



**Melton  
Borough  
Council**

## **Planning Committee**

**25<sup>th</sup> July 2019**

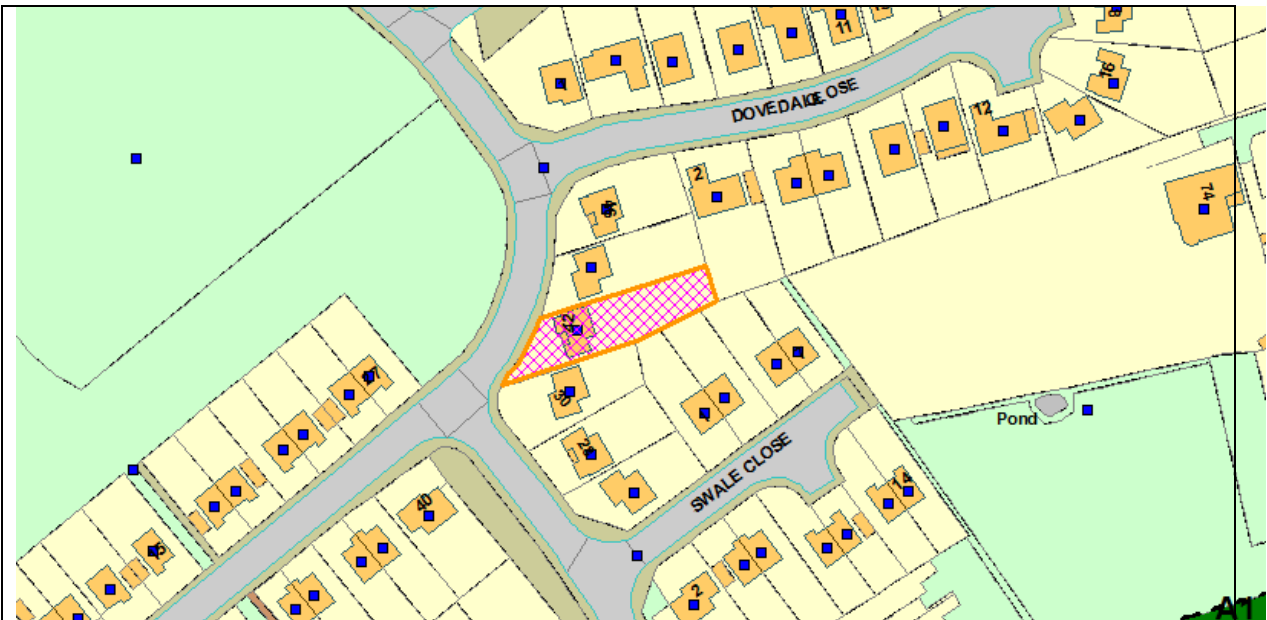
**Report of:**

**Assistant Director of Strategic  
Planning and Reg. Services**

**19/00365/FULHH: 24 – 42 Avon Road, Melton Mowbray, LE13 0RG**

**Erection of side and front extension to form an annex accommodation and a two storey rear extension to form study and en- suite bedroom**

### **1. Summary:**



The application property is located within Melton Mowbray to the south of the town centre. The surrounding area is residential in character and there is an existing public space and play area to the north east. The property is detached and two storied with an attached single garage to the side. The dwelling is positioned to the incline of Avon Road, close to the junction of Derwent Drive, where there are similar styles and types of properties, some of which have already undertaken alterations and additions. There is currently provision for off road parking within the curtilage of the site.

The application comprises the following elements which are proposed in order to cater for the applicant's families health and social care needs:

- the existing attached garage would be removed and replaced with a two storey extension 6.54m wide, projecting both forward of the existing house and garage and also further south (towards no.30 Derwent Drive), with a single storey element to the front in the form of a 'lean to' projection and also behind, occupying space which currently forms a gap between the application site and no. 30 Derwent Drive. These would have a combined depth of 12.2m, 7.8m of which would at 2 storey scale, adjacent to the boundary. This would provide accommodation for members of the applicant's family who need support and care comprising of a kitchen, lounge, wc facilities with an en-suite double bedroom and bathroom above
- a separate two storey extension is also proposed along the north boundary of the property 7.3m deep. This would form a study with an en-suite double bedroom above.

