

Planning Committee

03 September 2020

Report of: Assistant Director for Planning and Delivery

20/00823/FULHH – 42 Avon Road, Melton Mowbray

Proposed two storey front, rear and side extensions to form annex and additional single storey extension to the front of existing dwelling.

Applicant: Mr and Mrs A Abrames

Corporate Priority:	3: Delivering Sustainable and Inclusive Growth in Melton
Relevant Ward Member(s):	Melton Dorian: Pat Cumbers, Alan Pearson, Phillip Wood
Date of consultation with Ward Member(s):	3 August 2020
Exempt Information:	None

1 Summary

- 1.1 The application site is two storey detached property located in Melton Mowbray, south of the town centre. The residential area consists of similar style properties and to the north east of the site there is a large open space and play area. The property is situated on a bend close to the junction of Derwent drive where the similarity in style of property continues.
- 1.2 There is currently provision for off road parking within the curtilage of the site.
- 1.3 This is a revised scheme, following a previously refused application on the same site for a similar development. This application proposes revisions to the scheme seeking to overcome the previous reason for refusal at committee and dismissed at appeal.

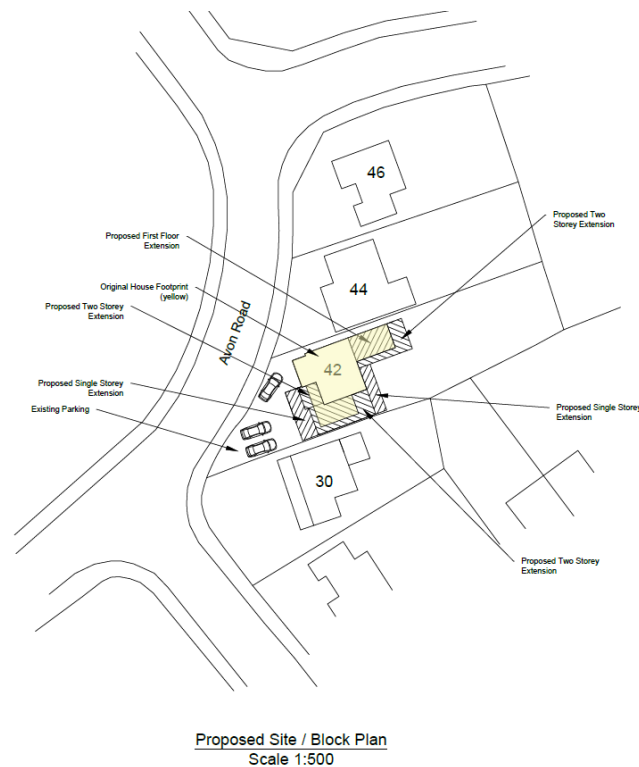
2 Recommendation(s)

- 2.1 It is recommended that the Planning application is **APPROVED** subject to conditions.

3 Reason for Recommendations

- 3.1 The revised scheme by reason of siting and design would result in a development that would be sympathetic to the character the area, having no detrimental impact upon visual or neighbour amenity. The revisions are considered to have adequately addressed concerns raised by the Inspector and in doing so, achieve a proposal that accords with the

requirements of Policy D1 and the overall aims of the revised National Planning Policy Framework 2019.



4 Key Factors

4.1 Reason for Committee Determination

4.2 The application is required to be presented to the Committee due to being a revised scheme of an application previously determined at Planning Committee, at the request of the Planning Committee Chair.

4.3 The application was considered by the Committee in July 2019 and refused as follows:

The proposal represents an over-intensive use of the site by virtue of the width, mass and forward projection of the proposed extensions, which would result in an adverse impact on the street scene, would not be sympathetic to the area and would fail to protect the amenities of neighbouring properties. It would therefore be contrary to Policy D1 of the Adopted Melton Local Plan 2018.

4.4 The application was subsequently the subject of an appeal which was dismissed in November 2019. This application is the applicant's response to that decision, seeking to overcome the reasons for dismissal.

4.5 Relevant Policies

4.5.1 The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area.

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

4.6 Main Issues

4.6.1 The main issues for this application are considered to be:

- Principle of development; compliance with Development Plan Policies.
- Impact upon the character of the area and whether the grounds for dismissal of the appeal have been overcome
- Impact upon residential amenities

5 Report Detail

5.1 Position under the Development Plan Policies

5.1.1 The site is within the Town of Melton Mowbray where Policies SS1 applies; this relates to sustainable development. Local Plan Policy D1 relates to the visual and residential amenities.

