

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(4)	10/01220/HOUSE Stratfield Mortimer.	14 th July 2010	<p>Section 73A - Variation of Condition 1 (Time Limit and Plans) of planning permission 09/01814/HOUSE to incorporate a taller single storey extension and Variation of Condition 3 (windows) to amend windows granted under planning permission 09/01814/HOUSE (Conversion of two semi detached cottages to one detached dwelling. Ground floor extensions to provide hall, utility, wc, family room and garden room. Remove existing rear outbuilding and detached garage.)</p> <p>9 and 11 King Street, Mortimer Common, Reading.</p> <p>Mrs Olwyn Hughes and Lesley Nelson.</p>

Recommendation Summary:

The Head of Planning and Countryside be authorised to APPROVE Planning Permission subject to conditions.

Ward Member(s):

Cllr Keith Lock and Cllr Mollie Lock.

Reason for Committee determination:

Called to Committee by Cllr Keith Lock as the original application was objected to by the Parish Council and residents and the construction has not been according to the approval.

Committee Site Visit:

1st September 2010.

Contact Officer Details

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1. Site History

09/01814/HOUSE – Conversion of two semi-detached cottages to one detached dwelling. Ground floor extensions to provide hall, utility, wc, family room and garden room. Remove existing rear outbuilding and detached garage.

2. Publicity of Application

Site notice expired 26th June 2010.

Amended Description Site notice expired 6th August 2010.

Neighbour Notification expired 17th June 2010.

3. Consultations and Representations

Parish Council: No objections.

Highways Officer: No comment.

Public Protection: No response received.

Ramblers No response received.

Association:

Public Rights of No response received.

Way Officer:

Representations: 9 interested parties have submitted representations of objection citing:

- Overbearing impact; extension overwhelms neighbouring property; materials do not match existing dwelling; overlooking and loss of privacy; noise; glare from slate tiles; out of keeping with existing dwelling and neighbouring properties; loss of small dwellings in the area; disproportionate roof on extension; mortar does not align with existing dwelling; extension is too tall; extension creates a lop sided appearance and is unattractive.

5 interested parties have submitted representations of support citing no overlooking due to sand blasted windows that are now fixed shut; extension is in keeping with existing building and street scene; height difference is minimal; brickwork is well matched; there are many varied extensions in the street scene, work is of a high standard.

1 representation has been received from the applicant stating that no overlooking is possible through the sandblasted and fixed shut windows, the doors and windows retain the character of the existing building.

4. Policy Considerations

Planning Policy Statement 1 “Delivering Sustainable Development” (PPS1)

Policies OVS1, OVS2 and TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP).

Supplementary Planning Document “Quality Design” (adopted June 2006)
Supplementary Planning Guidance 04/2 “House Extensions” (adopted 2004)

Stratfield Mortimer Village Design Statement (adopted November 2005)

5. Description of Development

- 5.1 This application is made under section 73A of the Town and Country Planning Act 1990 (as amended). The application seeks permission for the variation of condition 1 to incorporate minor changes to the development from that previously approved under application 09/01814/HOUSE and a variation of condition 3 to amend the windows to a different design than those approved under permission 09/01814/HOUSE. The works on the extensions are substantially complete.
- 5.2 In respect of the conversion of two dwellings into one dwelling the amalgamation of 2 planning units with the same use into one is not considered to result in a material change of use and as such would not constitute development. This view is confirmed in previous appeals such as Uttlesford 28/9/07 DCS No. 100-050-591 and Penwith D.C. 27/06/90 DCS No. 035-856-482. Furthermore there are no specific policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 that restrict the conversion of two dwellings into one. As such the principle of the conversion of a pair of semi-detached dwellings into one detached dwelling does not fall to be considered as part of this application.
- 5.3 The plans submitted under planning permission 09/01814/HOUSE scaled the height of the single storey side extension where the roof joins the existing dwelling, when viewed from the east, as approximately 3.4 metres. The single storey extension built has a height where the roof joins the existing dwelling, when viewed from the east, of approximately 3.8 metres.
- 5.4 In addition the plans submitted under planning permission 09/01814/HOUSE scaled the height of the eaves of the single storey side extension, when viewed from the east, as approximately 2.35 metres. The single storey extension built has a height to the eaves, when viewed from the east, of approximately 2.38 metres, as well as a larger fascia board of 0.2 metres in depth rather than that approved of 0.12 metres.
- 5.5 Furthermore the single storey extension built differs from that approved plans under permission 09/01814/HOUSE due to the differing design of the openings to the extension. The differences of note are the design of the two openings on the side (east) elevation from the approved, top opening windows, to side opening windows that have been obscure glazed and fixed shut. In addition the rear (south) elevation has been constructed with a four pane full length glazed opening with no

velux windows in the roof as opposed to the two windows, a door and two velux windows that were approved under permission 09/01814/HOUSE.

- 5.6 Other non-material changes have taken place in respect of the windows on the existing dwelling, however, these changes are minimal and could be undertaken as permitted development under the Town and Country (General Permitted Development) Order 1995 as amended.
- 5.7 As such this application has been submitted to regularise the additional 0.4 metres in the height of the roof of the single storey extension when viewed from the east; the additional 0.03 metres in the height of the eaves when viewed from the east, and the additional 0.08m of fascia board, as well as the minor alterations to the windows described above.
- 5.8 It is important to note that all of the changes described above, apart from the increase in the height of the roof of the single storey extension, would be considered acceptable as a non-material amendment to the previously approved application. This is a significant consideration in the determination of this application.

