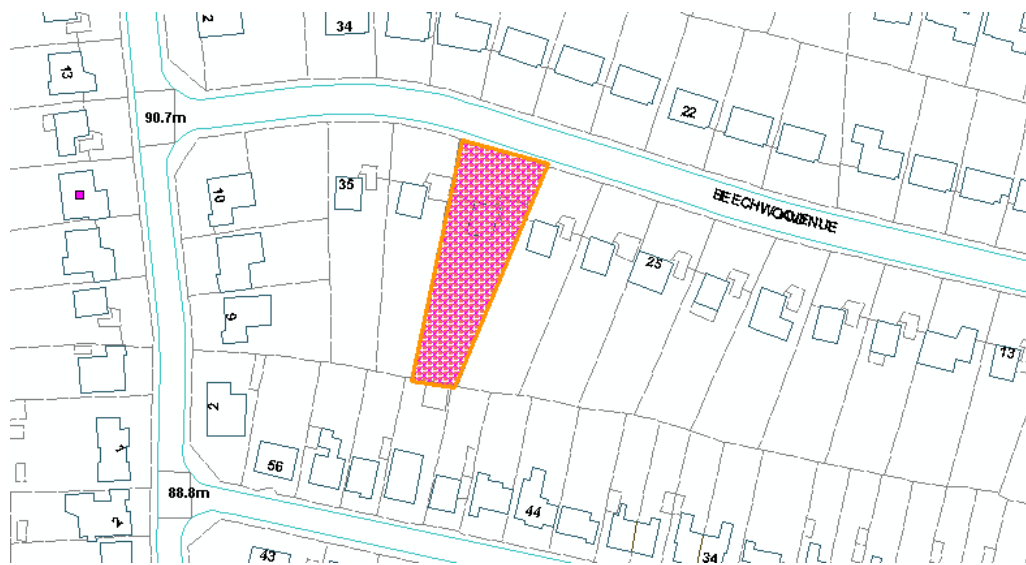


Reference: 15/00212/FULHH
Date submitted: 16.03.15
Applicant: Mr J Klimis
Location: 31 Beechwood Avenue, Melton Mowbray, LE13 1RT
Proposal: Two storey extension to existing dwelling.



Proposal :-

This application seeks planning permission for extensions to an existing three bedroom detached property to create a eight bedroom dwelling to allow two families to live together for care support. The property occupies a spacious plot on Beechwood Avenue which lies within an established residential area. The street has a strong linear, uniformed and open character with the dwellings set well back from the road benefiting from large front amenity space and parking areas.

It is considered that the main issues relating to the proposal are:-

- **Impact upon the Character of the Area**
- **Impact upon Neighbouring Properties**
- **Impact upon Highway Safety**

Members will recall that the application was deferred by the committee on the 4th June 2015 to allow a site visit to the neighbouring property; no. 29 Beechwood Avenue.

The application is to be considered by Committee due to the number of representations received.

Relevant History:-

94/00481/FUL – Planning permission granted for a single storey extension to dwelling.
95/00152/FUL - Planning permission granted for a single storey side extension to existing dwelling.

Planning Policies:-

Melton Local Plan (saved policies):

Policies OS1 and BE1 allow for development within the Town Envelope providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict the NPPF should prevail. It also offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- deliver development in sustainable patterns and
- re-using brownfield land.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

On Specific issues it advises:

Delivering a Wide choice of High Quality Homes

- Set out own approach to housing densities to reflect local circumstances
- Housing applications should be considered in the context of the presumption in favour of sustainable development.

- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority – no objection</p> <p>The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011. Consider Parking.</p>	<p>The proposal seeks to increase the number of bedrooms on site however there would be ample hard standing available within the site and the double garage will still be available for parking.</p> <p>It is not considered that the proposal would have a detrimental impact on highway safety.</p>

Representations:

Neighbouring properties were consulted and as a result 9 letters of representation from 9 separate households objecting to the proposal have been received to date. Following amended plans 2 further comments have been received by neighbours either side of the application site to reiterate their objection;