5.1.2 Other material considerations are the National Planning Policy Framework (NPPF).

5.2 Principle of Development

5.2.1 The proposal comprises an extension of a property within Melton Mowbray. It will see the demolition of the existing garage and in its place, extended ground and first floor living accommodation to the front, south and rear of the property. The applicant advises that this will enable the applicant to meet the social and medical needs of a family member.

5.2.2 To the front of the property, the existing attached garage would be removed and in its footprint, a two storey extension 6600mm wide, with a single storey element in the form of a 'lean to' with a mono pitched roof over the hallway and proposed store. This would project 2400mm forward of the principle elevation at ground and first floor level over the hallway and be set back 600mm at first floor level over the store, creating a less bulky addition, featuring a new gable to mirror the existing gable.

5.2.3 The two storey extension to the front extends south of the existing elevation and runs along the boundary between No 42 Avon Road and No 30 Derwent Drive where it ends at the existing rear elevation and a single storey extension is introduced, mirroring the mono pitched element seen to the front of the property. In total the depth of the 2 storey element measures 9.4m with a further 1.5m being single storey, adjoining a proposed separate two storey extension to the rear.

5.2.4 A separate two storey extension is also proposed along the northern boundary, shared with No 44 Avon Road. This would extend 6800mm beyond the rear wall of the property and measure 4200mm wide to accommodate a study with en-suite bedroom above.

5.3 Impact upon the character of the area

5.3.1 This application is a resubmitted scheme from a previously refused application on the site. The reason for dismissal of the appeal was as follows –

'the proposal would be harmful to the character of the area and appearance of the host property and the surrounding area. This would be contrary to Policy D1 of the Melton Local Plan (Local Plan) which requires all new developments to be of high quality design and that siting and layout must be sympathetic to the character of the area (a). It would also be at odds with paragraph 130 of the National Planning Policy Framework (the Framework) which states that 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.’

5.3.2 The location of the site is to the south of Melton Mowbray within a residential area consisting of similar style properties. The property is located on a bend where Avon Road meets Derwent Drive and sits within a distinctive staggered building line. With regards to the new gable feature in the previous application, the Inspector stated that:

‘The proposal would bring the front of the appeal property close to the front building line of No 30 and obscure much of the property’s flank elevation. As a result, the staggered nature of the building line here would be considerably eroded and much less pronounced and the appeal property would appear out of step with the rest of the row.’

and;

‘Although the proposal has been designed to reflect the appearance of the host property, in my view it would be seen an unduly large and bulky addition of such a size and prominence as to overwhelm the appearance of the existing house. Thus, I consider that the proposal would fail to respect the scale and character of the host building and would unacceptably dominate it’.

5.3.3 The revised proposal sees a reduction to this projection from 4.3 to 2.4m along with a reduced ridge height of 6412mm for the gable and 6282mm for a central hipped gable. As a result of the reduction, this concern has been addressed and overcome as the extension will no longer obscure No 30 and the staggered building line referred to by the Inspector will remain a coherent element of the street scene. 5.3.4 The application site sits in an elevated position when approaching from the south, however the principle elevation will not project forward of No 30 and the quality of the surrounding area’s design and layout, including the staggered building line, will be adequately maintained

5.3.4 In terms of scale, the previously proposed new gable deemed ‘unduly large and bulky’ has also been revised. The principle elevation shall now feature 2 new smaller gables, both of which will not exceed the size of the original, creating less of an imposing addition and lessening the alteration to the character of the host building. The original gable will remain the main feature, as seen in other alterations carried out to neighbouring properties. The reduction in height also now ensures that the extension appears subservient and no longer ‘unacceptably dominant’.

5.3.5 The extensions to the rear have a neutral impact in terms of impact upon the character. The 2 storey element shall only extend along the boundary with No 44 and will not project past their rear elevation, meaning that it is screened completely from the north.

5.3.6 The proposed design is considered to comply with Policy D1 which seeks to raise the standard of design by being sympathetic to the character of the area. The revisions made, particularly to the front extensions ensure the site does not appear to be overdeveloped and would not stand out and appear incongruous with the street scene.

5.3.7 The application site and proposed development is, therefore, considered to be appropriate in relation to the character of the area and visual amenity.

