

## Item No. 5.1

### Planning and EP Committee 17 December 2019

**Application Ref:** 19/01469/HHFUL

**Proposal:** First floor extension above existing garage, change to roof type and single storey rear extension (part-retrospective)

**Site:** 184 Mayors Walk, West Town, Peterborough, PE3 6HQ

**Applicant:** Mr A Iqbal  
**Agent:** Mr J Wilson, Remway Design Ltd

**Referred by:** Head of Planning  
**Reason:** Applicant is an elected Member

**Site visit:** 31.10.2019

**Case officer:** Mrs Louise Simmonds  
**Telephone No.** 01733 45(01733) 454439  
**E-Mail:** louise.simmonds@peterborough.gov.uk

**Recommendation:** **REFUSE**

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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 link-detached (semi-detached in planning-terms) residential dwelling located on the northern side of Mayors Walk, within the urban area of Peterborough. The property is of red brick construction, with render to the first floor and architectural detailing in the form of a gablet and bay window to the principal elevation.

The property has previously been extended by two storeys to the side, of flat roof construction and containing a garage, single storey to the rear and with a dormer window within the rear-facing roof slope.

There is parking provision for 2no. cars to the front of the site, with dropped kerb access from Mayors Walk.

### **Proposal**

The application seeks planning permission for the construction of a first floor extension above the existing garage (to the rear of the existing flat roof extension), alteration to the roof of the existing side extension (replacing from flat roof to dual pitched roof); and construction of a single storey rear extension.

It should be noted that development has already commenced in the form of footings having been dug and therefore the application is part-retrospective.

## **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 Local Plan 2016 to 2036 (2019)**

##### **LP13 - Transport**

a) 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.

b) 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.

c) 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**

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.

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**

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

Initial consultations: 5

Total number of responses: 1

Total number of objections: 1

Total number in support: 0

One objection has been received from the occupant of No.182 Mayors Walk on the following basis:

- The size of the foundations dug show the scale of the extension and I believe this to be very overbearing.
- The foundations are so big that I cannot see how the side of the extension will not have windows that will look out on to my property, should this planning application be granted then I believe I will have a reduction in the levels of my privacy.
- The closeness of the 'already dug' foundations to the boundary of the property show that the wall will be next to the fence and this will impact on my property due to a loss of sunlight and daylight in the kitchen area of my property.
- I have a mature garden that has been here for almost 100 years and an extension of this size will impede on this. The size of the gardens in this area are large, and this does mean we have a variety of birds and wildlife that both live here and visit. A large extension will more than likely put an end to this.
- My property has a mature tree next to the boundary fence and the completion of these

foundations will impact on this.

- I believe that Peterborough City Council has recently declared a 'climate emergency' and I hope that this covers giving more thought to 'overbearing extensions' that will impact on the green areas in this city and change the habits of wildlife and trees.
- I do not object to the extension above the garage, however, should this be for another bedroom then I understand that more parking spaces will need to be provided by the homeowner. The homeowner already has more vehicles than can park on the front of the property and on counting today there are 5 vehicles attached to the address with parking for only 3 and double yellow lines out the front of the property.

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

The main considerations are:

- Design and impact upon the character and appearance of the surrounding area
- Neighbour amenity
- Parking and highway implications

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

Turning first to the roof alterations proposed to the existing side extension, it is considered that these would be of significant improvement to the overall appearance of the application property. At present, the flat roof form of the extension appears an incongruous and discordant feature within the streetscene whilst the proposal would respect and reflect the roof form of the host dwelling and others within the locality. Further, the slightly dropped eaves and ridge heights would introduce subservience to this element such that the resultant dwelling does not appear unduly dominant within the streetscene. Appropriately matching materials could readily be secured by condition to ensure harmony.

To the rear, the proposed first floor extension would have no material impact upon the character of the locality. With regards to the single storey extension proposed, it is acknowledged that this would be of considerable size and scale which fails to respect the proportions of the host dwellinghouse. However, large extensions are already present within the immediate environs of the site, most notably at No.186 Mayors Walk to the immediate west which has recently constructed a considerable rear extension (permitted under application reference 17/00254/HHFUL). Furthermore, the plot is of considerable size that could readily accommodate a large degree of development without appearing cramped or overdeveloped. As such, it is considered that no undue harm would result to the character of the area.

