

Item No. 13

APPLICATION NUMBER	CB/13/01922/FULL
LOCATION	1 St Johns Street, Biggleswade, SG18 0BT
PROPOSAL	Part first floor extension to the rear and pitched roof to existing single storey rear extension.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Nicola Stevens
DATE REGISTERED	06 June 2013
EXPIRY DATE	01 August 2013
APPLICANT	Ms H Turner
AGENT	Mrs M Turner
REASON FOR COMMITTEE TO DETERMINE	Call in by Cllr Mrs Lawrence on grounds of significant over development of the site and could not be repeated throughout the terrace.
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

The proposal would not have a negative impact on the character or appearance of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies CS14, DM3 and DM4 of the Core Strategy and Management Policies, November 2009; National Planning Policy Framework (March 2012). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010 and Central Bedfordshire Local Transport Plan: Appendix F Parking Strategy (endorsed as interim technical guidance for Development Management purposes 2.10.12).

Site Location:

The site is located at 1 St Johns Street Biggleswade; an end of terraced property within the settlement envelope of Biggleswade.

The Application:

The application seeks permission for part first floor extension to the rear and pitched roof to existing single storey rear extension.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies Adopted November 2009

CS14	High Quality Development
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes

Supplementary Planning Guidance

Design Guide for Central Bedfordshire & DS4 Residential Alterations
Adopted Jan 2010

Central Bedfordshire Local Transport Plan: Appendix F Parking Strategy
(endorsed as interim technical guidance for Development Management
purposes 2.10.12)

Planning History

None

Representations: (Parish & Neighbours)

Biggleswade Town Council	Object as it is an overdevelopment for the size of the property.
Neighbours/site notice	<p>1 Letter of objection received from No 3 St Johns Street:</p> <p>1) The overall size and plan for this build will completely dwarf and over shadow our property, please note the extension at no1 at present is built on top of the existing boundary wall, this means the new proposed pitch roof will overhang our property as will any guttering, I will not except any excursion onto our property by this application.</p> <p>2) Loss of sunlight, the proposed first floor extension will shroud both our bathroom and rear bedroom into darkness by loss of any afternoon sun, please note that our bathroom window is important to us as it is presently the only source of natural light to our landing and stairwell.</p> <p>3) The build will nullify our own plans to convert our bathroom into a 3rd bedroom for my 7yr old son who suffers from a rare genetic syndrome called 22q11 deletion syndrome and is in desperate need of his own space (he currently shares with his 5yr old sister), how can we convert this room if it has a loss of light, you may be interested to know that as part of 22q11 a lack of calcium is present, it is medically recommended that sunlight helps with this aspect of his condition.</p> <p>4) The plans submitted are very basic and I would question their accuracy, for instance no one has approached us to measure our property etc, you may also be interested to note that the plans submitted to us as part</p>

of an intended party wall agreement (rejected by our party wall surveyor due to inaccuracies and not being legal) show in great detail the size of the proposals inside, in effect no room will be left intact with a complete redesign and change to the existing layout, the plans also show how the existing doorway to this 1900 Victorian terraced cottage will be bricked up and moved to a new side entrance, they also propose a new tile roof to this property, in essence the plans do not show the whole picture intended for this property and does not reflect the size of the disturbance to our family life.

5) The plans submitted to me show the back extension to have French doors and also a side window, this will impact on the privacy in our back garden and combined with the loss of sunlight will mean we will lose our right to enjoy the peace, quiet and relative safety of our back garden.

6) As alluded to above the existing extension at no 1 is built on top of the existing boundary wall, this wall already shows a high level of bowing and movement and unless a full structural investigation is carried out I would be of the position that the foundations are not strong enough to withstand the added weight proposed, this of course will place my property in jeopardy.

7) My son has 22q11 deletion syndrome and suffers from a complex health history, all children with this condition appear on the autistic spectrum and so changes on this scale will seriously affect his wellbeing, add to this the noise levels we will experience in our terraced property along with dust etc and you can see why we have concerns as a family and I would like to voice my anger that we have not been consulted until now about this proposal, please note my son has deformed ears and suffers hearing problems due to his condition and he cannot tolerate either loud sudden noise or continual loud noise, the managing of this for us as a family will be detrimental to us all (I can of course provide medical history if required and I would also like to point you towards www.maxappeal.org.uk for further info regarding the condition.

8) We currently have a new build estate being finalised at the bottom of our garden which comprises of a two storey home 1.5 metres from our boundary across its width, this proposed extension will have the effect of completely enclosing our garden from yet another side, this is not acceptable to us as a family.

9) These are circa 1904 Victorian cottages, they were never built or intended to be big modern 3 bedroom homes, please look into the change of the street scene especially as the size and scale of this extension means it will be visible from street side

10) The Velux windows intended for the extension are

obviously intended to maximise their light, the irony being that it will come at the loss of ours, these windows will also offer a loss of privacy to our home and our rear bedroom as it will overlook the rear of our property.

I finish by saying it would appear that no consideration to my family home or to my family has been given at all in the planning of this project, my back garden is my childrens play area (not allowed out front due to main road and my son has no sense of road safety due to his behavioural and learning difficulties associated with 22q), our back door opens directly onto their existing extension and I would like to know before any build is accepted just what the proposals are to keep my family safe.

Consultations/Publicity responses

Public Protection
contamination

No comments received.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Visual impact
3. Residential amenity
4. Other issues

Considerations

1. Principle of development

The site lies within the settlement envelope of Biggleswade. Policy DM4 of the Core Strategy makes provision for the extension of existing properties provided they meet certain local plan criteria which will be assessed below.

2. Visual impact

The application site is a two storey end of terrace dwelling, constructed of white render and slate roof. The dwelling has an existing single storey flat roofed rear extension.

