

### Item No. 3

#### Planning and EP Committee 29 January 2019

<b>Application Ref:</b>	18/00926/HHFUL
<b>Proposal:</b>	Front porch, two storey side and rear, single storey side and rear extensions, and outbuilding at the rear
<b>Site:</b>	17 Thorpe Park Road, Peterborough, PE3 6LG,
<b>Applicant:</b>	Mrs R Kausar
<b>Agent:</b>	Mr Mohammed Iqbal M A Iqbal Architecture
<b>Referred by:</b>	Councillor Smith
<b>Reason:</b>	The proposal would unacceptably impact upon the character of No. 19 Thorpe Park Road and would adversely affect the amenity of this neighbour property through unacceptable impacts of overbearing, overshadowing and loss of privacy.
<b>Site visit:</b>	22.06.2018
<b>Case officer:</b>	Mr Jack Gandy
<b>Telephone No.</b>	01733 452595
<b>E-Mail:</b>	jack.gandy@peterborough.gov.uk
<b>Recommendation:</b>	<b>GRANT</b> subject to relevant conditions

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## 1 Description of the site and surroundings and Summary of the proposal

### Site and Surroundings

The application site comprises a two storey, semi-detached property located within a predominantly residential area. The dwelling is set back approximately 11 metres from the public footway, which allows for on-site car parking provision to the front of the dwelling. The property is also served by a sizeable rear garden, which measures 39 metres in length. Dwellings within the surrounding area comprise predominantly of detached and semi-detached two storey dwellings, set back from the public highway as well.

### Proposal

Permission is sought for the construction of a two storey side and rear extension, single storey side and rear extensions, an outbuilding to the rear of site and a porch to the front of the property.

i) Two storey side and rear extension - This extension would project 3.2 metres out from the north-east facing side elevation of the dwellinghouse and would be 8.4 metres in depth. The extension would wrap around to the rear elevation of the property. The proposed rear extension would project 4 metres in depth and would measure 6.7 metres wide. The roof would be hipped, with the ridge to measure 6.8 metres above ground level and the eaves to measure 5.7 metres above ground level.

ii) Single storey side and rear extensions

a) Rear extension - This would project 4 metres in depth from the original rear elevation of the property and would measure 2.8 metres wide. The extension would infill the space between the boundary shared with No. 19 Thorpe Park Road and the proposed two storey rear extension. A mono-pitched roof is proposed, with the ridge to measure 3.6 metres above ground level and the eaves to measure 2.5 metres above ground level.

b) Rear extension - A further single storey extension is proposed, to project 2 metres in depth from the proposed two storey rear extension. This would measure 5.4 metres in width and would also include a mono-pitched roof. The proposed ridge to this roof would measure 3.6 metres above ground level and the eaves would measure 2.6 metres above ground level.

c) Side extension - Against the existing side elevation of the property and forward of the proposed two storey side extension, a 5.5 metre long extension is proposed, projecting 3.2 metres from the existing side elevation. The proposed roof would be hipped, with the ridge to be approximately 3.5 metres high from ground level and the proposed eaves would measure 2.6 metres above ground level.

iii) Outbuilding - The proposed outbuilding would be positioned approximately 28 metres from the proposed rear elevation of the dwellinghouse. The outbuilding would have a footprint that measure 8 metres in width by 6 metres in length (48 square metres) and would also have a dual-pitched roof. The proposed ridge to this roof would measure 4 metres high above ground level, with the eaves proposed at 2.7 metres above ground level. A store area, gym, play area and shower room are proposed within this outbuilding.

iv) Porch - Finally, to the front elevation, a porch is proposed. This would project 1.5 metres forward of the existing front elevation. The proposed porch would measure 2.5 metres in width, but would connect to the proposed front lounge, which would produce an overall width 5.8 metres. The highest point of the roof from ground level would be 3.2 metres high, with the eaves to be 2.6 metres high above ground level.

