

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(1)	16/02277/HOUSE Hungerford	2 November 2016	Replacement garage building to rear of property 36 High Street, Hungerford Mr Kevin Brearley

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/02277/HOUSE>

Recommendation Summary: **The Head of Planning and Countryside be authorised to GRANT planning permission.**

Ward Member(s): Councillor Paul Hewer
Councillor James Podger

Reason for Committee determination: More than 10 letters of objection

Committee Site Visit: 27 October 2016

Contact Officer Details	
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1. Site History

15/03031/HOUSE – Two storey extension and garden room APPROVED 22.12.15

2. Publicity of Application

Site Notice Expired: 05.10.16

Neighbour Notification Expired: 04.10.16

3. Consultations and Representations

Town Council: Support. Brings a general improvement to the area.

Public Rights of Way: Hungerford By Way 53 runs close to the development on the southern boundary. We have no objections to the proposed development.

Highways: No objections.

Conservation Officer: Previously made building conservation comments apply. "From a purely building conservation perspective, the proposals are not considered to impact on the character and appearance of the Conservation Area in which 36 Church Street is situated or views into and out of it when seen from public view points. Indeed, the replacement garage is considered to be an improvement on the existing buildings on the site, and is therefore acceptable from a building conservation perspective."

Evidence suggests that there will be no major impact on any features of archaeological significance.

23 letters of objection including the following issues:

- parking problems
- impact on street scene
- scale/bulk
- overbearing
- overlooking/impact on privacy
- out of keeping
- harmful precedent
- alternative use to home office

1 letter in support – amendments largely meet previous objections, overall improvement to character of area. Request condition restricting use.

4. Policy Considerations

4.1 The statutory development plan comprises the West Berkshire Core Strategy 2006-2026 (WBCS) and the saved policies in the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP).

- 4.2 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (March 2012) (NPPF)
- 4.3 The following policies from the West Berkshire Core Strategy are relevant to this application:
- Area Delivery Plan Policy 1: Spatial Strategy
 - Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty (AONB)
 - CS13: Transport
 - CS14: Design Principles
 - CS19: Historic Environment and Landscape Character
- 4.4 Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. Some saved policies from the WBDLP have not been replaced by policies contained within the WBCS and are therefore relevant to this application:
- HSG1: The Identification of Settlements for Planning Purposes
- 4.5 In addition, the following locally adopted policy documents are relevant to this application:
- Supplementary Planning Document, Quality Design (June 2006)
 - Supplementary Planning Guidance, House Extensions (July 2004)

5. Description of Development

- 5.1. The site lies within the settlement boundary of Hungerford and its Conservation Area, as well as the AONB. This is an established residential area close to the town centre. The application site is a semi-detached property, one of several larger period properties which front onto Church Street. The properties to the east tend to be smaller terraced houses. All have generous rear gardens with outbuildings or garages at an elevated position at the foot of the gardens. These are accessed via Honeyfields and a byway/track to the rear (south). Permission is sought to replace the single storey garage buildings with a triple garage with workshop/garden room, and a home office above.

6. Consideration of the Proposal

The main issues raised by this development are:

- 6.1. The principle of development
- 6.2. The design and impact on the character of the area
- 6.3. The impact on the living conditions of the neighbouring properties
- 6.4. The impact on highways and parking

6.1. The principle of development

- 6.1.1 The application site lies within the settlement boundary of Hungerford. Within settlement boundaries there is a presumption in favour of new residential development subject to criteria set out within relevant development plan policies. In particular, policy HSG1 seeks to ensure that any new development is appropriate in terms of scale, relationship to the character of the area and does not impact general amenity including street parking. Any development must be appropriate in terms of scale, relationship to the character of the area and does not impact upon general amenity.

6.2. The design and impact on the character of the area

- 6.2.1 Through the provisions of the NPPF the government outlines the importance of the design of the built environment. Policy CS14 of the Core Strategy states that new development

must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Policy CS19 seeks to ensure the conservation and enhancement of the built and natural environment.

- 6.2.2 The site is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The NPPF provides AONBs the highest level of protection. Policy ADPP5 of the core strategy states that 'development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB'. The property is set within a group of properties, providing a residential setting and is not immediately adjacent to any open countryside. The proposal is not therefore considered to have a harmful impact upon the landscape quality of the AONB.
- 6.2.3 The site is just within the Hungerford Conservation Area. The main factors to consider are whether the impact of the proposal is harmful to the site characteristics, visual prominence and relationship to adjoining buildings and uses. The overall plot is large and it is already established that it is capable of accommodating a similar sized building. The existing garage/workshop measures approximately 8.9m in width, spanning almost the full width of the plot. The timber structures appear fairly old and are partly roofed in asbestos with evidence of structures in this location since at least the 1960s. The maximum height is 3 metres. The replacement building will have a hipped roof, and measures 5.3 metres (maximum) in height from the south side ground level, compared to 6.5m to the north side where the garden drops down towards the house. Its width will be a maximum of 10.3 metres with a gap remaining to the east side. A brick and tile building is proposed, similar to that next door at No.35, although it will be more subservient.
- 6.2.4 The rear of No.36 lies directly at the junction of Honeyfields and a byway which leads to Prospect Road. As such it is fairly prominent within the street scene and is one of a long row of similar garages which front onto the byway and the rear of the properties in Honeyfields/Oakes Court. The replacement garage and carport will provide sufficient space for 3 vehicles to be parked off the highway. Although higher, the design of the proposal is considered in keeping with the host property and the existing neighbouring garage and would not appear incongruous or overly dominant within the street scene. It is not considered to result in any visual harm to the surrounding area, being consistent with, if not improving the established character of the area.
- 6.2.5 The proposed extent of built form on site would not significantly reduce the private amenity space. As an ancillary residential building it would otherwise be in keeping with the adjacent residential land uses and when set against the height and density of the surrounding outbuildings, it is not considered to have a visual prominence that is harmful to the character of the area.

