

Application Ref: 13/00347/HHFUL

Proposal: Double storey side, single storey side and front porch

Site: 15 Kirby Walk, Netherton, Peterborough, PE3 9UD
Applicant: Mr Andy Barker

Called in by: Cllr Arculus

Reason: Case deserves committee consideration

Agent: Mr Mark Pellegrini
 Town & Country

Site visit: 07.05.2013

Case officer: Mr D Jolley
Telephone No. 01733 453414
E-Mail: david.jolley@peterborough.gov.uk

Recommendation: **REFUSE**

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

Site and surroundings:

The application site is a detached dwelling of standard brick and tile construction located at the end of a pedestrian walk, with no through routes. The application site lies on a large plot with an open front garden and fully enclosed rear garden. The property has been previously extended with a single storey extension to the rear. Parking for the property is to the rear, accessed via a separate access.

There are 3 trees in close proximity to the dwelling. Two trees are located within the front garden, a conifer and maple, the latter benefits from a tree protection order. The crown of a large sycamore tree overhangs the application site. None of the trees are likely to be affected by the proposals.

The dominant character of the area is of plain, brick and tile, semi detached dwellings with small enclosed porches and render bands at ground floor level, front to back dual pitch roofs and brick piers at the extremities of the frontage. The application site is mirrored by a single identical property directly opposite the application site.

Proposal:

Permission is sought for:

- The erection of a single storey side extension measuring 1.97m wide by 3.6m metres deep.
- A front porch measuring 2.7m wide by 1.69m deep and
- A 4.67 wide by 7.3 metre deep two storey side extension, with a dual pitch roof measuring 4.7 metres above ground level at the eaves and 6.6 metres at the apex.

The proposed extensions will increase the number of bedrooms from 3 to 4.

2 Planning History

Reference	Proposal	Decision	Date
11/01761/HHFUL	Single storey side, double storey side and front porch	Application Refused Appealed - Refused	12/12/2011
12/01743/HHFUL	Two storey side and single storey side extensions and front porch	Application Refused	10/01/2013

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, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

4 Consultations/Representations

Landscape Officer (08.04.13)

There are 2 TPO trees growing adjacent to the site which should be given due consideration.

Although there does not appear to be any direct conflict, I would advise that any consent granted have a suitably worded condition attached regarding an Arboricultural Method Statement to ensure that the trees are considered during the development stage - storage of materials etc. Please contact me if you require wording.

Local Residents/Interested Parties

Initial consultations: 4

Total number of responses: 1

Total number of objections: 0

Total number in support: 0

The response received asks that whilst the work is being carried out access to and egress to a neighbouring property and garage is left clear.

5 Assessment of the planning issues

The main considerations are:

- The impact of the proposal on the character of the area
- The impact of the proposal on the amenity of the occupiers of neighbouring dwellings
- Trees
- Car Parking
- Other matters

N.B. This application is a resubmission of application number 11/01761/HHFUL. This application was refused by the City Council. The decision was appealed and the inspector concluded that the two storey side extension would unacceptably dominate the existing dwelling. In particular the inspector noted that the large expanse of roof would appear as a bulky addition. The proposed extension would be out of proportion with and unbalance the appearance of the existing dwelling within the streetscene and that the symmetry with the dwelling opposite would be lost (See appendix 1 for full inspector's decision).

The revised proposal now before committee reduces the width of the two storey extension refused under application number 11/01761/HHFUL by 20cm to 4.677 metres and introduces a set back of 40cm and a ridge height 20cm lower than that of the host dwelling.

However it should be noted that the revised scheme is 10cm wider than the 4.57 metre extension proposed under application number 12/01743/HHFUL which was also refused but was not appealed by the applicant (this application include the 40cm set back and 20cm lowered ridge height also proposed under the current application). Application 12/01743/HHFUL was refused for the following reasons:

The proposed two storey side extension by reason of its width and roof form would be overly wide, unbalanced and out of proportion with the host dwelling. The resulting dwelling would also be out of scale with the proportions of the property opposite which is of identical proportions. As such the resulting dwelling would appear overly dominant and incongruous within the street scene to the detriment of the character of the area.