#### **Amendments**

- The proposed single storey rear extension has been reduced from 6 metres to 4 metres in depth given Officer concerns about the overbearing impact from the original plans to the rear of No. 19 Thorpe Park Road. Neighbouring dwellings were subsequently re-consulted on this revised plan (Revision A).

- Following the matter that the two storey side extension originally proposed was considered to be unacceptable by Officers (as described below under 'Background Information'), further revised plans (Revision B) were submitted to the Council, showing a reduction in depth at first floor level of the two storey side extension. Neighbouring dwellings were subsequently re-consulted on this revised plan

- As a result of the reduction in depth of the single storey extension, this has resulted in two separate single storey rear extensions being proposed. The proposal's description has been updated to reflect this and provide further clarity.

#### **Background Information**

- It should be noted that the initial submission and Revision A of the proposed plans were considered to be unacceptable, on the basis of the harmful impact of the two storey side extension (originally proposed) to the character and appearance of the surrounding area.

At the request of the applicants and the agent, a meeting was held with Officers which also included Councillor Iqbal speaking in support of the application. However, this meeting produced no agreement between all parties. A second meeting occurred with Group Manager Lee Collins at the request of Councillors Iqbal and Nadeem. Following this meeting, the agent submitted Revision B of the proposal, reducing the depth of the first floor extension to the side of the property.

- Finally, the occupiers to No. 19 Thorpe Park Road have changed since the application was first submitted. Following knowledge of this, a standard 21 day consultation was issued, along with a meeting with the occupiers at No. 19 Thorpe Park Road about the proposed works.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
P0020/81	Erection of carport	Permitted	03/02/1981

## **3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

### **Peterborough Core Strategy DPD (2011)**

#### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

### **Peterborough Planning Policies DPD (2012)**

#### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

#### **PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

#### **PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

#### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

### **Peterborough Local Plan 2016 to 2036 (Submission)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018. A Planning Inspector has been appointed and the Local Plan is going through the Examination stage to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 48 of the National Planning Policy Framework states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making progress, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging

plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

### **LP13 - Transport**

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

### **LP16 - Urban Design and the Public Realm**

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

### **LP17 - Amenity Provision**

LP17a) Part A Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

### **LP29 - Trees and Woodland**

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered.

Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

## **4 Consultations/Representations**

### **PCC Tree Officer (07.01.19)**

No objections: The site is not within a conservation area and there are no Tree Preservation Orders in the immediate vicinity.

There is vegetation within the curtilage of the property and immediately offsite which is not considered a constraint to development (no trees merit protection by serving a Tree Preservation Order). There is a Cherry close to the boundary of nos. 15/17 Thorpe Park Road. It is unlikely that this tree will be implicated by the proposal although it is noted that the applicants have the common law right to prune both branches and roots back to the boundary line if they wish (whilst offering back the arisings).

### **Recommendations**

Given that there is no impact to high amenity trees there is no objection to the proposal. No formal tree protection measures are recommended although an informative could be included in any positive decision that states:

It is recommended that Heras fencing is situated 1 metre outside the crown spread of any retained tree/shrub to protect from accidental direct damage and indirect damage through soil compaction.

### **Local Residents/Interested Parties**

Initial consultations: 8  
Total number of responses: 4  
Total number of objections: 3  
Total number in support: 1

Four letters of representation have been received with regards to the proposal. Two letters of representation have been received from local residents, along with a further representation from Councillor Smith, whom object to the proposal. Councillor Nadeem has written in support of the proposal.