## 2: Recommendations:

**It is recommended the application is approved, subject to conditions.**

Proposed conditions are as set out in Appendix C

## 3: Reasons for Recommendation:

In assessing this application and having taken into account all the relevant material planning considerations, the proposal, by reason of its siting and design, would result in a development that would be sympathetic to the character of the area. The alterations have been designed to reflect the appearance of the existing dwelling, thus resulting no detrimental impact on the visual amenity of the site and the street scene.

The proposed development would also not have an unacceptable impact on neighbouring amenity to prevent significant loss of privacy, light and outlook occurring, or for overshadowing to be caused. For these reasons the proposed development would accord with Policy D1 of the adopted Melton Local Plan and the overall aims of the revised National Planning Policy Framework 2019.

#### 4: Key factors:

##### **Reason for Committee Determination**

The application has been 'called in' for determination by Committee by the Ward Cllr., Cllr. Pearson

##### **Relevant Policies Development Plan**

**The Melton Local Plan 2011-2036 was adopted on 10<sup>th</sup> October 2018 and is the Development Plan for the area.**

- **No inconsistency with the NPPF has been identified that would render Local Plan policies 'out of date'.**

Please see Appendix D for a list of all applicable policies

##### **Main Issues**

The key issues to be considered with this application are as follows:

- Impact upon the amenities of the occupiers of neighbouring properties
- Impact upon character and architectural integrity of the existing property
- Parking provision and highway safety

#### 5: Report Detail:

##### **Impact upon Residential Amenity**

Local Plan Policy D1 seeks to raise the standard of design by requiring new development to be sympathetic to the character of the area and to protect the amenity of neighbours. The National Planning Policy Framework attaches great importance to the design of the built environment. Good design is identified as an aspect of sustainable development and indivisible from good planning. It seeks to ensure that a high standard of amenity for all existing and future occupants of buildings is maintained.

**The first component of the proposal, two storey side and forward extension,**

**clearly has the greatest impacts on the adjacent property, no 30 Derwent Drive and the following impacts have been highlighted:**

- 30 Derwent Drive is located on its junction with Avon Rd and is forward of the building line established by properties along Avon Rd;
- Due to a difference in land levels 30 Derwent Drive has been constructed in a much elevated position in comparison with the application premises;
- 30 Derwent Drive has a small ground floor side facing window which overlooks the forecourt of the application property.

In terms of **loss of natural light**, the side facing window at ground floor level in no.30 serves a room also served by a main window at the front. The proposed extensions, despite projecting forward, would remain set back from this window and because it would be due north would not affect the path of the sun being received by this window. To the rear, the 2 storey element of the extension would project approx. 3m beyond the rear wall of no 30 Derwent Drive and similarly, due to its orientation to the north, would not significantly obstruct light received into the rear conservatory or rear-facing rooms of no. 30.

In terms of **loss of outlook**, the proposed side extension would be erected closer to the shared boundary with 30 Derwent Drive than the existing garage and it would project further at the front. As above, the side window of no. 30 Derwent Drive would not be blocked off by the extension as it would remain set back behind it. The current view from this window – looking down the slope of Avon Rd and providing longer distance views – would remain unobstructed but there would be a reduction of the panorama of the view from this vantage point. However it is considered that no significant loss of outlook would occur.

With regard to **loss of privacy**, a new window in the first floor side extension would offer a line of sight into the garden of no. 30. However the garden is currently overlooked by surrounding neighbours from first floor levels a (including the application site) and as such no significant reduction in privacy will occur.

The impacts of the front and south side extensions are mitigated by the difference in land levels between no42 and no 30 Derwent Drive by approx. 2m (42 Avon Road being lower).

**With regard to the impact of the two storey rear element of the proposal, no. 3 Swale Close whose rear garden has a shared rear boundary is affected.** The application dwelling has a long rear garden, and the first floor bedroom window would be sited at a distance of over 21m from the boundary, with the length of no. 3 Swale Close's garden also intervening before the house itself. Therefore an adequate separation distance would be retained, substantially above normally expected standards. The first floor element would not project beyond the existing gable wall of the neighbouring dwelling at 44 Avon Rd, meaning that no significant

increase in overlooking would occur.

A new first floor side facing bedroom window is proposed which would directly overlook the gable wall and forecourt area of No. 44, to mitigate this situation a condition is recommended requiring a revised design to the size and appearance of this window to ensure that loss of privacy does not occur, The window design may need to be top hung and obscurely glazed or the room served with rooflights and utilised as a study.