The impact of the proposal on the character of the area

The proposed alteration to the porch will result in a structure with an acceptable juxtaposition between the front facing gable of the porch roof and the main house roof. The porch is only slightly larger than could be constructed under permitted development allowances. For these reasons the Local Planning Authority considers this element acceptable.

The proposed two storey side extension in combination with the single storey side extension would increase the frontage width of the property from 6.2 metres to 13 metres. The resulting property would be wider than the 12 metre frontage that comprises the width of the semi detached pairs that make up the majority of the walk and the 6.2 metre width of the identical property opposite and as such the resulting dwelling is likely to appear out of place in its surroundings.

The proposed extension would therefore result in a property that was out of scale and proportion with the simple compact proportions of its neighbours adjacent and opposite and would become a dominant incongruous feature within the street scene and as such it is considered that the proposal does not respond appropriately to the character of the sites surroundings, this is contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011.

The 4.67 metre width of the two storey side extension would appear out of proportion against the 5.9 width of the original house; the gable roof of the proposed extension contributes further to this bulky, unbalanced appearance and would result in the two storey side extension appearing as overly dominant when compared to the host dwelling. It is considered in this instance the extension would need to be made far more subservient in order to preserve the essential character of the property, given that the dwelling opposite is identical to the application site dwelling. The proposal would lead to a loss of this symmetry created by the application site and its opposite neighbour which form a visual stop at the end of the walk.

The Local Authority appreciate that the dwelling benefits from some screening, however this is not sufficient to mitigate the concerns in respect of the design of the proposals. Whilst the Local Authority is of the opinion that a two story extension would be acceptable if it was correctly designed and slightly reduced in terms of its overall bulk so that it is proportional to the original dwelling the current proposal does not overcome the concerns of both the LPA and the inspector in that the proposed extensions roof is still unacceptably bulky and that the extension is still disproportionately wide when compared to the host dwelling.

The impact of the proposal on the amenity of the occupiers of neighbouring dwellings

When considered as a stand alone element the single storey side extension is considered to be of acceptable scale and design. The front facing wall of the extension has been set back from the front wall of the main dwelling by 35cm and is set in 90cm from the nearest shared boundary. As such the side extension is unlikely to cause harm to the amenity of the occupiers of neighbouring dwellings through overshadowing or overbearing impact it is suitably subservient.

It is considered that due to the location of the property, at the end of a Walk, with no immediate neighbours adjacent to the location of the two storey extension that this element would have no impact upon the amenity of the occupiers of neighbouring dwellings.

Trees

The proposal is unlikely to impact upon the protected tree which could be adequately protected by hedges fencing during the construction phase. The Landscape Officer has raised no objection to the proposal other than seeking clarification that the root protection area of the trees is protected during construction.

Car Parking

The proposal increases the number of bedrooms from 3 to 4; under current policy this does not require provision of additional parking facilities.

Other Matters

No objections have been received in relation to the proposal, 1 letter was received requesting that the egress of a near neighbour not be blocked during construction of the development. This could not form the basis of a refusal of the application and it would be unreasonable to request that a construction management plan be submitted by the applicant. An informative could be appended to the permission reminding the applicant of their duty that the egress be kept clear during construction.

6 Conclusions

The front porch and single storey side extension elements of the proposal are acceptable, however the two storey side extension is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

The proposed two storey side extension by reason of its width and roof form would be overly wide, unbalanced and out of proportion with the host dwelling. The resulting dwelling would also be out

of scale with the proportions of the property opposite which is of identical proportions. As such the resulting dwelling would appear overly dominant and incongruous within the street scene to the detriment of the character of the area.