The matters raised the local residents who object to the proposal are as follows:

- The ground floor area of the property, including the outbuilding, would increase by 275%. The proposed re-development of the property is in fact over-development, which will have a detrimental effect of the characters of No. 17 and No. 19 Thorpe Park Road.
- The proposed rear extensions will adversely overshadow the seating area and party wall to the rear of No. 19 Thorpe Park Road.
- The proposed rear elevation is out of keeping, with less than 25% of the original elevation being retained.
- The proposed floor plan of the outbuilding provides an area capable for independent living.
- Noise and disturbance from the outbuilding is likely to be beyond what you would expect in a residential garden.
- The proposed extensions are oversized and the two storey side extension is significantly close to the boundary line.
- The gap between No. 15 and No. 17 Thorpe Park Road would be closed, which will reduce the character of No. 15 Thorpe Park Road and will increase noise levels which would be heard between the two dwellings.
- The loss of the gap will ruin the configuration in the area.
- Evening light into the rear garden will be lost.
- The proposed porch will potentially cause a loss of parking for two to three vehicles, increasing the vehicles parked on Thorpe Park Road.
- The proposed extensions may impact upon the cherry tree to No. 15 Thorpe Park Road.

### **Councillor Sam Smith**

- The proposed development (Revision B) is overbearing in its nature and is a fundamental upsizing of the floor size of the property. The current property is semi-detached and therefore the proposal works to the rear are not in keeping.
- The impact to the character of No. 19 Thorpe Park Road would be detrimentally affected.
- The proposed rear extensions would cause a tunnelling effect to the rear amenity area of No. 19 Thorpe Park Road which would also be overshadowed.
- The rear living room would be negatively impacted by a loss of natural daylight.
- The outbuilding will face towards the rear of No. 19 Thorpe Park Road, to its kitchen, living room, bathroom and bedroom and therefore will suffer a loss of privacy.
- The proposed outbuilding itself would not retain a level of privacy.
- The proposed outbuilding could be used for independent living.
- The garden space to No. 17 Thorpe Park Road would be heavily reduced.

**Councillor Nadeem** has also written to the Council, advising that he fully supports the application and requests Members of Planning Committee to do the same.

## **5 Assessment of the planning issues**

The main considerations are:

- Design and impact to the character and appearance of the site and the surrounding area
- Neighbour amenity
- Parking provision
- Impacts to trees

### **a) Design and impact to the character and appearance of the site and the surrounding area**

#### **i) No. 17 Thorpe Park Road**

The proposed extension and outbuilding to the rear of site would be constructed in materials that match to the existing dwelling. Based on the revised drawings, the proposal is considered on balance to be subservient against the existing proposal. This is considered to have been achieved through a number of factors, including the width of the two storey side extension being less than half the width of the existing dwellinghouse; the highest part of the roof is approximately 1.2 metres less in height than the property's existing roof line and the eaves being level.

With its roof height to be less in height than the existing dwelling's ridge and that the proposed width to be less than the width of the dwelling house, the proposed first floor rear extension

The single storey extensions are considered to be subordinate against No. 17 Thorpe Park Road as a result of their single storey scale and associated proportions.

The proposed outbuilding needs planning permission because its height is greater than the 2.5 metres height allowed under permitted development. The height of the proposed outbuilding is 4 metres. It is considered that the outbuilding's single storey form and its distance from the rear elevation of the two storey dwelling house would have a limited impact upon the site's character. The additional 1.5 metres compared to what could be built under permitted development does not cause any significant harm in terms of site's character and appearance. A sizeable garden would remain and the uses proposed to the outbuilding are considered to be incidental to the enjoyment of the dwellinghouse. To ensure that the outbuilding is only used for incidental purposes, a planning condition is recommended to avoid any inappropriate uses, such as habitable accommodation independent of the dwellinghouse.

#### **ii) Impact to the surrounding area**

Some of the proposed works would be visible with the surrounding street scene, including the front porch, single storey side extension and the proposed two storey extension. Within the surrounding area, there is a characteristic whereby there are 'gaps' between dwellings, which help to avoid a terracing effect between properties. Given that Officers consider the proposed porch and single storey side extension as subservient additions to the property, it is not considered that the proposal would, on balance, adversely impact upon the visual character and appearance of the site and the surrounding area. With regards to the proposed and revised first floor side extension, it is considered that the set back nature is acceptable on balance to retain the gap and therefore avoid an incongruous terracing effect within the street scene.