6. Consideration of the Proposal

The main issues to consider are:

- The principle of the development
- The impact on the character of the area
- The impact on neighbouring amenity in terms of:
 - sunlight
 - daylight
 - overlooking / privacy
 - noise and disturbance
 - overbearing

6.4 Highway Matters

6.5 Other matters

6.1 Principle of Development

- 6.1.1 For the reasons set out in paragraph 5.2 the principle of the development does not fall to be considered, however, the specific impacts of the development on the character of the area, the amenities of neighbouring properties must be carefully considered together with the provision of accesses and highway safety.

6.2 The impact on the character of the area

- 6.2.1 The character of the area consists of semi-detached and detached dwellings of varied design. The increase in the height of the single storey extension by 0.4 metres is considered minor and not significant enough to harm the character of the area or the street scene. The increase in the height of the eaves of the single storey extension by 0.03 metres is also considered minor and not significant enough to harm the character of the area or the street scene. In addition the

increase in the height of the fascia board by 0.08m and the amended designs to the openings of the property are also not considered significant enough to harm the character of the area or the street scene as demonstrated by the view of your officer that these changes to the approved scheme would be acceptable as a non-material amendment should such an application be submitted.

- 6.2.2 In respect of the letters of objection the principle of the development and the impact of the single storey side and rear extension on the character of the area and street scene were fully considered in the determination of planning permission 09/01814/HOUSE. The previous extant permission is a significant material consideration in the determination of this application and bears great weight in the consideration of the impact of the minor changes described. Furthermore the materials used in the development are considered an acceptable match to those on the existing dwelling and the mortar alignment is not considered significant enough to justify refusing this application.
- 6.2.3 As such the application is considered acceptable in terms of the impact on the character of the area.

6.3 The impact on neighbouring amenity

- 6.3.1 The previously approved scheme (09/01814/HOUSE) sought permission for three velux windows and 3 top-opening windows facing onto No. 15 King Street. The side elevation of No.15 King Street has an opening at ground floor level and an opening at first floor level that would be located almost opposite the proposed openings.
- 6.3.2 The amended scheme submitted shows two of the windows on the east elevation as not having a top opening panel. These have been constructed with sand-blasted glazing and, as confirmed by the applicant, fixed shut. As such it is considered that no significant overlooking or loss of privacy is possible due to the amended type of window installed.
- 6.3.3 The increase in height of the single storey extension of 0.4 metres, at the point where the extension joins the existing dwelling, is not considered to introduce a significant overbearing impact or loss of light to the neighbouring property at No.15 King Street.
- 6.3.4 The increased size of the fascia board by 0.08 metres, less than half the width of this A4 page, is not considered to introduce an overbearing or harmful impact on the neighbouring dwelling at No.15 King Street.
- 6.3.5 The amended openings on the rear (south) elevation are not considered to introduce any impact on the neighbouring properties.
- 6.3.6 In respect of the concerns raised regarding glare from the roof tiles of the single storey extension these are considered well matched to the roof tiles on the existing dwelling and whilst it is appreciated that some reflective glare occurs at present at certain times of the day the tiles will soon weather reducing any glare. As such this issue is not considered sufficient to warrant a refusal of this application.

- 6.3.7 The altered types of windows within the existing dwelling have no significant impact on the neighbouring properties and, as previously discussed, could be undertaken without the need for permission from the Local Planning Authority.
- 6.3.8 The changes to the scheme approved under permission 09/01814/HOUSE have no impact on the neighbouring property No. 7 King Street.
- 6.3.9 Therefore the proposal is not considered to result in any significant detrimental impact to the amenities of neighbouring properties

6.4 Highways Matters

- 6.4.1 None of the proposed amendments affect the existing access arrangement to the site and as such the application will not impact on highway safety.

6.5 Other Matters

- 6.5.1 In respect of the letters of objection received the increase in the height of the single storey extension, when viewed from the side, together with the increased depth of the fascia board by 0.08 metres and the altered openings are not considered to introduce any additional noise upon what has been approved. Furthermore such matters are controlled by Environmental Health legislation.
- 6.5.2 The concern raised regarding the loss of affordable housing and small dwellings in the area is not a planning consideration for this application. As previously discussed the amalgamation of two dwellings into one is not considered development and as such would not require permission from the Local Planning Authority.

7. Conclusion

- 7.1 The amendments to the previously approved scheme under permission 09/01814/HOUSE are not considered to harm the street scene or character and appearance of the area. Furthermore the amendments would not materially harm the amenities of the neighbouring properties or result in a detrimental impact on highway safety. As such the application is considered to accord with the relevant National and Local Planning Policies as well as Supplementary Planning Document 'Quality Design' and the Stratfield Mortimer Village Design Statement. The application is therefore recommended for approval subject to conditions.

8. Full Recommendation

- 8.1 **DELEGATE** to the Head of Planning and Countryside to **GRANT** planning permission subject to following condition and informative.

8.2 Condition

Windows

1. The two large windows serving the family room at ground floor level in the north elevation of the extension hereby approved shall retain the obscure glazing and be

fixed shut in perpetuity unless otherwise agreed in writing by the Local Planning Authority on an application made for that purpose. The small window in the north elevation of the extension hereby approved shall retain the obscure glazing in perpetuity unless otherwise agreed in writing by the Local Planning Authority on an application made for that purpose. Irrespective of the provisions of the Town and Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additional openings shall be inserted in the ground floor north elevation of the single storey extension hereby approved without a formal planning application made to the Local Planning Authority for that purpose.

Reason: In the interests of the amenity of neighboring properties in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

8.3 Informative

1. The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.