7 Recommendation

The case officer recommends that planning permission is **REFUSED**

R 1 The proposed two storey side extension by reason of its width and roof form would be overly wide, unbalanced and out of proportion with the host dwelling. The resulting dwelling would also be out of scale with the proportions of the property opposite which is of identical proportions. As such the resulting dwelling would appear overly dominant and incongruous within the street scene to the detriment of the character of the area. This is contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011 and PP2 of the Peterborough Planning Policies (DPD) 2012 which states;

CS16 - New development should respond appropriately to the particular character of the site and its surroundings, using innovative design solutions where appropriate; make the most efficient use of land; enhance local distinctiveness through the size and arrangement of development plots, the position, orientation, proportion, scale and massing of buildings and the arrangement of spaces between them; and make use of appropriate materials and architectural features.

PP2 - Planning permission will only be granted for development where the layout, design and appearance of the proposal;

a) Would make a positive contribution to the quality of the built environment (in terms of its location, size, scale, massing, density, proportions, materials and design features); and

b) Would not have a detrimental effect on the character of any immediately adjoining properties or the surrounding area.

Copy to Councillors Arculus, Dalton and Maqbool

Appendix 1



The Planning
Inspectorate

Appeal Decision

Site visit made on 19 March 2012

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 April 2012

Appeal Ref: APP/J0540/D/12/2171173

15 Kirby Walk, Netherton, Peterborough, PE39UD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andy Barker against the decision of Peterborough City Council.
 - The application Ref 11/01761/HHFUL was refused by notice dated 12 December 2011.
 - The development proposed is a single storey side, double storey side extension & front porch.
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Decision

1. The appeal is dismissed insofar as it relates to the double storey side extension. The appeal is allowed insofar as it relates to the single-storey side extension and front porch and planning permission is granted for a single-storey side extension and front porch at 15 Kirby Walk, Netherton, Peterborough, PE3 9UD in accordance with the terms of the application, Ref 11/01761/HHFUL and the plans submitted with it so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans on drawing number 222-01.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding streetscene.

Reasons

3. The appeal dwelling lies at the end of a residential walkway. The dwellings are of uniform semi-detached design with the exception of the two dwellings at the end: the appeal site dwelling and the one opposite. These detached dwellings have mirrored front elevations of similar design. I consider that the similar appearance of these two dwellings creates a well-defined visual stop at the end of the walkway and thus these dwellings make a positive contribution to the character and appearance of the surrounding area.

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4. The proposal includes a two-storey side extension, which would be positioned in line with the main front elevation and with a gable roof joining the existing roof at the same ridgeline height. It would be some 4.9 metres wide. The main part of the existing dwelling is some 5.9 metres wide. Due to the width, height and lack of set back, I consider that the proposed extension would unacceptably dominate the existing dwelling. In particular, the large expanse of roof would appear as a bulky addition. The proposed extension would be out of proportion with and unbalance the appearance of the existing dwelling within the streetscene. The symmetry with the dwelling opposite would be lost.
5. For the reasons stated above, I consider that the proposed two-storey side extension would have an adverse effect on the character and appearance of the surrounding streetscene. This would be contrary to Policy CS16 in the Peterborough Core Strategy (2011) where this policy seeks for new development to respond appropriately to the character of an area.
6. In reaching my conclusion on this matter, I have had regard to all other matters raised including the extension to a nearby property at the end of a walkway at 15 Lyme Walk. From my observations, this example is distinctly different to the proposal before me. In particular, the ridge height of that extension is lower than the ridge of the original part of the dwelling. Lyme Walk does not benefit from the symmetry of design of two end dwellings and thus does not have the distinctive streetscene of Kirby Walk.
7. The proposal includes a single-storey side extension in front of an existing side extension and alteration to the front porch. The Council has not raised concern with regard to these extensions and from my observations, due to their design and small size; I consider that they would be acceptable.
8. As the proposed single-storey extension and porch alteration could be constructed independently from the proposed two-storey extension, I consider it reasonable to issue a split decision allowing these to be constructed.
9. Apart from a standard time condition, the Council has suggested a condition with regard to matching materials. In the interest of visual amenity, I consider such a condition to be reasonable and necessary. Otherwise than as set out in this decision and conditions, it is necessary that a condition be imposed to ensure that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.

J Cheesley

INSPECTOR

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