Representation	Assessment of Head of Regulatory Services
<p>Impact upon residential Amenity</p> <p>The two storey extension will impact greatly on the residential amenities of number 33 who share the western boundary.</p> <p>Building close to the beech hedge on the western boundary could damage the roots causing it to die resulting in additional loss of privacy to number 33</p>	<p>Amended plans have been submitted which reduces the massing along the western boundary, however, it will still run at a length of 14.62 metres at ground floor and 11.95 metres at first floor. The plot tapers to the rear and the width of the two storey extension is proposed at 4.95 metres which leaves a separation from the boundary to the front of approximately 1.05 metres, whilst to the rear it is reduced to approximately 500mm. There is a mature beech hedge along the shared boundary.</p> <p>No. 33 has been extended to the side, facing the application site, the extension is two storey and sits behind the double garage with no windows in the gable end. There are facing windows on the original dwelling at both first and ground floor level. The ground floor rooms are already compromised to a degree as the windows are within an enclosed recess between the extension and garage which reduces natural light entering into these rooms. The windows at first floor serve bedrooms which are considered to be low level use</p>

<p>The proposed two storey extension will block out light to our living room (no. 29). There is a difference in ground level and the proposal sits 20 cm higher.</p> <p>The amended plan worsens the situation to number 29 and the proposal will block all light from the living room window.</p> <p>The increase in residents could increase noise to existing residents.</p>	<p>windows, which also will have reduced light being on the side.</p> <p>The proposed extension to number 31 proposes three high level windows on the west elevation to serve as a secondary window to a bedroom, en-suite and bathroom. It is not considered that overlooking can be created by these windows. The proposed extension follows the building line of number 31 to the front with the first floor set back slightly from the front gable. This ensures that no further loss off light will occur to number 33.</p> <p>At the rear the extension projects beyond the existing rear elevation by 4 metres to be in line with the existing single storey rear extension. Number 33 has a kitchen window in the side extension, facing out into the garden, however, the arrangement is considered to be acceptable given the separation distance and it is not envisaged that the proposal would adversely affect the residential amenities as outlined above.</p> <p>No 29 sits to the east of the proposal where it is proposed to extend above the garage to create a further bedroom. There are no windows proposed in the end elevation. a photograph has been submitted to show a high level window on the side elevation of number 29. This window appears to be serving the living room as a secondary window with the primary window being located to front of the property. The garage is to be rebuilt away from the boundary and has been ‘stepped in’ by a distance of approximately 1.5 metres at the point of the window giving an overall separation of approximately 2.8 metres. The two storey extension will have a length of 4 metres from the front elevation which stops roughly in line with the secondary window. It is considered that the proposal would not have adverse impacts upon number 29 given that no overlooking can be created and loss of light will not occur to any habitable room given that the two storey extension does not breach the building lines of the front elevation of number 29.</p> <p>Noted. The property will remain in C3 use as a residence to be occupied by an extended family.</p>
<p>Impact upon the Character of the Area</p> <p>The proposal would be incongruous on the streetscene and impact upon the character of the area which is large spacious plots.</p> <p>The dwelling will be imposing on the streetscene</p>	<p>Number 31 sits within a large plot. Whilst the proposal seeks to utilise the width which in turn reduces the space between the buildings it is not considered that it would create an incongruous feature within the streetscene. As pointed out by some of the objections many of the dwellings in the vicinity have been extended in the past which</p>

