

Application Ref: 13/01478/PRIOR

Proposal: Single storey rear extension

Site: 48 Hall Lane, Werrington, Peterborough, PE4 6RA
Applicant: Ms A Cooper

Agent: Mr Steve Pawson

Referred by: **Councillor Thacker**
Reason: Detriment to Neighbour Amenity
Site visit: 24.09.2013

Case officer: Mr S Falco
Telephone No. 01733 454408
E-Mail: sam.falco@peterborough.gov.uk

Recommendation: **Grant** subject to relevant conditions

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

Site Description:

The site is host to a large detached bungalow facing onto Hall Lane Werrington. The dwelling is single storey, constructed of red/brown facing brick, a dark brown concrete tile roof and brown timber windows and doors. The rear garden is laid to lawn with a detached garage to the back of the site, accessed via a road to the rear of the site.

Proposal:

The proposal is for prior approval for a single storey rear extension to the bungalow. The extension will measure 6230mm (projection) x 4300mm (width). The eaves of the proposal will measure 2350mm and 3900mm to the ridge. The extension will form a brick built lounge/sunroom with 2 no. roof lights in each roof slope, high level windows in the south elevation facing the shared boundary with no.46 Hall Lane, with the north facing elevation being mostly glazed.

2 Planning History

No relevant planning history

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)

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.

4 Consultations/Representations

Under the Governments Prior Approval Scheme, only the abutting neighbours can be consulted on the application.

Local Residents/Interested Parties

Initial consultations: 2

Total number of responses: 1

Total number of objections: 1

Total number in support: 0

Objection:

The adjacent neighbour (no.46 Hall Lane) has objected to the proposal for the following reasons:

- a) The size and positioning of this extension will seriously invade our privacy.
- b) The extension will be of a completely overbearing and hideous nature.
- c) The positioning of the proposed extension will be running adjacent to the boundary of our property and will be visible out of our lounge patio doors.
- d) The two high level windows in the south elevation will be above the fence and will afford views over the fence taking away privacy of our lounge and rear garden.
- e) At night, the light from the proposed elevation windows and roof windows will allow light to shine into the lounge, rear garden and upstairs bedroom window.
- f) The size of the extension is too large, projecting over 6m and will detract from the view from the living room and when we are in our garden the extension will be completely overbearing.
- g) There will be nuisance caused by noise pollution caused by the number of windows in the extension.

5 Assessment of the planning issues

This proposal has been submitted under a prior approval application and therefore the design and appearance of the proposal cannot be considered as part of this application. The adjoining neighbour has objected to the proposal and therefore the application must be considered by the Local Planning Authority. The only element that the Local Planning Authority have control over is the impact on neighbour amenity by way of overlooking, overbearing, overshadowing, noise or similar. These elements will be assessed below.

The proposal will extend 6230mm from the rear wall of the original property and is located 905mm from the shared boundary fence with no.46 Hall Lane. The neighbouring property at no.46 Hall Lane is set back on its plot by approximately 0.9m thus reducing the visible projection past the rear of no.46 to approximately 5.3m.

It must be made clear that this property is detached and benefits from Permitted Development rights of extending to the rear of the property by 4m, up to a height of 4m to the ridge and 3m to the eaves without having to notify the Local Planning Authority. These provisions would allow the insertion of rooflights and similar high level windows facing south towards no. 46. Therefore, only so much weight that can be given to something that would have a similar impact under the provisions of Part 1 Class A of the Town and Country Planning (General Permitted Development) Order. It must also be noted that the extension is 905mm off the shared boundary, with a separation of 1.5m from the proposed extension to the dwelling of no.46.

Effectively, the Local Planning Authority is considering whether the additional 2.2m projection of the proposal over and above what can be done under Permitted Development would have sufficient additional harm on the amenities of the adjoining neighbours residing no.46 Hall Lane. The Case Officer has taken into consideration the 0.9m set back of the neighbouring property which is considered to reduce the visible projection to 5.3m.

The objection from the neighbour has stated that:

- a) The proposed extension will be overbearing in respect of the outlook from both the living room and the rear garden.
- b) That the proposed high level windows will cause an overlooking impact into both the rear windows and garden.
- c) The rooflights will allow light pollution into the adjacent first floor master bedroom window.
- d) Noise pollution will also be experienced from the extension.

The extension is single storey and the host property (no. 48 Hall Lane) is located north of the neighbour and therefore unlikely to have any significant overbearing and overshadowing impact on the adjacent windows and garden space of no. 46 Hall Lane.

The objection with regards to noise is also not considered to be any more harmful than what could potentially be experienced by way of an extension falling under the provisions of the General Permitted Development Order. The use of the extension is deemed to be compatible with the residential area it is located.

As referred to above, the rooflights and high level windows would be permitted development in an extension not projecting more than 4m from the rear of the property and it is considered that the impact of light pollution emanating from the rooflights and potential for overlooking from the high level windows would not be significantly worse in this specific case.

After much consideration, it is the opinion of the Planning Officer that the additional 2.2m projection over permitted development (which is effectively reduced to 1.3m by way of no. 46 being set further back on its plot), with a 1.5m separation, would not result in sufficient additional harm to the occupiers enjoyment of no. 46 Hall Lane to warrant refusal of this application.

6 Conclusions

Following consultation with adjoining neighbours, an objection has been received in respect of the proposed development. In accordance with Part 1 Class A.4(5) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the prior approval of the Local Planning Authority is required.

Upon assessment of the proposal, it is considered that the proposed development will not result in an unacceptably harmful impact upon the amenities of neighbouring occupants.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 Development must be carried out in accordance with the details submitted to the Local Planning Authority.

Reason: In accordance with Schedule 2 Part 1 Class A Town and Country Planning (General Permitted Development) Order 1995 (as amended).

C 2 Development must be completed on or before 30th May 2016.

Reason: In accordance with Schedule 2 Part 1 Class A Town and Country Planning (General Permitted Development) Order 1995 (as amended)

C 3 The Developer must notify the LPA in writing upon completion of the development. The completion notification shall include the name of the developer, the address to which the development relates, and the date of completion.

Reason: In accordance with Schedule 2 Part 1 Class A Town and Country Planning (General Permitted Development) Order 1995 (as amended)

Copies to Councillors D Fower, PV Thacker MBE, J Davidson