

Application Ref:	18/01212/HHFUL
Proposal:	Single storey rear extension, first floor extension to rear and front dormer extension
Site:	22 Old North Road, Wansford, Peterborough, PE8 6LB
Applicant:	Mr K Hamlyn
Agent:	Mr A M Knight
Site visit:	21.08.2018
Referred by:	Wansford Parish Council
Reason for referral:	Parish council objection
Case officer:	Miss Sundas Shaban
Telephone No.	01733 453504
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Recommendation:	GRANT subject to relevant conditions

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

Site description

The application site comprises a semi-detached chalet bungalow located within the Wansford Village Envelope. The property benefits from a single detached garage at the rear as well as a large driveway to the front and side with off-street parking provision for several vehicles.

Proposal

The application seeks planning permission for the following:

- Single storey rear extension measuring 2.3 metres (width) x 5 metres (length)
- First floor extension to rear measuring 7.1 metres (length) x between 4.3 metres and 5.1 metres (width) including a new side facing dormer
- Front dormer extension

The external materials are proposed to match the existing dwelling.

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)

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.

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 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 process, 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.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

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.

4 Consultations/Representations

Wansford Parish Council

Concerns over effect on the neighbouring property with regards to loss of sunlight and privacy.

Local Residents/Interested Parties

Initial consultations: 5

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

Two letters of objection have been received. One was from Wansford Parish Council as detailed above.

The second letter of objection was from the attached neighbour to the north (no.24 Old North Road) objecting on the following grounds:

- The first floor extension will result in an unacceptable loss of light in the dining room, lounge and patio area.
- The loss of light from the lounge window opposite the proposed rear extension is well above the 25 degrees BRE (Building Research Establishment) "rule of thumb" limit in the winter months. The loss of light from the dining room patio window perpendicular to the proposed rear extension is also well above the 45 degrees BRE "rule of thumb" limit in the winter months.
- The first floor extension and Juliet balcony would result in an unacceptable loss of privacy adversely affecting the rear garden of no.24.
- The first floor element is not in keeping with the surrounding single storey bungalows.
- Raising the roof height results in an overbearing impact.

5 Assessment of the planning issues

Design and impact on the character of the area

Only the front dormer extension would be visible from the public realm. The dormer sits well within the roof and is aligned with the existing dormer. This aspect of the proposal is considered to be minor and would not result in any unacceptable impact on the host property or the character of the area.

The proposed rear extensions including the new dormer would be blocked by the existing dwelling and the roof of the new extension would not be any higher than the highest part of the existing roof. There may be very limited views of the extension and dormer along the driveway or from Swanhill the road to the north. There are also a mix of house types and designs in the immediate area. As such, given the limited views of the rear extensions it is not considered that any unacceptable

adverse impact upon the street scene would result. The external materials of the proposed works would match the existing dwelling and would not therefore be at odds with the existing bungalow.

Given the above the proposal would not result in an unacceptable impact to the character, appearance or visual amenity of 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 emerging Peterborough Local Plan (2018).

Neighbour amenity

The front dormer extension would not result in any unacceptable impact on the amenity of the neighbours given its size, location and relationship with the adjoining neighbours. As such this aspect of the proposal can be accepted.

With regards to the detached neighbour to the south (no.20) the ground floor extension would not result in any impact as it would be blocked by the presence of the existing projecting element. The raised roof height and the first floor element would be located approximately 2.5 metres from the shared boundary with the neighbour and 4 metres from its side elevation. This separation distance is considered to be sufficient as to not result in any significant overbearing impact, especially given no.20 does not have any windows in the side elevation facing the application site. In addition given this neighbour is due south no overshadowing would result. A new dormer is proposed in the side elevation facing this neighbour which would have a window. This window would serve a bathroom and would therefore be obscure glazed. A condition will be appended to ensure this window is obscure glazed and retained as such.

With regards to the attached neighbour to the north (No 24) it is acknowledged that some impact would result.

The ground floor rear extension would be a small infill projecting approximately 4.8 metres from the rear elevation of the application site and bring this part of the house approximately 2.2 metres closer to the attached neighbour to the north. It would not project beyond the rear elevation of the existing rear projecting element. Given the limited eaves height of only 2.6 metres which is only 0.6 metres higher than the boundary fence which can be erected without planning permission and the fact it would still be located approximately 2.1 metres from the shared boundary with this neighbour it is not considered that this element of the proposal extension would be overbearing. In addition, the applicant could erect a 3 metre long extension sitting on the boundary with an overall height of 4 metres under the permitted development allowances without the need to apply to the Local Planning Authority for planning permission which would result in greater impact than this element of the current proposal.