6.3 The impact on the amenities of the neighbouring properties

- 6.3.1 Planning Policies CS 14 and CS 19 of the West Berkshire Core Strategy are of importance with regard to the potential impact upon neighbouring amenity. Policy CS 14 requires new development to make a positive contribution to the quality of life in West Berkshire. Supplementary Planning Guidance on House Extensions outlines the factors to consider with regard to impact on neighbouring properties.
- 6.3.2 It is considered that the primary impact of the development would be to the neighbours to either side, No.s 35 and 37 Church Street as well as No.1 Oakes Court which lies across the byway, to the south side of the proposed garage. The replacement building is considered to have a limited impact on the private amenity areas to the rear of the adjacent neighbours. There is good screening on the side boundaries and given that there is a significant drop in ground levels, there is not considered to be any harmful overlooking towards the rear of these neighbours. A condition is recommended to ensure that no openings can be added within the roof of the proposal.

- 6.3.3 Two rooflights are proposed within the south elevation of the garage roof to provide light to the home office. These windows will face onto 'Honeyfields'. A sectional drawing was requested to show the headheight and potential for overlooking towards the rear of No.1 Oakes Court which has a single storey garden room with patio doors facing north. Whilst this property lies diagonally across from the front of the proposed garage, and any potential overlooking is not considered to be directly into any windows, the applicant has been asked to reduce the size and to specify conservation style rooflights, similar to those on the adjoining garage. This will minimise potential overlooking. A condition is recommended requiring details of the proposed windows.
- 6.3.4 Whilst the space proposed within the outbuilding has the potential to become separate accommodation, a condition can be applied restricting its use. On this basis the application is considered in accordance with development plan policies in its impact on the character of the area in terms of use. It does not introduce direct overlooking of adjacent dwellings due to the separation distance and orientation. As such the application is in accordance with development plan policies on amenity.

6.4 The impact on highways and parking

- 6.4.1 The parking spaces will be improved by the proposals and a condition is recommended to ensure that the parking remains available.

7. **Community Infrastructure Levy**

- 7.1 The increase in internal floor space of the proposed house extension is less than 100m². Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, house extensions of less than 100m² are not liable to pay the Community Infrastructure Levy.

The NPPF places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal. Being a replacement garage the scheme has limited economic and social considerations. The environmental considerations have been assessed in terms of design, amenity and impact on the character of the area. As these have been found acceptable the development is considered to constitute sustainable development.

8. **Conclusion**

- 8.1. Having taken account of all relevant policy considerations and the material considerations referred to above, it is considered that, having regard to the strong reasons to support the proposal, the development proposed is acceptable and conditional approval is justifiable for the following reasons: It is not considered that this proposal would demonstrably harm the amenity of adjoining residential properties and accords with guidance contained within the National Planning Policy Framework and Policies CS14 and 19 of West Berkshire Core Strategy 2006-2026 which requires that all development demonstrates high quality and sustainable design that respects the character and appearance of the area and safeguards the amenities of adjoining occupiers.

9. **Full Recommendation**

- 9.1 The Head of Planning and Countryside be authorised to **GRANT** permission subject to the following conditions:-

1. The development of the extension shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 should it not be started within a reasonable time.

2. The development hereby approved shall be carried out in accordance with the Design & Access Statement and drawings 16059/001 G Rev B and 002 G Rev B received on 5 October 2016.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

3. No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the dwelling have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer. Thereafter the development shall be carried out in accordance with the approved materials.

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 2012 and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

4. No development shall take place until details of the rooflights have been submitted to and approved in writing by the Local Planning Authority. These shall be conservation style and flush fitting). Details clarifying the window opening size are required. The window shall thereafter be installed in accordance with the approved details.

Reason: To protect the amenities of neighbouring properties and visual character of the Conservation Area in accordance with the National Planning Policy Framework 2012 and Policies CS14 and CS19 of West Berkshire Core Strategy 2006-2026.

5. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) Measures to control the emission of dust and dirt during demolition/construction
- (e) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. No demolition or construction works shall take place outside the following hours:

- 8:00am to 6:00pm Mondays to Fridays;
- 8:30am to 1:00pm Saturdays;

- nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policy CS14 of the West Berkshire Core Strategy (2006-2026).

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (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, Classes A, B or C of that Order shall be constructed without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework 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).

8. The garage and home office hereby approved shall be used only as an integral part of the existing dwelling known as '36 Church Street', and for residential purposes incidental to the enjoyment of the occupiers of that dwelling. It shall not be used as a separate dwelling unit, nor shall it be sold, let, rented or otherwise separately occupied, or disposed of, and no separate curtilage shall be created.

Reason: The creation of a separate unit of accommodation is inappropriate for the site, and would be detrimental to the amenities of the area and therefore would be contrary to the provisions of Policy CS14 of the Core Strategy 2006-2026.

9. The use of the building hereby approved shall not commence until the vehicle parking space have been surfaced, marked out and provided in accordance with the approved plan. The parking spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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