

Item No. 11**SCHEDULE B**

APPLICATION NUMBER	MB/09/00278/FULL
LOCATION	12 PARK COURT, SANDY, SG19 1NP
PROPOSAL	FULL: FIRST FLOOR REAR EXTENSION WITH EXTERNAL TERRACE OVER EXISTING GROUND FLOOR EXTENSION.
PARISH	Sandy
CASE OFFICER	Judy Self
DATE REGISTERED	23 February 2009
EXPIRY DATE	20 April 2009
APPLICANT	Mr J Carroll
REASON FOR COMMITTEE TO DETERMINE	CLLR ALDIS - LOSS OF AMENITY AND OVERBEARING IMPACT ON NEIGHBOURING PROPERTY.
RECOMMENDED DECISION	FULL CONDITIONAL APPROVAL

Site Location:

The application site is a two storey detached dwelling which is located to the south side of Park Court in Sandy. No. 12 is located on a close of similar dwellings, the area being characterised by the spacious, open plan frontages. The property has been previously extended to the rear/side at single storey height and there is a linked single garage to the side of the main dwelling.

Planning permission is sought for the erection of a first floor extension (additional bedroom) with an external terrace over the existing ground floor extension.

RELEVANT POLICIES**National Policies (PPG & PPS)**

PPS 1 Delivering Sustainable Development (2005)
PPS 3 Housing (2006)

Mid Bedfordshire Local Plan First Review 2005 Policies

DPS6 Criteria for Extensions.

Supplementary Planning Guidance

Mid Bedfordshire District Council's Technical Guidance: Extensions and Alterations: A Design Guide for Householders (2004)

Planning History

No planning history

**Representations:
(Parish & Neighbours)**

- Sandy TC Objects to the proposal.
- Loss of amenity in the form of privacy and light to near neighbours. Because of the staggered position of the houses, overlooking from the proposed terrace would be pronounced.
- Adj. Occs 1 letter received:
Loss of amenity to the occupiers of no. 13 Park Court by having an overbearing impact on the property. It will therefore cause a loss of light for the following reasons:
- The back of both houses face due south;
- The application site is staggered a whole house depth ahead of no. 13;
- The depth of the proposed extension will increase the overall depth of the house by some 50%;
- The ground level between both houses differs to that the application site is already some two feet higher than no. 13.

Consultations/Publicity responses:

None

Determining Issues

The main considerations of the application are;

1. Visual impact upon the character and appearance of the area.
2. Impact upon the neighbouring residential amenity.
3. Any other implications of the proposal.

Considerations

1. Character and Appearance of the Area

The proposed first storey extension is to the rear of the property and would not be visible in the streetscene. The design is considered sympathetic to the host building and would remain subservient in scale and form. The property benefits from a large plot and adequate garden space would remain. Subject to the use of matching materials, no visual harm would result.

It is not considered that the proposal would adversely affect the character and appearance of the area.

2. Residential Amenity of Neighbouring Properties

The design of Park Court is such that the properties are staggered on each other. The application site is set back on no. 13 Park Court and is set forward on no. 11 Park Court. Given this design; the principle property that may be affected by the proposal is no. 13 as all other properties are adequately well removed so as not to be affected. No. 13 has been extended to the rear at single storey height.

The application site (no. 12) and the neighbouring property (no. 13) are both slightly set away from the shared boundary with the single storey side extension of no. 12 providing additional separation. The application site has been previously extended to the rear by way of a single storey extension which measures 3.6m in height.

The proposal takes the form of an extended master bedroom which is partly positioned within a recessed area in the rear building line. The proposed first floor extension measures a maximum depth of 3.1m and would result in a gable end which measures 5.8m in height.

It is proposed to create a balcony area to the rear of the extension above part of the existing rear addition. A screen wall would extend to a height of 1.7m and to a depth of 1.8m on the side facing onto no. 13. The accumulative depth of the proposed extension and the screen wall is 4.9m.

The objections received from the neighbour have been given very careful consideration regarding overbearing impact; loss of privacy and light. However, the application site is to the east of no. 13 and the proposal is set away from the shared boundary by 3.5m. There are no side windows proposed and the brick wall/screen along the western side of the balcony would restrict views side wards into the garden area of both adjoining dwellings. Whilst the proposal would be visible to the occupiers of no. 13 it is not considered that the impact of the proposal would be to such a degree to warrant the refusal of the application. Given its siting away from the side boundary and its size, it is not considered that the proposal would have an overbearing impact. Whilst the balcony would allow overlooking to the rear most section of the neighbours garden, the resulting relationship is commonplace within residential developments. Moreover, the expectation of privacy within a garden reduces in most cases towards the rear boundary of dwelling houses.

Whilst it is considered to have some visual impact on the adjoining properties the proposal complies with the Council's 45° rules used to assess the impact of such proposals in terms of light loss and as such is considered to be acceptable.

Given its size and position, it is not considered that the proposal would harm the amenities of 11 Park Court.

3. Any other implications of the proposal

There are no other implications

Reasons for Granting

The proposal is in conformity with Policies DPS6 of the Adopted Mid Bedfordshire Local Plan (2005); Planning Policy Guidance: Planning Statement 1 Delivering Sustainable Development (2005); Planning Statement 3 Housing (2006); Technical Planning Guidance: Extensions and Alterations: A Design Guide for Householders (2004)

RECOMMENDATION

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 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 EM07 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 U The 1.7m high screen wall for the side of the balcony shall be erected in perpetuity as approved prior to the first occupation of the extension hereby permitted, unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of the neighbouring property.

- 4 RR08 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 first floor window or other opening shall be formed on the side elevations of the building.

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

DECISION

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