

10/01308/FUL: DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF TWO STOREY 4 BEDROOM DWELLING AT BIRCHFIELD, SPRINGFIELD, FLETTON

VALID: 20 SEPTEMBER 2010

APPLICANT: MR G D*AMORE

AGENT: NONE STATED

REFERRED BY: CLLR SERLUCA

REASON: THERE IS LOCAL SUPPORT FOR THE PROPOSAL AND THEREFORE THE APPLICATION SHOULD BE CONSIDERED BY COMMITTEE

DEPARTURE: NO

CASE OFFICER: DAVE JOLLEY

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The proposal is for the demolition and replacement of the existing bungalow with a 1.5 – 2 storey house

The main considerations are:

- The appearance of the proposed dwelling
- The impact on the character of the area
- Impact on the amenities of occupiers of neighbouring dwellings

The Head of Planning Transport and Engineering Services recommends that the application is REFUSED.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Key policies highlighted below.

- DA1 Development shall be compatible with its surroundings create or reinforce a sense of place and not create an adverse visual impact.
- DA2 Development shall be satisfactorily accommodated on the site, not have an adverse affect on the character of the area and have no adverse impact on the amenities of occupiers of nearby properties.**
- H16 Seeks residential development if the following amenities are provided to a satisfactory standard; daylight and natural sunlight, privacy in habitable rooms, noise attenuation and a convenient area of private garden or amenity space.
- T1 New development should provide safe and convenient access for all user groups and not unacceptably impact on the transportation network.**
- T10 Car parking provision to be in accordance with maximum car parking standard

Planning Policy Statement 3: Housing. This requires Local Planning Authorities to make best use of land for new residential development and to ensure that it is well integrated with and complements the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

Planning Policy Statement 7: The Countryside, Environmental Quality and Economic and Social Development seeks to integrate development necessary to sustain economic and social activity in rural communities whilst protecting the character of the countryside. It indicates that new development should be sensitively related to existing settlement patterns and to historic, wildlife and landscape resources.

ODPM Circular 05/2005 "Planning Obligations". Amongst other factors, the Secretary of State's policy requires planning obligations to be sought only where they meet the following tests:

- I. relevant to planning;
- II. necessary to make the proposed development acceptable in planning terms;
- III. directly related to the proposed development; (in the Tesco/Witney case the House of Lords held that the planning obligation must at least have minimal connection with the development)
- IV. fairly and reasonably related in scale and kind to the proposed development;
- V. reasonable in all other respects.

In addition Circular 05/2005 states the following principles:

The use of planning obligations must be governed by the fundamental principle that **planning permission may not be bought or sold**. It is therefore not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.

Similarly, planning obligations should never be used purely as a means of securing for the local community a share in the profits of development.

3 DESCRIPTION OF PROPOSAL

The proposed development is a detached 1.5 and 2 storey four bedroom house of standard brick and tile construction. The house proposed is of two stories with two front facing gable elements flanking a lower central section. The proposed house would measure approximately 13.8 metres wide by 7.0 metres deep and set 6.0 metres back from the boundary fronting Springfield, 5.2 metres from the southern boundary and 1.0 metre from the northern boundary. The height of the dwelling would be approximately 4.2 metres above ground level to the eaves and 6.9 metres to the ridge. Access to the dwelling is unaltered from the existing arrangement.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is known as Birchfield and the current dwelling occupies a generous plot 46m deep by 20m width. The plot currently contains the bungalow to be demolished and a large 1.5 storey garage/store which is to remain.

Springfield is a street of varied character, a mixture of bungalows and two storey dwellings situated within a variety of differently sized plots. Whilst fairly varied the majority of the dwelling are relatively plain single fronted 1940's dwellings with little in the way of decorative ornamentation or features. The later dwellings tend to carry on this plain theme.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
06/00581/FUL	Erection of double garage with storage above	permitted	13.04.2006
07/00284/FUL	Erection of detached one and a half storey garage/store and garden room	permitted	22.02.2007

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Highways – No objection.

Environmental Health – No objection

EXTERNAL

Parish Council – No reply received

NEIGHBOURS

The following comments were received in respect of the proposal:

- A bungalow would be more appropriate as all dwellings on that side are bungalows
- Car and vehicles could be parked to the front of the new dwelling

COUNCILLORS

No comment received

7 REASONING

a) **Introduction**

The applicant states that the current property has three different floor levels and three different flat roof levels. None of the floors incorporate thermal insulation and some areas are defective regarding protection against damp. Intersections between roof sections are proving problematic in providing an effective seal against damp. Some walls are solid block work, with no cavity or insulation and provide poor thermal performance.

b) **Character of the area**

The character of Springfield is varied, both in terms of plot and building size and design. The street is a mixture of bungalows and two storey dwellings. The western site of Springfield, where the application site consists solely of bungalows, with the larger properties mainly situated north of the application site where the road bends to the west. The dominant character of the area is considered to be relatively plain fronted 1940's dwellings, with little by way of detailing or elaboration aside from bay windows and brick arches above recessed porches.

There are a number of exceptions to this rule, some of the more modern properties have not continued the 1940's character of the area, most notable are 'Glenholme' opposite the application site and Woodland and Tudor house approximately 75 metres to the north.

Woodland and Tudor House form a group of larger dwellings in a location that is considered separate from the other dwellings within Springfield as they are sited 30+metres from the road. As such it is considered that they are not fundamental to the overall character of Springfield and are not reason enough to permit developments that do not respect the overriding character of the area that being plain fronted 1940's style dwellings. It must also be stated that Tudor house appears totally at odds with the character of the surrounding area and the Local Planning Authority would resist any similar development, even though it may be argued that the precedent has been set.

