

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(6)	14/01003/HOUSE Newbury	1 st July 2014	Two storey and single storey rear extension. 2 Battery End, Newbury Mr and Mrs Adis Karahodza

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=14/01003/HOUSE>

Recommendation Summary: To **DELEGATE** to the Head of Planning and Countryside to **APPROVE PLANNING PERMISSION**

Ward Member(s): Councillor Bairstow
Councillor Edwards.

Reason for Committee determination: Councillor Bairstow called the application in due to concerns regarding overdevelopment, overlooking adjacent housing, out of keeping with the local housing.

Committee Site Visit: 17th July 2014

Contact Officer Details

Name: Lorna Powell-Juarez
Job Title: Planning Officer
Tel No: (01635) 519111
Email: lpowelljuarez@westberks.gov.uk

1. PLANNING HISTORY

No previous planning history

2. PUBLICITY

Site Notice Expired: 5th June 2014
Neighbour Notification Expired: 4th June 2014

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

Town Council: No objection

**Ministry of
Defence** No response received

3.2 Representations

Total: 7 Object: 7 Support: 0

Summary of comments:

- Scale of the proposed development
- Loss of light
- Loss of privacy
- Out of keeping
- Could set a precedent

No other planning related comments were received.

4. PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises:

- The West Berkshire Core Strategy (2006-2026)

4.2 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (March 2012)

4.3 The West Berkshire Core Strategy was adopted on 16 July 2012 and carries full weight in decision-making as a development plan document adopted since the publication of the Framework. The following policies from the Core Strategy are relevant to this application:

- NPPF Policy
- ADPP1: Spatial Strategy
- ADPP2: Newbury
- CS14: Design Principles

- 4.4 In addition, the following locally and regionally adopted policy documents are material considerations relevant to this application:
- SPG 4/02: House Extensions (July 2004)
 - Supplementary Planning Document: Quality Design (SPDQD)
 - Newbury Town Design Statement

5. DESCRIPTION OF DEVELOPMENT

Permission is sought for a two storey and single storey rear extension. The extension would be 11.8 wide with the single storey 8m deep and the two storey element 6m deep.

6. APPRAISAL

The main issues for consideration in the determination of this application are:

- Principle of the development
- The impact on the character and appearance of the area
- The impact on neighbouring amenity
- The presumption in favour of sustainable development

6.1 Principle of the development

- 6.1.1 The site is within the settlement boundary of Newbury so the principle of development is acceptable provided the proposal complies with the relevant policies and guidance.

6.2 Character and appearance

- 6.2.1 The National Planning Policy Framework states that planning should always seek to secure high quality design. It is important that all new development is not inappropriate in terms of scale and size which could affect the neighbouring properties' amenities. Good design is an important aspect for new development, it relates not only to the appearance of a development but the way in which it functions. Policy CS14 of the WBCS states that new development should demonstrate high quality design that respects and enhances the character and appearance of the area. As well as ensuring good design, the policy also seeks to ensure that the impact of the proposed development when taken with the existing buildings would not be materially greater or more harmful than the existing buildings on the character of the area.

- 6.2.2 The property is within an existing residential area within the settlement boundary which consists of a mixture of mainly older style detached and semi detached properties. The design and materials proposed for the extensions are considered to be in keeping with both the style and appearance of the application property, and will have no detrimental impact on the character and appearance of the area.

- 6.2.3 The proposed extension does create a larger dwelling, but due to position and design of the extension it does not cause any adverse impact on neighbours or street scene. The size of the plot can also accept the expansion of the house. The proposed extension is in keeping with the original design of the dwelling, and therefore in keeping with the existing building and accordingly is in line with Policy CS14 of the WBCS.

6.3 Impact on neighbouring amenities

- 6.3.1 It is important that all new development should not have an adverse impact on neighbouring amenity in line with Policy CS14 of the WBCS. Extensions that overshadow a neighbour's property, depriving areas of sun light should be avoided. As a guideline a two storey extension should not project beyond a line drawn at 45 degrees from the middle of

the nearest ground floor window of a habitable room of adjacent property. For a single storey a line should be drawn at 60 degrees. Following this guideline the proposed extensions do not affect the amenities of No. 4 Battery End therefore the proposed single and two storey extension to the rear elevation of the property adhere to the guidelines contained in Paragraph 5 The Effect on Neighbours of Supplementary Planning Guidance 04/2 House Extensions (July 2004) with regards to impact on light to the windows of 'habitable rooms' at the neighbouring property.

- 6.3.2** The design of the roof being hipped away also reduces the impact it could have on No. 4. The proposed two storey extension will have no impact on the privacy between the two properties, and a condition restricting windows at first floor level in the east and west elevations has been recommended in order to preserve this.
- 6.3.3** The extension has been designed to limit any privacy lost to the neighbouring properties. There are no windows on the east or west elevations on the first floor to prevent overlooking. The extension
- 6.3.4** Objection has been raised from neighbours along Andover Road. The distance between these houses and the application site has a distance of more than 21m, which exceeds the requirement as set out in the SPD Quality Design. Although the extension will be seen from the properties on Andover Road, it is deemed that the visual impact on these properties would be insufficient to warrant a recommendation for refusal.
- 6.3.5** Properties along Andover Road are concerned regarding the loss of light. Due to the extension being set away from the boundary, and being more than 21m from the nearest habitable room, the loss of light is minimal and would be insufficient to warrant a recommendation for refusal.
- 6.3.6** People wishing to make an application are advised to inform their neighbours of their intentions but there is no policy which says that they are obliged to. The fact that the applicants did not notify their neighbours of their proposals in advance of submitting a planning application is not a planning consideration.

6.4 The Assessment of Sustainable Development

- 6.4.1** The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. It is considered the proposal makes no significant contribution to the wider social and economic dimensions of sustainable development. With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding area has been assessed as part of this application. It is considered that the proposal protects and enhances the prevailing pattern of development in the area. For the above reasons it is considered that the proposed development is supported by the presumption in favour of sustainable development.

7. CONCLUSION

Having regard to the relevant development plan policies and other material considerations as detailed above, it is considered that planning permission is justified for the proposed development.

8. FULL RECOMMENDATION

DELEGATE to the Head of Planning & Countryside to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1)

8.1 Schedule of conditions

1. Time

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Standard approved plans

The development hereby permitted shall be carried out in accordance with the approved drawing number 14/08/02 proposed alterations and 14/08/03 proposed elevations received 6th May 2014.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. Materials to match

The materials to be used in the external finishes of the development hereby permitted shall match those on the existing development in colour, size and texture, and those materials shall remain at all times thereafter as the unaltered external finish to the development hereby permitted.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and the Supplementary Planning Guidance 04/2 House Extensions (July 2004)

4. Windows PD removal

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Class A, of that Order shall be constructed at first floor level on the east and west elevations of the house hereby permitted, without planning permission being granted by the Local Planning Authority in respect of a planning application.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

Informatives:

1. **Decision to grant permission**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

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