

Item No. 12

APPLICATION NUMBER	CB/13/01879/FULL
LOCATION	27 Western Way, Sandy, SG19 1DU
PROPOSAL	First floor side extension
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Samantha Boyd
DATE REGISTERED	30 May 2013
EXPIRY DATE	25 July 2013
APPLICANT	Mr Oakely
AGENT	Richard Beaty (Building Design) Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call in. Cllr Aldis Overbearing impact on the adjacent property which is at right angles to the application site and therefore the proposed extension adversely impacts on the immediate garden area.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reasons for Recommendation

The first floor side extension would not have a negative impact on the character of the area or a significant adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its size, design and location, the first floor extension is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with the Supplementary Planning Document: Design in Central Bedfordshire: A Guide for Development, 2010.

Site Location:

27 Western Way is a semi detached property located in a residential area of Sandy. The property has a flat roof garage attached to the side of the dwelling and parking for approximately 2/3 vehicles on the front garden area.

The area is residential in nature with similar character properties nearby.

The Application:

Planning permission is sought for a first floor side extension over the existing flat roof garage.

RELEVANT POLICIES:

National Planning Policy Framework

Central Bedfordshire Core Strategy and Development Management Policies

CS14, DM3 High Quality Development

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development

Local Transport Plan: Parking Strategy

Planning History

CB/12/02028 Erection of first floor side extension. Withdrawn 31/05/12

Representations: (Parish & Neighbours)

Sandy Town Council No comments received - to be reported at Committee

Neighbours Objections received from the neighbouring property
No.25.

Moving the extension 1m in from boundary does not change overbearing impact on No. 25 therefore original objections still relevant.

Further letter received from Arnold Gilpin Architect on behalf of the occupants of No. 25. Summary of issues raised -
concerns relating to accuracy of plans (block plan misrepresents the effect on the neighbouring property), main issue is orientation of houses with rear elevation of No. 25 facing side of 27, amenity issues relating to loss of light, an oppressive feeling of extension up to the boundary, proposed extension would be the equivalent of a 6.5m high wall only 7.5m from kitchen and bedroom windows, new window in front elevation of extension would be 3m nearer to sitting out area of clients garden resulting in overlooking.

Consultations/Publicity responses

None required

Determining Issues

The main considerations of the application are;

1. The effect upon the character and appearance of the area
2. The impact on neighbouring amenity
3. Other considerations

Considerations

1. The effect upon the character and appearance of the area

The proposed first floor extension would be located above the existing flat roof garage at the side of the property. The existing garage extends forward of the front elevation of the property level with the flat roof porch to the front and has been joined to the property by an internal corridor.

The proposed extension would be set back from the front elevation and set down at the roofline, resulting in a subservient extension in accordance with guidance contained within Design Supplement 4 (Residential Alterations and Extensions) of the Central Bedfordshire Design Guide: A Guide for Development adopted 2010.

The proposal is set off the side boundary by 1m leaving an area of flat roof remaining alongside the boundary. The proposal would bring the side elevation closer to the boundary shared with No. 25 at first floor level, however No. 25 is located on the bend in Western Way and is a detached property within a large corner plot. It is set apart from the application site with its rear elevation facing the side elevation of the site, therefore while the extension would reduce the space between the properties, on balance it is not considered to result in an unacceptable terracing effect within the street scene.

The surrounding area is predominantly semi-detached properties many of which have been extended in some form. The proposed extension is subservient in appearance and in accordance with the Council's design guidelines therefore in design terms, the proposal is not considered to have a harmful effect on the character and appearance of the area provided materials are used that match the existing dwelling as closely as possible.

2. The impact on neighbouring amenity

Given the location of the proposed extension the only neighbouring property likely to be affected by the proposal is No. 25, the property located to the South.

No. 25 is a detached property located to the South of the application site and positioned on the corner of Western Way. The rear of the property faces the side elevation of the application site while the side and the majority of the garden space, front Western Way.

Privacy

Concern has been raised regarding loss of privacy to the garden areas of No. 25. No windows are proposed in the flank elevation that faces the garden areas of the adjacent property. There is an existing window in the side elevation of the application site which serves the landing and this window faces directly into the bedroom window of No.25 and into the rear garden space. The proposal would remove this window which would improve the current situation regarding overlooking.

There is to be one small window serving an en-suite on the rear elevation of the proposed extension. The window would not directly overlook the rear garden area of No. 25, although it is acknowledged that the rear garden of No. 25 could be viewed from the window. Given that there are already rear windows on the rear of the application site no significant overlooking would occur above what would normally be acceptable within a residential area. In any case as the window would serve an ensuite, it would be appropriate to use obscure glazing in this window.