5.4 Impact upon Residential Amenities

5.4.1 This application sees the introduction of a 2 storey extension which runs along the southern boundary shared with No 30 Derwent Drive. Due to the reduction in forward projection, no significant impact upon neighbouring properties is anticipated. It has been taken into consideration, the distance between proposed south elevation and the

boundary wall and as there are to be no windows introduced to this elevation, no loss of privacy shall occur. There is to be a minor projection past No 30's rear elevation, and only a small part of this will be at first floor level therefore this is considered acceptable as it will not result in any loss of privacy, outlook or natural light.

5.4.2 With regards to the rear extensions, it is noteworthy that these remain unchanged from the former application and that the appeal Inspector made no criticism of these aspects. A new first floor bedroom window is to be introduced to the rear elevation, which looks out towards the rear garden of 3 Swale Close. It is not considered that the development would adversely impact upon the amenity of this property, as a result of the significant separation distances involved.

5.4.3 A new first floor side facing bedroom window is proposed which would directly overlook the gable wall and forecourt 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 hung and obscurely glazed or the room served with roof lights and utilised as a study.

5.4.4 **The proposal would not have an adverse impact on the amenity of neighbouring properties and as such the proposal would comply with Policy D1 of the Local Plan.**

5.5 Highway Safety

5.5.1 Policy D1 states that development proposals should make adequate provision for car parking. The application site benefits from 3 parking spaces, despite the loss of the garage, therefore making sufficient provision for a 4 bedroom property.

5.5.2 Visibility for cars exiting the site would remain unhindered and would not have such an impact upon highway safety to warrant the refusal of planning permission, as required by the revised National Planning Policy Framework 2019.

5.6 Other issues

5.6.1 The proposed scheme has been put forward to accommodate the social and medical care needs of the applicant's family. It would allow for an additional member of the family to live there and for care to be provided by the applicant who is also a registered personal assistant for two other members of the family.

5.6.2 Due regard has been paid to the Equality Act 2010 and the Public Sector Equality Duty (PSED). Section 149 which states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

The Committee must also ensure the same when determining this planning application.

6 Impact on Infrastructure

6.1 There are no known equality implications arising directly from this development

7 Consultation & Feedback

- 7.1 A site notice was posted and neighbouring properties consulted.

8 Financial Implications

- 8.1 None.

Financial Implications reviewed by: N/A

9 Legal and Governance Implications

- 9.1 Legal implications are set out in the report where relevant. Legal advisors will also be present at the meeting.

Legal Implications reviewed by: Legal Advisor (Planning)

10 Background Papers

- 10.1 19/00365/FULHH - Side and front extension to form an annex and a two storey rear extension to include demolition of existing garage – Refused 26.07.2020

Appendices

- A: Summary of Statutory Consultation responses
- B: Summary of representations received
- C: Recommended Planning Conditions
- D: List of applicable Development Plan policies

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Appendix A : Consultation replies summary

Melton Dorian Ward Cllrs:

No comments received at present.

Appendix B : Summary of representations received

Neighbours:

No representations received at present. Verbally objections have been received from the occupant of the adjacent householder concerned with the proximity of the extension to the retaining wall of no 30 Derwent Drive and pointing out that a right of access for maintenance purposes is granted in favour of no 30, which would prevent implementation of the proposal in the form it is currently configured.

Written confirmation of this concern and any others is anticipated.

Appendix C: Recommended Conditions

1. The development hereby permitted shall be begun before the expiration of three 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 the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

A0 -10-07-2020 – Existing & Proposed Plans & Elevations
Received by the Local Planning Authority on 16 July 2020.

Reason: To ensure a satisfactory form of development in accordance with Policies SS1 and D1 of the Melton Local Plan and Policies H3 and H4 of the Ab Kettleby Neighbourhood Plan.

3. The materials to be used on the external elevations of the proposal shall accord with the details contained within the submitted Application Form received by the Local Planning Authority on 16 July 2020.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies SS1 and D1 of the Melton Local Plan and Policies H3 and H4 of the Ab Kettleby Neighbourhood Plan.

4. Notwithstanding the plans hereby approved, no consent is hereby granted for the side facing bedroom window.

Reason: To protect residential amenity

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. The window shall subsequently be installed in full accordance with the details agreed.

Reason: To protect residential amenity.

Appendix D : Applicable Development Plan Policies

Melton Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy D1Raising the Standard of Design