The application also proposes a first floor extension. The height of the roof of the existing projecting element would be increased by approximately 1.5 metres in order to create additional living space within the roof space. This would also extend above the widened ground floor extension.

The attached neighbour to the north (no.24) has objected to the raised roof height and first floor extension on the grounds of overbearing impact, loss of privacy and loss of light into their dining room, lounge and patio area.

With regard to the concerns raised about overbearing impact whilst it is acknowledged that the proposal would result in a change from the present relationship, creating a larger built form, given the off-set from the boundary (of 1.5 metres) and the fact that the roof slopes away from the neighbouring property it is not considered that any unacceptable overbearing impact would result.

The neighbour has commented that the proposal would result in a loss of daylight from their lounge window opposite the proposed rear extension which would be well above the 25 degree BRE (British Research establishment) 'rule of thumb' limit in the winter months. The neighbour has also commented that the proposal would result in the loss of daylight to their rear facing dining

room window in excess of the 45 degree rule also set by BRE.

The British Research Establishment (BRE) sets out guidance around loss of daylight and sunlight with a view to trying to ensure that new development does not have unacceptable impacts on these aspects of amenity. It is guidance and the Council has not adopted the BRE standards as its policy for assessing the impact of development albeit it is acknowledged by Officers that it is a useful tool for judging the acceptability of development.

Under the BRE guidance the 25 degree rule is applied where development faces directly onto existing properties. It would normally be used where for instance a new house is proposed at the end of a garden to ensure daylight is not unacceptably compromised to the rear windows of the existing house. The objector has in this case referred to the impact of the extension on their side facing lounge window. Whilst it is acknowledged that the proposed extension would impact upon this window using this 'test', the window is a secondary window and there is another rear facing window which serves the room. As such it is not considered that the loss of light to this room would be significant enough to warrant the refusal of the application.

The 45 degree rule to which the objector refers is used where development is adjacent to windows. Effectively a 45 degree angle is drawn in both the horizontal and vertical planes. If the angle extends beyond the centre line of the adjacent window then there is likely to be an impact upon daylight to that room. In this instance the proposed development would 'fail' the 45 degree test in the horizontal but not the vertical given the set back of the extension from the boundary and the angle of the roof. As such whilst it is acknowledged that the proposal would result in some loss of daylight to the neighbours rear facing dining room window it is not considered that the impact would be so severe as to warrant the refusal of the application.

The neighbour has also raised concerns about overshadowing and loss of privacy. It is accepted that some overshadowing would result given the orientation of the properties. However, the neighbour benefits from a large rear garden, the majority of which would be unaffected by the proposed development. As such the impact in the patio area is considered to be within acceptable tolerances.

With regards to the Juliet balcony this would not directly look into the neighbours and would not result in any greater impact than a window which could be installed in the rear elevation without planning permission. As such it is not considered that this aspect of the scheme could be resisted.

In summary whilst it is acknowledged that this proposal would have an impact on the attached neighbour it is on balance considered to be acceptable 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 emerging Peterborough Local Plan (2018).

Parking

The proposal will result in the creation two more bedrooms, however the parking requirement on the site would not increase and sufficient off-street parking would be retained. The property benefits from a large driveway to the front with off-street parking provision for several vehicles. As such the proposal would not result in any unacceptable impact on the nearby public highway, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Peterborough Local Plan (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 proposal would not result in an unacceptable impact to the character, appearance or visual

amenity of 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 emerging Peterborough Local Plan (2018).

- Whilst it is acknowledged that there would be an impact on the attached neighbour the proposal is on balance considered to be acceptable 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 emerging Peterborough Local Plan (2018).

- The proposal will result in the creation two more bedrooms, however the parking requirement on the site would not increase and sufficient off-street parking would be retained, therefore it would not result in any unacceptable impact on the nearby public highway, in accordance with Policy PP13 of the Peterborough Planning Policies DPD (2012) and Policy LP13 of the emerging Peterborough Local Plan (2018).

7 Recommendation

The case officer 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 materials to be used in the construction of the external surfaces of the extensions 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 3 Prior to first use of the room which it serves, the first floor window on the side elevation serving the bathroom shall be fitted with obscure glazing (to a minimum of industrial standard level 3) and either non-opening or 1.7 metres in height from the floor level in that room. It shall subsequently be retained as such.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, 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 emerging Peterborough Local Plan (2018).

C 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location plan
- Existing ground floor plan
- Existing first floor plan
- Existing elevations
- Proposed floor plans, elevations and block plan

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