

Item No. 9

Application Reference Number P/17/2072/2

Application Type:	Householder	Date Valid:	13/10/2017
Applicant:	Mr Adams		
Proposal:	Single and two storey extension to side of detached house		
Location:	39 Greengate Lane Birstall Leicestershire LE4 3JF		
Parish:	Birstall	Ward:	Birstall Wanlip
Case Officer:	Jasmine Singh	Tel No:	01509 634747

The application is being referred to Plans Committee as required under section 1(v) of the Scheme of Delegation for the Head of Planning & Regeneration within section 8.2 of the Council's Constitution.

Description of the Application

The application property is a two storey semi-detached house located on the north west side of 'Greengate'. The application site is located within a predominately residential area and the street scene is characterised by mix of different house types. The application site benefits from an area off hardstanding to the front of the dwelling and private amenity space to the rear. At the rear of the dwelling, there is a natural fall in the ground level.

The proposal is for the erection of two storey side and single storey rear extension. The proposed extension at first floor level would add a level to the existing garage and it would be set back from the principal elevation by 1metre. The extension would extend along the full length of the side elevation and would not protrude beyond the rear wall. The existing garage would be converted into a store and habitable use. The garage door would remain intact and dummy pitch would be erected to unify the appearance. The dimensions of the proposed two storey extension would be 3.37m wide and 7.7m high (max level).

The single storey rear extension would extend beyond the rear wall of the two storey extension by 0.77m. The single storey rear extension would comprise of pitched roof measuring 2.7m at eaves and 3.4m to the ridge.

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

The following policies are relevant to this application:

Policy CS2 – High Quality Design – requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height,

landscape, layout, materials and access, and protect the amenity of people who live or work nearby.

Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies)

The policies relevant to this proposal include:

Policy EV/1 – Design – seeks to ensure a high standard of design that respects the character of the area and is compatible in mass, scale and layout.

Policy H/17 – Extensions to Dwellings – should not be detrimental to visual amenity or to the amenities of occupiers of nearby properties.

Policy TR/18 - Parking Provision in New Development notes that planning permission will not be granted for development, unless off-street parking for vehicles, including cycles, and servicing arrangements are included, to secure highway safety and minimise harm to visual and local amenities.

Other material considerations

National Planning Policy Framework (NPPF)

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development (para.6), fulfilling an economic, a social and an environmental role (para.7). Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (para.11). The NPPF states that the government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development (para.56). Planning decisions should not attempt to impose architectural styles or tastes but should seek to reinforce local distinctiveness (para.60). Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (para.64).

Supplementary Planning Guidance (SPG) on House Extensions

This SPG provides guidance on house extensions will be assessed. This includes guidance on the design and appearance of extensions and their impact on the enjoyment of neighbouring properties.

Supplementary Planning Document Leading In Design

This document seeks to encourage, promote and inspire higher design standards in new development.

Relevant Planning History

No relevant planning history

Responses of Statutory Consultees

Birstall Parish Council

The Parish Council have raised no objection to the proposal.

Leicestershire County Council (Highway Authority)

The Highway Authority have not made any comments regarding the planning application as the proposal falls within the scope of those to be considered under Leicestershire County Council Standing Advice.

Other Comments Received

The occupiers of 41 Greengate Lane has raised concerns regarding the proximity of the new roofline to their property and the potential difficulties the proposal may cause in gaining suitable access to the facias, soffits and guttering for maintenance purposes.

Consideration of the Planning Issues

The main issues to be considered in the determination of this application are:

- The impact on the character and appearance of the street scene;
- The impact on the amenity of occupants of neighbouring properties; and
- The impact on the highway.

The impact on the character and appearance of the street scene

The two storey side and rear extension would integrate with the host dwelling in terms of its design, materials and scale. The two storey side extensions would be set down from the ridge of the existing roof and set back from the front elevation of the main dwelling in order to appear subservient and allow the original dwelling to remain dominant. The proposal also includes a hip roof which along with the set back of the front elevation at first floor level would mitigate against any sense of terracing. Accordingly it is considered, the two storey addition would not detract from the character and appearance of the street scene or original dwelling. Furthermore, the single storey rear extension would fit well with the existing developments in the area; as such the proposed design complies with policies CS2, EV/1 & H/17.

The impact on the amenity of occupants of neighbouring properties

The application shares a boundary with 37a and 41 Greengate Lane. The impact on No 37a would be negligible due to the distance from the proposed development. In relation to No 41 the first floor extension would not extend beyond No.41's rear elevation. The single storey rear extension is modest in scale only extending approximately 1m beyond the rear elevation of No.41 and would have an eaves height of 2.7m, which would be balanced with the existing boundary treatment. Therefore, given the scale and position of the extensions it is considered that the proposal would not have an overbearing impact or result in loss of light or outlook. The windows proposed in the rear elevation afford limited

views into the private area of the adjoining dwelling, as the site is concealed by the boundary treatment, and there are no roof lights proposed as part of the scheme, therefore the proposal would not overlook the sensitive areas of the adjoining dwelling. The window proposed in the side elevation would be obscured glazed.

Issues with regard to rights of access and maintenance are private legal matters and are not a material planning consideration. An information note can be placed on any approval of planning permission to provide additional information to the applicant on this matter.

For the reasons set out above the proposal is not considered to have any significant impact on the amenities of the adjoining dwelling and accordingly the proposed alterations are considered to comply with policy CS2 and H/17 and the advice contained within the adopted Supplementary Planning Guidance House Extensions, and would not have a significantly detrimental impact on neighbour amenity.

Impact on the highway

The existing garage would be partly converted into store and habitable use. The garage is currently not utilised for parking purpose but the internal measurements do comply with the parking standards. The proposal would also create an additional bedroom. However the application site already has provision for off street parking for at least 3 cars. As such, there is no requirement of additional provision of parking as the proposal accords with the Leicestershire County Council's 6C's design guide. Therefore the proposal is not considered to have a detrimental impact on highway safety thus complying with policy TR/18

Conclusions

In summary, the proposed development is considered to be acceptable in terms of its design and appearance and impact on the street scene. The proposal is not considered detrimental to the amenities of neighbouring residential properties. The proposal does not cause any significant impact on the on the highway. Accordingly it is considered the proposal is in accordance with the adopted Development Plan and there are no material considerations which indicate planning permission should not be granted.

RECOMMENDATION:

Grant Conditionally

- 1 The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following plans:
Existing floor plans, elevations and site plan: DWG NO 39GL/2017-1/3 received by the Local Planning Authority on 16th October, 2017,

Proposed Elevation and Floor Plans - DWG NO39GL/2017 -2/3 received by the Local Planning Authority on 23rd November 2017,
Sections and Roof plan- drawing number DWG NO39GL/2017 -3/3 - received by the Local Planning Authority on 16th October 2017.

REASON: For the avoidance of doubt and to define the terms of the permission.

- 3 The facing materials to be used in the construction of the new works hereby permitted shall match as closely as possible those of the existing building.
REASON: To ensure the satisfactory appearance of the completed development.

The following advice notes will be attached to a decision

- 1 Discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 2 This permission does not give any legal right for any work affecting neighbouring property, including buildings, walls, fences and vegetation within that property. The responsibility for meeting any claims for damage to such features lies with the applicant.
- 3 This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started. The owner of a neighbouring property may also have a legal right of access to the application site in order to maintain his property. You may wish to seek legal advice as to whether that is the case. This grant of planning permission does not override or supersede any such legal right.