On the basis of the above, it is considered that the proposal would not result in unacceptable harm to the character, appearance or visual amenity of the surrounding area and is therefore in accordance with Policy LP16 of the Peterborough Local Plan (2019).

### **b) Neighbour amenity**

Turning first to the proposed roof alterations, these would not alter the relationship to the neighbouring dwelling of No.186 Mayors Walk (to the east). The proposed first floor side extension would create additional two storey development along the shared boundary with this neighbour, and would project beyond the line of the existing rear elevation. However, the closest windows that would be subject to impact from the proposal serve a bathroom and landing, with the facing landing window required to be obscurely glazed in perpetuity (by virtue of a condition imposed upon planning permission reference 17/00254/HHFUL). As such, no undue overbearing impact or loss of daylight would result to occupants.

With regards to the proposed single storey rear extension, this would project 12.93 metres from the rear elevation of the existing dwellinghouse along the shared boundary with No.182 Mayors Walk to the east. Whilst this neighbouring dwelling has a single storey extension to the rear which projects approximately 4.3 metres in close proximity to the shared boundary, the proposal would extend 9 metres beyond. Whilst single storey in height (2.45 metres to the eaves) and with a dual pitched roof that slopes away from the shared boundary (maximum height 3.9 metres to the ridge),

it is considered that this length of development would result in an unduly dominant, obtrusive and overbearing feature to the neighbouring property's garden area and primary habitable rooms. Furthermore, some degree of overshadowing (the proposal being due west of the neighbour) would result and for the length of extension, this is considered to be unacceptable.

Amendments have been suggested by Officers to overcome this issue - principally to reduce the length of extension along the shared boundary to no more than 6 metres (in line with 'permitted development' tolerances) with then a staggered arrangement such that the length proposed could be achieved provided that it was set away by 3m from the shared boundary. In effect, this would create an 'L-shaped' extension. Whilst it would not provide the amount of additional floorspace requested, it would nonetheless provide a considerable amount of additional space within the dwelling and resolve the amenity issue. This has not been accepted by the Applicant who has requested that the application be determined on the basis of the submitted proposal.

It is also accepted that a similarly unacceptable relationship currently exists between the application site and the neighbour to the west, No.166. The considerable extensions to this property result in an unduly dominant and overbearing relationship. The Applicant therefore considers that this sets precedent for allowing the current proposal. However, as is long-established, each proposal must be considered on its own merits and there is no precedent in planning-terms. This neighbouring extension was only considered acceptable given the development that existed on the site beforehand. The extension replaced an existing single storey garage and car port that ran along the shared boundary by a length of approximately 22 metres. Therefore it was considered that the impact of the proposal did not alter this existing relationship. There is no such development along the shared boundary of the application site and the proposal would represent new development that would give rise to unacceptable harm to the amenities of occupants of No.182 Mayors Walk.

On this basis, it is considered that the proposal would result in an unacceptable degree of harm to the amenities of neighbouring occupants and is therefore contrary to Policy LP17 of the Peterborough Local Plan (2019).

### **c) Parking and highway implications**

It is noted that the objector has raised concerns with regards to the level of parking provision within the site. The proposal would not result in any increase in the number of bedrooms within the application property and therefore, there would be no increased parking demand generated. Furthermore, the existing parking provision would not be affected by the proposal and therefore, no highway implications would result.

## **6 Conclusions**

The proposal 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 harm identified is not considered to be outweighed by the benefits of the proposal.

## **7 Recommendation**

The Executive Director of Place and Economy recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposed rear extension, by virtue of its size, scale and siting, would result in an unacceptable degree of overbearing and overshadowing impact to the primary habitable rooms and outdoor amenity area of No.182 Mayors Walk. This would result in an unacceptable degree of harm to the amenities of occupants of this neighbouring dwelling and is therefore contrary to Policy LP17 of the Peterborough Local Plan (2019).

Copies to Cllrs. Hussain. Iqbal.Jamil