three existing parking spaces would be retained. Therefore it is considered that the proposal would have no impact upon parking provision or wider highway safety.

### **4. Other Issues**

#### **Human Rights issues**

The proposal would raise no Human Rights issues.

#### **Equality Act 2010**

The proposal would raise no issues under the Equality Act 2010

### **Recommendation**

That Planning Permission be GRANTED subject to the following:

- 1 The development 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 external finish of the walls and roofing materials to be used for the extension shall match that of the existing building as closely as possible.

Reason: To ensure that the development is in keeping with the existing building.  
(Policies BE8 & H8, SBLPR and Policy 43, DSCB).

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers BJ/CL/1, BJ/CL/3, CBC/001, CBC/002.

Reason: For the avoidance of doubt.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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) (Amendment No. 2) Order 2012.

## Reasons for Granting

The proposed part two storey, part single storey rear extension, by reason of its siting, scale and design would complement and harmonise with the local surroundings and would not result in an unacceptable loss of light or overshadowing or appear unacceptably overbearing, or be prejudicial to highway safety as considered by policies BE8, H8 & T10 of the South Bedfordshire Local Plan Review 2004; policies 27 and 43 of the emerging Development Strategy for Central Bedfordshire and having regard to the National Planning Policy Framework (2012). The extension is further in conformity with the technical guidance Design in Central Bedfordshire, Residential Extensions 2010.

## Notes to Applicant

1. 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.
2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
3. 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](http://www.centralbedfordshire.gov.uk).
4. The Buckingham & River Ouzel Internal Drainage Board advise that it is essential that ground conditions be investigated and if found satisfactory, the soakaways constructed in accordance with the latest Building Research Establishment Digest 365.

## DECISION

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