Taking into account the relevant issues, analysis and reasoning set out above, this proposal would not result in any significant loss of light, outlook or privacy to justify withholding planning permission.

**The proposal would retain a satisfactory level of amenity for surrounding occupants and therefore comply with both the spirit of Policy D1 which specifically protects the amenity of neighbours and also the 45 degree code which seeks to minimise the loss of significant natural light to key habitable rooms**

**Impact of the proposed changes on the character of the area and upon the architectural integrity of the property:**

The application property is a modern detached two storey dwelling house situated within an area of similar properties along a staggered building line. An existing side garage will be removed to facilitate the combined single and two storey extension at the front and side. Whilst this extension will project further forward, its visual intrusion will be limited. The single storied element would have a canopied 'lean to' roof arrangement and the first floor is designed to match with the forward-facing gabled arrangement displayed by the existing building, tying in to the existing roof without increasing its height.

The application property is set back from Avon Rd along a bend and the immediately neighbouring dwelling is in an elevated position as a result, direct views on approaching from the south (Derwent Drive) would be obscured and therefore limited. The house types in the area are varied and there are several examples of them being altered over time which adds to variety. The 'staggered' building line of Avon Rd would remain because the extended dwelling would not project forward of the most forward dwelling, 30 Derwent Drive, and the area overall would retain its design and layout quality.

**It is considered that the design is in keeping and would not result in overdevelopment. This proposal would comply with Policy D1 which seeks to raise the standard of design by being sympathetic to the character of the area.**

**Highways**

Adequate off street parking on the frontage would be retained by the provision of 3 or potentially 4 parking spaces in front of the dwelling. Taking into account that the site is on a bus route and frequented by school children, visibility for cars exiting the site would remain unhindered as at present and it is unlikely that the proposal would result in a severe residual impact on highway safety to warrant the refusal of planning permission, as required by the revised National Planning Policy Framework 2019.

### **Other matters**

Private and civil matters which cannot form material planning considerations have been raised, for example rights of access afforded by title deeds and the requirements of the building regulations. Whilst not matters that can affect a planning decision, equally they are not overridden by such a decision and can impact on whether a proposal can be implemented, and as such have been brought fully to the applicant's attention. These are issues for applicant to resolve separately, and additionally, to planning issues.

Officer and the Ward Councillor have sought to initiate a dialogue between the applicant and one of the objectors with a view to understanding one-another's aspirations and concerns and seeking compromise. However these have not resulted in amended proposals and the Council is required to determine the application in its submitted form.

## **Consultation & Feedback**

A site notice was posted adjacent to the site and 7 neighbouring properties consulted by letter. As a result 4 letters of objection have been received to date from 2 separate households.

## **Appendices:**

- A; Consultation responses
- B: Representations received
- C: Recommended conditions
- D: Applicable Development Plan Policies

## **Report Timeline:**

**Assistant Director Approval**

12<sup>th</sup> July 2019

**Report Author: Mrs Deborah Wetherill, Planning Technician, Development Management**

**☎**: 01664 502391

### **Appendix A : Consultation replies**

**None**

**Ward Councillor: Cllr Pearson has requested the applications determined by committee, following a site inspection**

### **Appendix B : Brief Summary of representations received**

#### **Principle of Development**

3 Swale Close

- Express concern that the second floor element of the rear extension would result in loss of privacy through overlooking

30 Derwent Drive object on the following grounds;

- Proposal would result in over development, loss of light, outlook and would be prejudicial to highway safety;
- Inadequate parking facilities would be provided;
- Proposal would have an adverse impact on the character and the application property;
- Submitted plans and application forms contain inaccurate information;
- Question the ownership of the boundary between the properties, consider damage will occur as a result of the proposed works;
- Other civil and boundary matters are raised

### **Appendix C: Recommended Conditions**

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development shall be carried out in accordance with the following plans:  
7737-03-04      Rev C
3. Material to match existing
4. No consent granted for side facing bedroom window
5. No development shall commence until revised details of the design, appearance and siting of the first floor side facing bedroom window has been submitted and agreed in writing

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance.
4. To protect residential amenity.
5. To protect residential amenity

## **Appendix D : Applicable Development Plan Policies**

### **Local Plan**

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy D1: Raising the Standard of Design.