

Application Ref: 21/01803/HHFUL

Proposal: Proposed first floor extension to form bedroom and bathroom and to include internal alterations

Site: 39 The Green, Werrington, Peterborough, PE4 6RT
Applicant: Mr R Anton

Agent: Mr Wayne Farrar - A&S Designs

Referred by: Councillor John Fox
Reason: Proposal would not be harmful to the character of the area

Site visit: 08.12.2021

Case officer: Karen Ip
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Recommendation: REFUSE

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

Site and surroundings

The application site is a 1950's period residential dwelling located on the northern side of The Green. It is sited within the designated Werrington Conservation Area and close to a number of listed buildings, including The Manor House School which is a Grade II listed building to the east.

The dwelling is set back from the main road and represents back land development, with its driveway sited between The Way Family Church, dated 1835 on the west and No.41 The Green to the east, otherwise known as Thorney Lodge which is an 18th century rubble and pantile Grade II listed cottage.

The property has previously been subject to considerable extension at two storeys by virtue of planning permission reference 12/01832/HHFUL. This has created a very large dwelling within the plot of significant width.

Proposal

The applicant is seeking planning permission for the construction of a first floor side extension to form bedroom and bathroom and to include internal alterations.

The proposed first floor extension would be sited above the existing ground floor study, with the front, side and rear elevations flush with to the ground floor footprint. With regards to the roof, an existing front gable would be extended to the width of the extension, with an additional gable to the rear. The window to the existing ground floor study would be reduced in size to match the proposed first floor window, which would serve a new bathroom.

It should be noted that this is a resubmission application of ref 21/01317/HHFUL, for which Officer recommendation was refusal. The application was withdrawn by the Applicant before the decision could be issued. This resubmitted proposal is largely the same, with the only change being a reduced sized window to the ground floor study.

2 Planning History

Reference	Proposal	Decision	Date
P1416/88/C	Erection of garage (as amended by drawing no. 915A)	Permitted	24/04/1989
10/00567/FUL	Construction of garden shed - part retrospective	Refused	27/08/2010
11/00029/FUL	Construction of garden shed - retrospective	Permitted	07/03/2011
12/00407/HHFUL	Two storey side extension	Withdrawn	15/05/2012
12/01832/HHFUL	Two storey extension to existing dwelling	Permitted	19/04/2013
21/01317/HHFUL	First floor side extension	Withdrawn	04/11/2021

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Planning (Listed Building and Conservation Areas) Act 1990

Section 66 - General duty as respects listed buildings in exercise of planning functions

The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

Peterborough Local Plan 2016 to 2036 (2019)

LP13 - Transport

LP16 - Urban Design and the Public Realm

LP17 - Amenity Provision

LP19 - The Historic Environment

4 Consultations/Representations

PCC Conservation Officer (06.12.21)

Objection – The proposal is of poor quality of design that fails to appear subservient to the host dwelling. It would detract from the principle architectural features and create a dominant and unrelieved principal elevation. The proposal would impact on the setting of the adjacent Grade II listed building and views from the Conservation Area.

Historic England (06.12.21)

Do not wish to offer any comments.

Werrington Neighbourhood Council

No comments received.

Local Residents/Interested Parties

Initial consultations: 9

Total number of responses: 2

Total number of objections: 1

Total number in support: 1

1no. letter of **objection** has been received by neighbour at No.41 The Green with the following concerns:

- Bulk and dominate nature of the extension given its proximity to the shared boundary
- Affect / further detract from the stone wall which was re-built

Councillor J Fox has expressed his **support** for the proposal as follows:

“I do not think it's harmful to character and therefore disagree with Officer's recommendation.”

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, including heritage assets
- Neighbour amenity
- Parking provision

a) Design and impact to the character and appearance of the site and the surrounding area, including heritage assets

As set out in Section 1 above, the application site is located within the designated Werrington Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that special regard be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. In addition, the site lies adjacent and in close proximity to a number of listed buildings. Section 66(1) of the same Act requires that special regard be paid to the desirability of preserving or enhancing the significance of Listed Buildings.

These duties are further reinforced through the National Planning Policy Framework (2019) which states that great weight should be given to the conservation of heritage assets.

Significance is one of the guiding principles in relation to assessing the impact of proposals upon the historic environment, and is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest'. Such interest may be archaeological, architectural, artistic or historic, and it may derive not only from a heritage asset's physical

presence, but also from its setting.

The Conservation Area of Werrington, has a string of heritage assets which surrounds the application site. Although the existing dwelling itself has no distinctive character or architectural merit, due to its positioning as a backdrop, flanked by 2 heritage assets and the fact that the CA surrounds it, it is important for any developments preserve the character of the area and not result in visual harm.