To the front a bedroom window is proposed that would be set back from the existing front elevation by approximately 900mm. While this would give rise to some overlooking into the side garden area of No.25, as this part of the garden fronts Western Way (due to corner position of the property), there is already a degree of overlooking that currently exists. It is acknowledged that the occupant of No.25 uses this area for sitting out in the garden and it is relatively well screened by 1.8m fencing. However it is not a completely private area of the garden given that the area fronts Western Way and can be seen from the first floor windows in the surrounding properties. The proposed front window would overlook some of the garden area to a degree, however as the window would be at an oblique angle to the garden area, any overlooking is not considered to be to an unacceptable level.

Overbearing

The proposed extension would be constructed 1m off the shared boundary at first floor level. This would result in a two storey building 6.5m in height to ridge approximately 7m from the rear elevation of the adjacent property. At ground floor level, No 25 has a flat roof rear extension to which a conservatory has been added. There is also a timber shed against the side wall of the neighbouring property's garage. From the ground floor the proposed extension would be partly hidden given the existing extensions, the shed and the existing trees. It would be visible from the kitchen window and the bathroom above however it would not be directly in line with the window given the off set siting of the properties.

On the first floor No. 25 has a bedroom and an obscure glazed bathroom window facing the application site. The flank wall of the proposed extension would be directly opposite the bedroom window and would appear somewhat overbearing. It would be clearly visible from the bedroom window resulting in the view of a brick wall located 7.5m away. However the current view from the bedroom window is that of the existing flank gable wall and landing window of the application site. It is acknowledged that the proposed extension would have an impact on the view from the bedroom window however it is not considered to be an unacceptable overbearing impact on the bedroom window of No. 25 given that just over 7m would separate the buildings. In terms of the garden areas, the proposed extension would result in built form close to the northern boundary of No. 25. This would result in some impact from the extension on the garden area to the west of No. 25 and the area to the east, however the impact is greatest in the area where No. 25's extension, shed and conservatory are located which would help to reduce the effect of the extension. Therefore, on balance the proposal is not considered to have a significant adverse overbearing impact

Loss of light

The proposed extension is located to the North East of the rear elevation of No 25. There is approximately 10m between the rear bedroom window of No. 25 and the side elevation of the application site. This distance would be reduced to around 7m if the extension were to be built.

The garden area of No. 25 is located in two areas, one to the west of their existing extension and one to the east, adjacent to the Western Way boundary. The extension may result in some shadowing of the garden area to the east however the western side of the garden, the most private of the two areas, would not suffer loss of sunlight due to the orientation of the sun.

It is considered that the first floor windows in the side elevation of No. 25 would not suffer any undue loss of light given that the extension is located to the north east.

In conclusion it is acknowledged that the side extension will bring the built form closer to the rear of No. 25 and this would have some impact on the amenities of the occupiers by way of overbearing impact, however given the situation on site, the siting of the dwellings and the orientation of the proposed extension, on balance it is considered that the proposal would have some impact but not to such an extent that it would justify a refusal on this ground.

Other considerations

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Accuracy of plans

In terms of the accuracy of the submitted plans, the site plan does not show the full extent of the extensions at the neighbouring property, however the plan is a copy from Ordnance Survey which are often out of date. The submitted Block Plan accurately shows the proposed extensions and any additional extensions at the neighbouring property can be clearly viewed at the site visit. Furthermore the applicant's agent would need permission from the owner of No. 25 to survey the existing extensions at their property. The submitted plans are considered to be of sufficient quality to accurately assess the impact of the proposal.

Parking

The application proposes an additional bedroom to form a four bedroom property. The current parking guidelines within the Local Transport Plan require a parking space for each bedroom therefore four spaces would be required. There is currently space for three vehicles to park at the property, one in the garage and two on the garden frontage however given the size of the parking area it could be possible to park four vehicles within the plot.

There are no parking restrictions on the nearby roads and there does not appear to be a parking problem within the vicinity of the application site therefore given the existing level of parking, it would not be appropriate reason to refuse the application on lack of parking provision.

Other

Based on the information submitted there are no known issues raised in the context of the Human Rights and the Equalities Acts, and as such there would be no relevant implications.

Recommendation

That Planning Permission be granted subject to the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 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/complement the existing building and the visual amenities of the locality.

- 3 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the side elevation of the building.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12.25.01, 12.25.02B, 12.25.OSmap.

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. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.

DECISION

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