On the basis of the above, Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and Policy LP16 of the Peterborough Local Plan (Submission Stage) (2018).

### **b) Neighbour amenity**

No. 17 Thorpe Park Road shares its boundaries with three neighbours. These are No. 15 Thorpe Park Road, No. 19 Thorpe Park Road and No. 27 Thorpe Avenue.

### **i) No. 15 Thorpe Park Road**

No. 15 Thorpe Park Road is the adjacent neighbour to the north-east. This neighbouring dwelling has been extensively extended previously, with the side elevation of the detached property situated right on the boundary.

The proposed two storey side extension would leave approximately 1 metre between itself and the neighbouring dwelling. There are no side elevation windows to No. 15 Thorpe Park Road and therefore it is not considered that the proposal would result in adverse overbearing to this neighbour. The proposed extension could be viewed from the neighbouring conservatory, but given the unusually large size of this conservatory, it is not considered that the proposal would unacceptably impact upon its use. Given the location of the proposed extensions, the neighbouring dwelling would be shadowed from the proposed two storey side extension. However, as there are no window openings to the side elevation and that the rear openings to the property are south-east facing, it is considered that the harm to the neighbouring primary habitable room would not be adverse.

Two ground floor windows are proposed to the side elevation to serve a utility room and wet room. As there are no windows to the side elevation and that there is 1.8 metre high close board fencing separating the neighbouring garden spaces, it is not considered that the proposed dwelling extensions will impact upon the privacy of No. 15 Thorpe Park Road. With the proposed outbuilding to be approximately 24 metres from the rear-most feature of the neighbouring dwellinghouse, it is not considered that this will unduly impact upon the privacy of the neighbouring dwelling either.

### **ii) No. 19 Thorpe Park Road**

No. 19 Thorpe Park Road is the adjoining semi-detached neighbour. This property is served by a flat roof single storey extension to its rear elevation, alongside a pair of glazed doors on the original rear elevation that serve a lounge.

The proposed single storey rear extension would project from the original rear elevation would abut to the shared boundary, extending approximately four metres in depth. The proposed first floor extension would extend by the same depth, but would be set back approximately 2.8 metres from the shared boundary. Given this separation distance, it is considered that an unacceptable overbearing impact would be avoided. The proposed single storey rear extension adjacent to the shared boundary is 1 metre longer than single storey rear extension that could be constructed under permitted development. With the roof to this extension to be mono-pitched away from the boundary, it is considered on balance that an adverse overbearing impact from the proposed extensions would be avoided.

Furthermore, the neighbouring rear elevation faces south-eastwards. Alongside the matter that the neighbour's rear extension has a flat roof, it is considered an acceptable level of light and outlook would still be able to benefit this room and the outdoor seating area because shadows resulting from the proposed rear extensions would be restricted to early morning periods. As such, the limited timeframe of shadowing to No. 19 Thorpe Park Road is not considered to be unacceptable.

The impacts from the outbuilding would be restricted to the rear most part of the garden. The close board fencing along the boundary is considered to be sufficient to avoid a loss of privacy into the neighbour rear garden and ground floor rooms. With regards to the neighbouring first floor rooms, there would be approximately 30 metres of separation between the proposed outbuilding and the rear-most elevation of No. 19 Thorpe Park Road. This separation distance is considered to be adequate to ensure no clear views to either party can be gained. With no windows proposed from the side elevations of the proposed rear extensions, Officers consider on balance that the proposal would not unacceptably impact upon the amenity of No. 19 Thorpe Park Road.