Officers are in agreement with the Council's Conservation Officer's observations in relation to the proposal. It is agreed that the proposed design is of poor overall quality and would impact on the setting of the adjacent GII listed building and views from the Conservation Area.

The host dwelling has already been subject to a substantial extension to the west which has resulted in a proportionally awkward linear form. The dwelling is already unduly and overly wide, of significant horizontal mass which appears awkward. However, it is noted that this is hidden from view by the buildings on the road frontage, so therefore the visual harm is lessened.

Officers have no issues with the principle of a first floor extension in the position shown, it is the design of the current proposal which is harmful. The proposed design is fully visible from the access point from the street scene, and therefore readily visible from the public realm. The proposed extension has no subservience to the host dwelling and by virtue of extending off the side of the front projecting gable, with no sentiment of setback, this creates a further awkward linear arrangement.

The Conservation Officer has advised that the principal bay of the existing dwelling is a key architectural feature and any extension to the side should recess to allow the projecting bay with hipped roof to maintain its prominence as a key feature. The current proposal does not resemble any subservience and diminishes the effect of the principal feature of this era of building. Furthermore, by toothing the brickwork in flush, the differentiation and scarring would be entirely visible.

It was strongly advised to the Applicant that the extension be set back by 400-500mm with a small lean to roof to the existing ground floor which would result in a substantially less dominate feature in the backdrop and setting of a listed building, whilst maintaining the important design feature to balance the property. This would result in a development which would preserve the character of the area whilst achieving some additional habitable space. However, the Applicant does not wish to make the suggested amendment.

Taking the above into account, it is considered that the proposal would harm the character and appearance of the Conservation Area, detracting from its visual amenity. It would also harm the setting of adjacent Listed Buildings, such that their significance is not preserved.

The NPPF categorises harm to heritage assets as being either substantial or less than substantial. Substantial harm is generally accepted to be the total loss of the significance of an asset, which would not be the case in this instance. Therefore, the harm arising from the proposal is categorised as less than substantial. Paragraph 196 of the NPPF requires that where less than substantial harm is identified, it be weighed against the public benefits of the proposal.

In this instance, it is considered that very limited public benefit would result. The main benefit would be private, to the Applicant, through increased living accommodation and property size. And as such, the permanent visual harm to the CA and Listed Building setting would outweigh the benefit in this instance.

Based on the above, the proposal is considered to be contrary to Policies LP16 and LP19 of the Peterborough Local Plan (2019), and paragraphs 197 and 202 of the NPPF (2021).

b) Neighbour amenity

The proposed extension would be adjacent to the shared boundary with No.41 The Green. Officers understand the concerns that this neighbour has raised with regards to the bulk and mass that would result in a first floor extension being so close to their shared boundary. However, due to the siting and depth of the garden serving No.41 has, the overbearing impact from the extension is unlikely to be substantial or to a degree whereby all enjoyment of neighbour amenity is compromised. Officers accept that there would be a degree of overbearing impact, however, the impact would not be detrimental to the degree where a refusal could be sustained.

With regards to the 2no. windows proposed to the eastern side elevation (serving a bathroom and a bedroom) which would face onto the garden of No.41, these are half windows located on the higher points of the first floor. These windows would be above a height from which future occupiers could look out, and therefore no direct overlooking impact would result. With regards to the proposed front facing window, this would have the potential to result in direct overlooking and harm to neighbour amenity. However this serves a bathroom and therefore it could reasonably be conditioned to be obscurely glazed and non-opening unless the openable parts were more than 1.7m above floor level.

Due to the positioning of the proposed extension, it is unlikely to result in unacceptable overshadowing to the neighbour at No.41.

In light of the above, the proposal is considered to be in accordance with Policy LP17 of the Peterborough Local Plan (2019).

c) Parking provision

The proposal would result in an additional bedroom within the dwelling, however, there would still be enough parking spaces retained within the site to accommodate a minimum of 2 vehicles (albeit far more could be accommodated). This would therefore accord with the Council's adopted minimum parking standards.

The proposal would therefore not unduly harm the safety of the public highway, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

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.

7 Recommendation

The case officer recommends that Planning Permission is **REFUSED** for the following reason:

- R 1 The proposal, by virtue of its design, size, scale and mass, fails to respect, reflect or be subservient to the host dwelling. This represents a poor quality of design through the creation of a dwelling which appears contrived, unduly dominant and obtrusive. The proposal would be readily visible from the public realm, the Werrington Conservation Area and within the setting of nearby Listed Buildings, and would fail to preserve their character, appearance and significance resulting in harm.

The harm arising is considered to be less than substantial harm however it is not considered that the public benefits of the proposal would outweigh this harm. Therefore the proposal is contrary to Policies LP16 and LP19 of the Peterborough Local Plan (2019), and paragraphs 197 and 202 of the NPPF (2021).

Copies to: Councillors John Fox, Judy Fox and Stephen Lane