<p>filling the full width of the 2nd largest plot on the street.</p> <p>It will be visually intrusive and entirely out of character with the neighbouring properties</p> <p>Over development of a plot –disproportionate extension.</p> <p>Beechwood is a low density estate.</p> <p>Its frontal mass will be large in comparison to the frontal mass of other dwellings on Beechwood Avenue, made particular so by its twin gables facing the road as to the norm in Beechwood Avenue of a single gable plus pitched (tiled) roof facing the road. The double gable will be more emphatic.</p> <p>The estate is made of largely of 3 and 4 bedroom dwellings and bungalows. The majority of the dwellings have been altered since construction to modernise and adapt them for modern day living but this has left the streetscene largely un altered.</p> <p>11 occupants in one house hold is not the norm for a family home and could lead to the future owners subletting and a creating multiple occupancy or bed and breakfast which would not be in keeping with the family homes.</p> <p>The size and the scale of the development will lend itself to future change of use application e.g dwelling of multiple occupancy, care facilities.</p>	<p>includes building above the garages on plots that are narrower, reducing the separation between dwellings. The principle elevation will still have a projecting gable with a secondary gable to the side, there is evidence of this within the locality where properties have been extended over the garages. The extension over the garage is to be set back in a similar manner to other extension along Beechwood Avenue and therefore it is not considered that the proposal would be out of keeping although it will be the largest property within the locality.</p> <p>The personal circumstances of the occupants has led to the design of the proposal however the application is to be considered against local and national policy and where it is compatible the proposal should be approved. In this instance it is considered that the proposal is compliant with the Local Plan policies OS1 and BE1 and supports sustainable development advocated within the NPPF. There is no limit on how many occupants can live as a family unit.</p> <p>Should an application be submitted for change of use it will be considered on its own merits and adjudged against the relevant planning policies for the use proposed.</p>
<p>Impact upon Highway Safety</p> <p>Concerned that 5 spaces for a 7 bedroom dwelling will be insufficient leading to parking on the highway.</p> <p>Parking is already constrained on the site with the existing 4 occupants.</p>	<p>The dwelling occupies a large plot which has ample parking to the front of the dwelling and a double garage. The dwelling will be occupied as one extended family unit and it is considered that sufficient parking can be made available within the site. Beechwood Avenue is not a main through route and is of sufficient width to ensure that on street parking is not an issue in this location.</p> <p>It is not considered that the proposal would lead to highway safety impacts and no objection has been received by the Highways Authority.</p>
<p>Conflicts with Planning Policy</p> <p>Fails to comply with the local plan policies OS1 and BE1 as the proposal will create overlooking, loss of privacy, overbearing, shadowing and loss of light to</p>	<p>The proposal seeks to extend an existing modest dwelling to create a larger residence. The proposal is capable of complying with the local plan policies given that the design is suitable and an acceptable relationship with neighbouring properties is</p>

<p>neighbouring properties.</p> <p>NPPF seeks to secure high quality design and good standard of amenity for all existing and future occupants of land and building. This proposal does not comply.</p>	<p>achieved. Satisfactory parking can be achieved and the Highways Authority has no objection to the proposal. It is considered that the development complies with the local plan policies and promotes sustainable housing growth as stipulated within the NPPF.</p>
<p>Other considerations</p> <p>The Design and Access statement has some inaccuracies and refers to obsolete planning policies.</p> <p>The D&A refers to there being a variety of house types, ages and designs which is not true. Beechwood Avenue is part of the Calvery Estate comprising 3 basic house designs.</p> <p>Having such a large property next door could affect the saleability of the neighbouring properties which could affect the value.</p> <p>The floor plans show that the building will be parallel with the boundaries and this is not the case as the site is tapered. There would be little, to no space for access to the rear garden.</p>	<p>Noted. A Design and Access statement is not required for this type of proposal and it was not considered necessary to make any amendments to the document.</p> <p>Devaluation of properties is not a material consideration however impact upon the residential amenities is which in turn could affect the enjoyment of a dwelling house which has been considered as a public interest by Planning Inspectors. In this case it is considered that the residential amenities would not be unduly affected and the proposal presents a satisfactory arrangement.</p> <p>Noted.</p>

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Compliance (or otherwise) with Planning Policy</p> <p>The site lies within the town envelope where residential development is supported. Policies OS1 and BE1 seek to ensure that development respects the character of the area and that there would be no loss of residential amenities and satisfactory access and parking provisions can be complied with.</p>	<p>The development is considered to accord with the applicable Local Plan policies. In this instance, the policies are not considered to conflict with the NPPF and as such there is no requirement to balance the regimes against one another.</p>

Conclusion

The application site lies within the town envelope and thus benefits from a presumption in favour of development under policies OS1 and BE1. The proposed development has been designed to have a limited impact on adjoining properties, and whilst not fully compatible with the design of the estate does include features that are evident within the street retaining the prominence of the gable feature; and complies with highway requirements. Accordingly, the proposal is recommended for approval subject to conditions.

RECOMMENDATION:- Approve, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in strict accordance with plan drawing nos. 1419-PL-003A, 1419-PL-004A, 1419-PL-005B and 1419-PL-006A submitted on the 8th May 2015.
3. No development shall start on site until representative samples of the materials to be used in the construction of all external surfaces have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.

Officer to contact: **Mrs Denise Knipe**

Date 14th May 2015