

Item No. 5

Planning and EP Committee 11 June 2019

Application Ref:	19/00408/HHFUL
Proposal:	Two storey rear and single storey side and rear extensions and granny annexe to the rear
Site:	26 Ledbury Road, Netherton, Peterborough, PE3 9RH
Applicant:	Mr N Younas
Agent:	Mr Iqbal
Referred by	Councillor Mohammed Nadeem
Reason for referral:	The scheme is considered to be acceptable and there are other examples of two storey extensions in the area for which planning permission has been granted.
Site visit:	18.03.2019
Case officer:	Mr Chris Mohtram
Telephone No.	01733 4501733 453410
E-Mail:	chris.mohtram@peterborough.gov.uk
Recommendation:	REFUSE

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

Site and surroundings

The application site consists of a semi-detached property, forming a pair with number 24 to the east, connected through their garages at ground floor. The side elevation at first floor protrudes at the rear, creating a staggered appearance to the street. The rear garden is modest in size, with a number of mature trees towards the bottom of the garden, with the rear boundary established through by close boarded fencing.

The wider area is wholly residential characterised by semi-detached and detached properties generally set back from the highway with substantial grass verges in front. The majority of properties have off street parking provision to the front and side with front boundaries being identified with low brick walls, hedgerows or are open.

Westwood Recreation Ground sits to the rear of the property and shares the rear boundary with the application site.

The Proposal

Planning permission is being sought for the construction of a single storey side, two and single storey rear extensions, and a detached residential annexe building within the rear garden. The originally proposed development under this planning application included a two storey side extension, however following receipt of amended plans, the first floor element of the side extension has now been deleted.

The construction of the proposed single storey side extension would result in the demolition and re-building of the existing attached garage building and outside store. This new extension would also extend further rearwards than the existing building with an overall depth of 9m and would contain a play room and bathroom.

The two storey rear extension will provide a utility room and a shared extended kitchen/dining area at ground floor which will be served by a large roof light. The proposed first floor accommodation would reconfigure the existing layout to provide larger bedrooms, shower room and a store room. The single storey element of the rear extension is flat roofed and measures 8m in depth, 7.4m in width and 3.4m high. The two storey element has a dual pitch with hipped roofs being 6.4m height to the ridge, 4m in depth and 7.4m in width.

A residential annex is also proposed at the bottom of the garden close to the rear boundary. The annex has a pitched roof, with the ridge lying perpendicular to the rear boundary, with gables to either side. The annex measures 7.7m wide, 6m deep and 4.5m to the ridge. The annex will provide lounge/bedroom accommodation with a wet room.

2 Planning History

Reference	Proposal	Decision	Date
P0350/89	Single storey extension to front	Permitted	08/05/1989

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. The plan has now been examined by the Inspector who has published a list of proposed modifications. These are being consulted upon for 10 weeks. The Inspector has found the Local Plan 'sound' (subject to

certain modifications) and, in effect, has given permission to the Council to adopt it provided recommended modifications are incorporated into the final adopted version. The draft Local Plan will be presented to a meeting of the full Council on 24 July 2019, when the Council will decide whether or not to adopt the 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.

LP34 - Residential Annexes

Permission for the creation of a residential annex will only be granted if the annex remains in the same ownership as the original dwelling, would not result in the creation of a new or separate dwelling, is ancillary in size and scale, of an appropriate design, has a clear functional relationship to the main house including services/ utilities and does not result in other harm. Detached annexes will only be permitted where it can be demonstrated that the accommodation cannot reasonably be provided through extension of the existing dwelling.

4 Consultations/Representations

Local Residents/Interested Parties

1 representation has been received, they comment:

- That the side extension is too close to their bathroom window

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

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

In line with Policy CS16 of the Core Strategy and Policy it is important that any new extensions to a property, are of an appropriate scale, and design to be in visually in keeping and subservient to the property it adjoins. Similarly any new residential annexes must be ancillary and subordinate in size and scale to the original dwelling, with a clear functional relationship with the original house.

Officers were concerned that the original size and scale of the extensions proposed together with the annexe outbuilding would overdevelop the plot and fail to be in keeping with the scale and proportions of the existing dwelling and plot, and would be harmful to amenity of neighbouring properties. Officers therefore requested the removal of the first floor side extension element of the proposal, a reduction in the depth of the rear extensions, both at ground floor and first floor and a reduction in the footprint of the residential annexe.