Glenholme opposite does feature considerably more decoration than the other properties within Springfield. Features such as (Reconstituted) stone lintels and cills and decorative brick strings under eaves have been included within the dwelling. The use of these elements is fairly restrained and the property benefits from being relatively narrow and single fronted with a single front facing gable element. The dwelling is also situated on the east side of Springfield which has a number of two storey dwelling, these factors ensure that Glenholme does not appear overly dominant within the street scene.

The proposed replacement dwelling would be the only two storey dwelling on the west side of Springfield and is considered to be overly fussy in terms of its decorative elements, with stone capped parapets to the tops of the porch and front facing gables, stone cills and lintels, front facing two front facing dormer windows, double frontage, bay windows and double chimneys all visible on the front elevation of the property.

The dwelling is also considered uncharacteristically wide at first floor level (13.8 metres wide) given its location between two bungalows. The double fronted design, with double front facing gable elements is considered too imposing given the rather plain surroundings and it is clear that the proposed dwelling it would become the dominant feature within the street scene, drawing the attention to the detriment of the character of the surrounding area.

The proposal is also set too far back from the established building line of the western side of Springfield. The bulk of the dwelling is set back approximately 7.0 metres from the edge of the road and as such is not compatible with its surroundings, serving to further draw attention to the 'differentness' of the proposed dwelling when compared to the surrounding dwellings.

d) **Impact on neighbour amenity**

The proposed dwelling is set 1.0 metre from the northern boundary. The proposed two storey dwelling would be overbearing and result in unacceptable levels of overshadowing to the property due north of the application site, know as 'New Bungalow'.

The applicant has stated that the dwelling would not result in overshadowing and is compliant with Building Regulation K1. This is not considered relevant and the proposal will be considered under local plan policies, where it is considered to be contrary to Local Plan Policy DA2. The fact that the occupier of the dwelling has not objected to the proposal does not alter the fact that the proposal is contrary to policy.

The 1st floor south facing side dormer window would result in overlooking of the amenity space of Ceglie Bungalow harming the amenity of the occupiers of this dwelling.

e) **S106**

There is no requirement for a S106 contribution as the proposal replaces an existing dwelling as such no additional impact will arise from the proposal.

f) **Highways/parking**

Unchanged from the existing site arrangement (following submission of revised red line plan).

8 **CONCLUSIONS**

Subject to the imposition of the attached conditions, the proposal is unacceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The proposed dwelling is over elaborate with regards to its design and appearance and is not in keeping with the rather plainly detailed character of the other dwellings within Springfield. The proposal is considered incompatible with its surroundings and harmful to the character of the area.
- The double fronted front facing gable design is not in keeping with its surroundings, resulting in an incongruous dwelling that would become a focal point within Springfield to the detriment of the character of the area.
- The dwelling is sited too close to the northern site boundary and would be overbearing and result in unacceptable overshadowing to the neighbouring dwelling 'New Bungalow', harming the amenity of the occupiers of that dwelling.
- The dwelling is sited too far back from the established building line, and would result in a dwelling at odds with its surroundings, to the detriment of the character of the area.

9 **RECOMMENDATION**

The Head of Planning, Transport & Engineering Services recommends that this application is **REFUSED**.

R1 The proposed dwelling is over elaborate with regards to its design and appearance and is not in keeping with the rather plainly detailed character of the other dwellings within Springfield. The proposal is considered incompatible with its surroundings and harmful to the character of the area. This is contrary to policies DA1 and DA2 of the Peterborough Local Plan which state:

DA1 Planning permission will only be granted for development if it:

- a. is compatible with, or improves, its surroundings in respect of its relationship to nearby buildings and spaces, and its impact on longer views; and
- b. creates or reinforces a sense of place; and
- c. does not create an adverse visual impact.

DA2 Planning permission will only be granted for development if, by virtue of its density, layout, massing and height, it:

- a. can be satisfactorily accommodated on the site itself; and
- b. would not adversely affect the character of the area; and
- c. would have no adverse impact on the amenities of occupiers of nearby properties.

R2 The double fronted, front facing gable design is not in keeping with its surroundings, resulting in an incongruous dwelling that would become a focal point within Springfield to the detriment of the character of the area. This is contrary to policies DA1 and DA2 of the Peterborough Local Plan (First Replacement).

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- a. is compatible with, or improves, its surroundings in respect of its relationship to nearby buildings and spaces, and its impact on longer views; and
- b. creates or reinforces a sense of place; and
- c. does not create an adverse visual impact.

DA2 Planning permission will only be granted for development if, by virtue of its density, layout, massing and height, it:

- a. can be satisfactorily accommodated on the site itself; and
- b. would not adversely affect the character of the area; and
- c. would have no adverse impact on the amenities of occupiers of nearby properties.

R3 The dwelling is sited too close to the northern site boundary and would be overbearing to the neighbouring dwelling 'New Bungalow', harming the amenity of the occupiers of that dwelling. This is contrary to policy DA2 of the Peterborough Local Plan (First Replacement).

DA2 Planning permission will only be granted for development if, by virtue of its density, layout, massing and height, it:

- a. can be satisfactorily accommodated on the site itself; and
- b. would not adversely affect the character of the area; and
- c. would have no adverse impact on the amenities of occupiers of nearby properties.

R4 The dwelling is sited too far back from the established building line, and would result in a dwelling at odds with its surroundings, to the detriment of the character of the area. This is contrary to policy DA1 and DA2 of the Peterborough Local Plan (First Replacement).

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- a. can be satisfactorily accommodated on the site itself; and
- b. would not adversely affect the character of the area; and
- c. would have no adverse impact on the amenities of occupiers of nearby properties.

Copy to Councillors Serluca and Lee