DELEGATED REPORT

Recommendation Made: 26 March 2009

Reference:- 09/00104/FUL **Parish:- Market Bosworth Parish Council**

Applicant:- Mrs Sandra Whiles
9 Lancaster Avenue
Market Bosworth
Nuneaton
Warwickshire

Location:- 9 Lancaster Avenue Market Bosworth Nuneaton CV13 0LZ

Proposal:- SINGLE STOREY REAR EXTENSION AND ALTERATIONS TO DWELLING

Introduction:-

The application property, 9 Lancaster Avenue, is a two storey modern detached dwelling with a conventional pitched roof within a modern residential estate in Market Bosworth. The property has had previous extensions with the most recent being in 2003 for a rear extension.

The property stands north of 11 Lancaster Avenue with a distance of 2 metres between the side elevations and with the application property's previous rear extension shares a similar rear building line. The application property stands south of 7 Lancaster Avenue which due to previous extensions has a rear building line set back from the application property but a distance of 4 metres stands between the side elevations. The rear gardens of 4 and 6 Tudor Close stand to the east of the property with a distance of approximately 20 metres between the rear elevations of the application property and properties to the rear.

The application site is partially screened from the properties to the rear, 4 and 6 Tudor Close by a small wooden fence and a conifer hedge in excess of 3 metres. A small waist height wooden panel fence divides the site from the rear garden of 11 Lancaster which stands between 0.5-1 metres lower than the application site. A 1 metre high wooden panel fence divides the application site from 7 Lancaster Avenue with some screening provided from vegetation of this boundary.

Planning permission is sought the erection of a single storey rear extension with a M-shaped roof with valley guttering to form a garden room. The proposed extension will project 2.3 metres from the furthest rear building line, spanning 5.95 metres along the rear from the existing northern elevation with a ridge height of 3.2 metres. The proposed extension will include a window on the projecting southern elevation facing toward 11 Lancaster Avenue and a metre high flue on the northern roof slope closest 7 Lancaster Avenue. The rear elevation of the proposed extension will include two sets of UPVC French doors with long thin windows either side of each door, windows are also included above the doors reaching up to the eaves. The development also includes two velux windows on each of the four roof slopes and a sun pipe. Terracing to the rear is also included as part of this development.

History

03/01096/FUL- Extension to dwelling- approved- 29.10.03

93/00091/4- Single storey front extension to garage- approved- 26.02.93

75/00641/4M- Extensions to dwelling to provide additional bedroom and study- approved- 26.04.75

Consultations:-

No objection from Market Bosworth Parish Council

The Borough Council Land Drainage Engineer has no objection to the application but commented permeable paving would be favourable for the proposed terrace area.

One objection has been received from the neighbour to the rear of the site on the grounds the proposed terraced area and extension would erode the privacy of their garden. They suggest a reduction in the projection of the rear extension and a replacement rear boundary fence would alleviate matters.

Development Plan Policies:-

Hinckley and Bosworth Local Plan
- BE1 (Design and Siting of Development)

SPG House Extensions

Appraisal:-

The central concerns to address within this application relate to design with specific regard to scale, design, materials and architectural features and the impact of the development on the amenity of neighbouring properties.

The southern elevation of the proposed extension will project 2.7 metres past the rear building line of 11 Lancaster Avenue, set back from the boundary and includes no windows. The extension will be single storey divided from the nearest habitable window of 11 Lancaster Avenue by a minimum of 2 metres. These elements combined with the properties southerly orientation in relation to the development would result in an extension which is unlikely to impact on privacy or light to this property.

Adjacent property 7 Lancaster Avenue is currently set back from the application property and the proposed extension will add 2.3 metres to this difference. A minimum distance of 4 metres stands between the extension and the nearest habitable window of this property. Although this property stands north of the proposal where the impact on light reduction has the ability to be a prominent concern, the set back rear building line and distance from habitable windows will keep this impact to a minimum. Although the development includes a window on the northern projecting elevation the window would face onto the rear garden of 7 Lancaster Avenue and not directly into any window, this combined with an adequate separation distance and screening from the boundary fence is unlikely to result in loss of privacy to this property.
The objection from the neighbour to the rear relates to the loss of privacy to their rear garden as a result of this development and additional terracing. Although the extension will bring the rear building line of the property closer to 4 and 6 Tudor Close a distance slightly under 20 metres will still stand between the rear elevations of the properties and proposed extension. The separation distance combined with the single storey nature of the proposal and partial boundary screening would create a development highly unlikely to be detrimental to the light or privacy of these properties.

It is worth noting the terracing illustrated on submitted plans is to the rear and is therefore permitted development and has not been assessed as part of the application. As such a condition requiring the terracing to be reduced or formed from a permeable material would unjustified and unenforceable.
The proposed extension will form an M-shaped roof which whilst not an evident feature on the dwelling or nearby properties has a pitch comparable to existing. In addition the ridge line of the proposed extension will not exceed the height of the ridge line of the existing rear extension. The extension has a maximum projection of 2.7 metres and does not span the length of the rear and adequate rear amenity space is retained. The development is therefore of an acceptable scale in relation to the property and nearby dwellings. The proposed French doors on the rear elevation are of similar design to the property's existing French doors and would be an acceptable feature in relation to this modern property.

Overall the proposal is considered to be acceptable in terms of design and neighbours amenity and it is recommended that planning permission be granted, subject to a condition requiring materials to match.

RECOMMENDATION :- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan and would not harm the character or appearance of the area or the living conditions of neighbouring occupiers.
SUMMARY OF DECISION - The proposal is in conformity with Policy BE1 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing unless previously agreed in writing with the Local Planning Authority.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy of the adopted Hinckley & Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. List of plans used in the determination of this application:-
Drawing number- 03.1696.05

Contact Officer:- David Kiernan Ext 5898