Amended plans have been submitted that removes the first floor element of the side extensions and propose only a single storey side extension. This is considered to be acceptable and has overcome Officers concerns in this regard.

Officers requested also that the ground floor and two storey elements of the rear extension be reduced in depth to 5m and 2.5m in depth respectively. It was considered that the proposed rear extensions at 8m at ground floor and 4m at first floor would be excessively deep in relation to the main house, especially when combined with the height of the proposed roofs. Due to the excessive size, the proposed extension, if approved, would appear visually harmful to the character and appearance of the host dwelling and would be out of character with the wider area, appearing as an incongruous feature when seen against the host dwelling. However the applicant was unwilling to alter their proposal so the extension remains proposed at 8m and 4m in length. Therefore Officers are of the view that the two and single storey rear extensions due to the resulting visual harm to the host property and the character and appearance of the area and in respect of the impact of the extension on neighbouring residential amenity would be unacceptable.

Planning permission is also being sought for a detached outbuilding at the bottom of the rear garden to provide a residential annexe, containing a bedroom and lounge area and a wet room area. The building was originally proposed to measure 8m x 7m (56sqm). Officers considered that the size and scale of the annexe was too large and was not ancillary or subordinate to the main house and therefore could not reasonable be considered ancillary annex accommodation.

Officers requested that the residential annexe be reduced to 6m x 5m (30sqm); however, the amended plans received reduces the annexe to only 7.5m x 6m (45sqm) The annexe would occupy an area of 45sqm within the rear garden which is considered substantial in addition to the main dwellinghouse, and its proposed extensions. The host dwellinghouse and the annexe would be separated by 12m from the closest part of the proposed extension. The scale of the annexe would be overly large in relation to the main house and a large detached building at the bottom of the garden which would be out of keeping with the character of the surrounding area. Providing such a large separate unit of accommodation within the modest rear garden would be both out of keeping with the plot, host dwelling and the character of the surrounding area. This would be contrary to Policy LP34 of the new local plan. In addition insufficient justification has been provided by the applicant as to why such a large annexe building is required.

In light of the above, given the size, scale, prominence, massing of the proposals and their unacceptable impact to the character and appearance of the site and the surrounding area, Officers do not consider the proposals to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 of the Peterborough Planning Policies DPD (2012)

and Policies LP16 and LP34 of the New Local Plan.

b) Neighbour amenity

The application site shares boundaries with No. 24 Ledbury Road t and 28 Ledbury Road. To the rear of the site lies Westward Recreation Ground which is a large open space

i) No. 24 Ledbury Road

This property is the adjoining semi-detached neighbour. As the single storey side extension is limited to a size that mimics the existing garage, with only a small increase to the depth of the outside store at the rear, this element is not considered to impact on the amenity of the neighbouring property. As such, the main considerations are the potential impacts from the proposed two storey extension at the rear. The ground floor element of the extension would extend approximately 8 metres along the boundary to this dwelling with the two storey extension extending by 4m, with an overall height of 6.4m. There is a separation distance of 1.4m from the shared boundary. Despite this separation, it is considered that the proposed scale and massing of the extension would have an overbearing and dominant impact on this neighbouring property. Also, the extension would have an overshadowing impact on the adjoining property and its garden particularly in the afternoon/evening as it lies to the South-West. Accordingly, it is considered that a significant harm would be caused due to the excessive scale of the proposal.

One roof light is proposed within the development, but it is not considered that this would unacceptably impact upon this neighbour's level of privacy.

An objection has been received noting the proximity of the extensions, particularly in respect to the impact of the two storey extension to a flank bathroom window. As the first floor side extension has now been removed from the application, it is considered that any impact that this extension would have now been negated, although the first floor element of the rear extension would remain to have an impact on the amount of light that the window on the side elevation would be afforded, although its position facing the host dwelling already limits the amount of natural light. Accordingly, in this instance, the level of impact would not be of such an unacceptable level, bearing in mind that it is a bathroom window, to warrant refusal of permission.

ii) No. 28 Ledbury Road

No. 28 Ledbury Road is the neighbouring property to the west. In this regard, the impact of the proposed development at the property would be limited to that created by the proposed two storey side extension would be off-set from the shared boundary by approximately 0.8 meters and to the dwelling itself by approximately 1.5metres. Even with this separation distance, the two storey extension would have a demonstrable impact on the amenity of this property through its significant mass and scale. The substantial depth of the proposed extension, combined with the height of 6.4m close to the boundary would cause harm through being over-dominant and overbearing on the rear windows and rear garden of the property.