This proposal is for part first floor extension to the rear and pitched roof to existing single storey rear extension. The first floor extension will project out approx 2.5m, its eaves will match the existing house, its ridge at approx 6m high set down from the main host dwelling at 7.1m high. Whilst located to the rear of the building it will be partially visible from St Johns Street down the side of the property and from longer views at the rear. However, the first floor extension will be set down to be subservient to the host dwelling and as such will not be harmful in visual terms. A velux rooflight is shown on the rear roofslope of the

main dwelling to serve a bathroom and would not be visually intrusive in the streetscene being located to the rear.

A pitched roof is proposed over the single storey rear extension to approx 3.8m high. As this is located to the rear of the property and subservient to the host dwelling it is not considered that this part of the scheme will adversely affect the character and appearance of the area.

Other external changes include demolishing the existing porch area to the side of the existing single storey rear extension and inserting a new window and doors on the rear elevations. These changes would not have a harmful visual impact.

The existing terrace is a mix of materials, being brick, painted brick, render, slate and concrete roof tiles. The plans have been revised as it is now proposed to use interlocking tiles rather than slate. Whilst it would not match the roof of the main dwelling, as it is to the rear of the property and given the mix of materials on the existing terrace this would not be visually unacceptable.

3. Residential amenity

No 3 St Johns Street forms the adjoining mid terrace property and is the most likely to be affected by the proposal. The neighbour has objected to the proposal for a number of reasons set out above including loss of light, privacy and overbearing impact.

The floorplans have been revised in relation to the depth of the existing single storey extension at No3 and the proposed extension to the shared boundary. The applicant has confirmed in writing that at no point will the gutter overhang anything but land within the applicants ownership and that the correct certificate has been signed.

No 3 has a first floor obscure glazed bathroom window and single storey rear extension with door on its rear elevation nearest the shared boundary. The single storey extension has a side window and there is a kitchen window on the rear elevation beyond. There is an approx 1.3m high wall along the shared boundary.

The plans show that the boundary tapers towards No 3, the end of the first floor extension would be approx 0.4m closer to No 3 than the extension when taken off the rear wall. The first floor extension would extend out slightly further than the single storey rear extension at No 3. Despite this given the existence of the single storey extension at No 3 and the set down and pitched roof of the first floor extension, it is not considered that this part of the proposal would result in any undue loss of light, privacy or overbearing impact. Whilst there would be some loss of light during the later part of the day to the bathroom and rear garden of No 3 due to the first floor extension this would not be to such a degree as to warrant a reason for refusal. Similarly the pitched roof over the existing flat roofed extension will result in a taller development along part of the shared boundary (approx 3.7m to the ridge) but given the pitched roof sloping away from the boundary and that it will be single storey there would be no undue loss of light, privacy or overbearing impact as a result of this part of the proposal on the occupiers on that neighbouring property. New doors are proposed in the

rear elevation of the single storey extension, whilst the boundary treatment is 1.3m high this is not unacceptable given the residential context of the site. Two rooflights are shown on either side of the first floor extension to provide light to the bedroom but will not result in any undue loss of privacy given the relationships involved.

New properties are currently being erected to the side and rear of the application site and appear to be nearing completion. No 8 Vickers Close lies to the side (west) of the application site and has three ground floor windows and a first floor landing window above on the side and a kitchen door and window and obscure glazed window above on the rear elevation nearest the shared boundary. The rear of No 8 Vickers Close is set further to the rear than No 1 St Johns Street. There is a 1.8m fence down the side, a shed measuring approx 2.8m at the ridge, and 1.9m wall beyond on the shared boundary. Given the gap between the properties and the distances and relationships involved there would be no undue loss of light, privacy or overbearing impact as a result of this proposal on the occupiers on that neighbouring property.

No 7 Vickers Close lies to the north/east and faces onto a car parking court to the rear of the application site, there are single storey outbuildings along the rear of the site and its first floor side elevation is blank sided. Whilst a first floor bedroom window is proposed in the extension given the residential context of the site and the distances and relationships involved it is not considered any undue loss of privacy, light or overbearing impact will result for the occupiers of that neighbouring property.

No other surrounding properties will be unduly affected in terms of residential amenity due to the distances and relationships involved.

4. Other issues

The neighbour at No 3 St Johns Street has raised a number of issues which include possible conversion of their first floor rear bathroom to a bedroom (which does not appear to have taken place to date), noise and disturbance during any construction works, the structural integrity of the existing single storey extensions and the health and safety of the occupiers of that property. However, these issues are not material planning considerations and cannot be taken into account when determining the application. Further notwithstanding the personal circumstances put forward, these are not considered to be of sufficient weight to influence the planning considerations of the proposal such as to justify refusing the application, particularly given the permanent nature of the extension.

No increase in floorspace is proposed at ground floor level. Sufficient private amenity space would be retained.

Existing vehicular access and on site parking remain unchanged. This proposal will result in a reduction in bedroom numbers from three to two. Sufficient space exists on site to accommodate two parking spaces.

Based on the information submitted other than the personal circumstances of the neighbour, as discussed above, there are no known issues raised in the context of the Human Rights/The Equalities Act) and as such there would be no

relevant implications.

There are no further considerations to this application.

Recommendation

That Planning Permission be Approved subject to the following:

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(s) and the visual amenities of the locality.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows shall be inserted into the east and west flank elevations of the proposed extension.

Reason: To protect the amenity of neighbouring residents.

- 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, 1 SJS/1, 1 SJS/2, 1 SJS/3, 1 SJS/4, 1 SJS/5, 1 SJS/6].

Reason: For the avoidance of doubt.

Notes to Applicant

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) (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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