### **iii) No. 27 Thorpe Avenue**

This dwelling is to the south east of the site, where the garden boundaries of each property abut to each other. The rear garden of this neighbouring dwelling measures approximately 38 metres in length. With the additional depth of the garden serving No. 17 Thorpe Park Road, it is not considered that the proposed extensions to the dwellinghouse would unacceptably impact upon the amenity of No. 27 Thorpe Avenue. The proposed outbuilding would be positioned approximately 1.4 metres from the boundary, however, the impacts are not considered to be adverse. No windows are proposed on the rear elevation, thereby ensuring the neighbour's privacy and with the outbuilding to be positioned north-west of the neighbours' gardens, it is not considered that unacceptable levels of overshadowing would result. The existing leylandii would also provide additional screening to protect the amenity of No. 27 Thorpe Avenue.

On the basis of the above, the proposal is considered on balance to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the Peterborough Local Plan (Submission Stage) (2018).

### **c) Parking provision**

The property is set back approximately 11 metres from the public highway. The space inbetween is used for on-site vehicular parking. The property is currently served by three bedrooms, however, this would increase to four bedrooms if the proposed extensions are built out.

Under adopted parking standards, the increase in the number of bedrooms would not require the applicant to provide additional parking on site. Furthermore, there would be approximately 9.5 metres of separation between the front elevation of the proposed porch and the public highway. The reduction in separation is considered to be acceptable as two vehicles would still be able to acceptably park on-site without encroachment onto the public highway.

On the basis of the above, the proposal is considered to be in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Peterborough Local Plan (Examination Stage) (2018).

### **d) Impact to trees**

To the rear garden of No. 15 Thorpe Park Road is a cherry tree, which sits adjacent to the boundary between No. 15 Thorpe Park Road and No. 17 Thorpe Park Road. Whilst the proposed rear extensions would move the built form of No. 17 Thorpe Park Road nearer to this tree, the Tree Officer considers it unlikely that the proposal would adversely impact upon this tree, which is not protected by a Tree Preservation Order or situated within a Conservation Area. The Tree Officer advises that an informative relating to heras fencing should be attached to the Decision Notice. This is agreed to ensure that the tree is protected during construction of the works.

In light of the above, the proposal is considered to be in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012) and Policy LP29 of the emerging Peterborough Local Plan (Examination Stage) (2018).

## **6 Conclusions**

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The proposed development would not unacceptably impact upon the character and appearance of the site and the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and Policy LP16 of the Peterborough Local Plan (Submission Stage) (2018).
- The amenity of neighbouring properties around the site would not be adversely impacted upon by the proposal, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011),



Policy PP3 of the Peterborough Planning Policies DPD (2012) and Policy LP17 of the Peterborough Local Plan (Submission Stage) (2018).

- Parking provision to serve No. 17 Thorpe Park Road and its extensions would be acceptable, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Peterborough Local Plan (Examination Stage) (2018).

- The proposal would not unacceptably impact upon nearby trees, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012) and Policy LP29 of the emerging Peterborough Local Plan (Examination Stage) (2018).

## **7 Recommendation**

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- C 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Plan 1:1250
- Existing and Proposed Block Plan (Drawing number 001 Revision B)
- Existing Elevations and Floor Plan (Dwellinghouse) (Drawing number 002)
- Proposed Floor Plan (Dwellinghouse) (Drawing number 003 Revision B)
- Proposed Elevations (Dwellinghouse) (Drawing number 004 Revision B)
- Proposed Elevations and Floor Plan (Outbuilding) (Drawing number 005)

Reason: For the avoidance of doubt and in the interests of proper planning.

- C 3 The materials to be used in the construction of the external surfaces of the two storey side and rear extension, single storey rear extensions, front porch and outbuilding; hereby permitted shall match those used in the existing building.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 4 The outbuilding to the rear garden hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as No. 17 Thorpe Park Road, and shall not be occupied, leased or rented as a separate dwelling.

Reason: The site is not adequate to support a separate dwelling because of its design, scale, facilities and position and therefore this development is only acceptable as ancillary accommodation in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP4 of the Peterborough Planning Policies DPD (2012).

Copies to Ward Councillors Murphy, Nawaz and Smith

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