Furthermore, as this dwelling sits on the western side of the application site there would be a significant detrimental impact on the amount of natural light afforded by the rear windows and the rear garden in the morning. Furthermore the centre of the bedroom window at first floor closest to the two proposed two storey element sits within the 45 degrees of the side wall of the first floor element, which would mean that the extension would severely impact natural light entering the room leading to significant overshadowing and loss of amenity.

Accordingly, it is considered that the proposal, by virtue of the mass and scale of the rear extension would unacceptably impact upon the light entering this bedroom as well as to a significant proportion of the rear garden space due to the excessive depth and height of the proposed two and single storey rear extensions.

Residential Annexe

In terms of the annexe building, this sits in the south east of the garden, adjacent the rear boundary. Its scale including its footprint and height will create some overbearing impact on the rear garden of no.24, of which it sits 0.5m from the shared boundary. There are a number of trees in the rear gardens of 24 and 26, which already would present on amount of over shadowing that limit the impact that the annexe would have on natural light to the garden.

The impact on the garden of no.28 would initially be considered to be negated slightly due to the increase separation distance of 1.4m. However as this property is to the west due to the angle of the sun rising and setting there would be some overshadowing and loss of light to part of their rear garden, especially considering the annexes' 4.5m height towering over the 1.8m boundary fence and combined with its 45sqm floor area.

The annex would be set at the rear of the garden, around 20m from the rear of the existing dwellinghouse. The oblique angle of view between the rear windows of 24 and 28 Ledbury Road and the front windows of the annexe at a distance of more than 20m whilst having a potential impact on privacy, this is not considered to be to such a level that it would warrant a refusal of planning permission.

Given the unacceptable impact that the proposed development would have on the amenities of the occupiers of 24 and 28 Ledbury Road, the proposal is considered to be unacceptable and contrary to Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP3 of the Peterborough Planning Policies (2012) and Policy LP17 of the Peterborough Local Plan (Submission Stage) (2018).

Parking

The existing 3 bedroom property currently has the ability to park two cars on its site frontage. After the construction of the proposed extensions there would still remain the ability to park two cars on the site frontage. Therefore the car parking provision on site would still be maintained in line with Policy PP13 of the Peterborough Planning Policies (DPD) 2011. In light of this, the proposed development 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).

6 Conclusions

The proposal is unacceptable having being assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 Recommendation

The Director of Place and Economy recommends that Planning Permission is **REFUSED**

- R 1 The proposed rear extension and residential annexe building would fail to respect the size, scale, and proportions of the host dwelling and plot, to the resulting detriment of the visual character and appearance of the site and surrounding area. The proposal would therefore be contrary to policy CS16 of the Peterborough Core Strategy (2011), policy PP2 of the Peterborough Planning Policies DPD (2012) and Policy LP16 of the Proposed (submission) Local Plan (2018).
- R 2 The proposed two storey rear extension would, by way of its depth, height, scale and close relationship to 24 Ledbury Road significantly restrict the outlook from the rear facing first floor bedroom window whilst having a detrimentally adverse overbearing impact on the rear

of that dwelling. Also, the relationship that the proposal would have with 28 Ledbury Road to the West would have be harmful on the amenity through the significant loss of natural light afforded by the closest first floor bedroom window. Impact on both adjoining properties is further compounded with the significant length and height of the single storey element of the extension along the shared boundaries. The proposed developments are therefore contrary to policy CS16 of the Peterborough Core Strategy, policies PP02 and PP03 of the Peterborough Planning Policies DPD and Policies LP16 and LP17 of the Proposed (submission) Local Plan (2018).

- R 3 The proposed detached outbuilding at the bottom of the rear garden to provide annexe accommodation for the main house No.26 Ledbury Road would by virtue of its location, design, size and scale, be capable of providing self-contained residential accommodation and is therefore tantamount to creation of a separate independent dwelling. Accordingly, the proposal is considered to be contrary to policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and Policies LP16 and LP34 of the Proposed (submission) Local Plan (2018).

Cc: Cllrs

This page is intentionally left blank