

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(4)	19/02676/HOUSE  Newbury Town Council	25 December 2019	Section 73: Variation of Condition 2 - Approved plans and Condition 3 - Materials of previously approved application 18/00541/HOUSE: Demolish single-storey garage and rear conservatory. Proposed two-storey side and rear extensions and loft conversion, to create large family home. Widen existing dropped kerb access to provide four off-road parking spaces.  37A Russell Road, Newbury Mr and Mrs Richardson

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/02676/HOUSE>

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

**Ward Member(s):**                                      Councillor Andy Moore  
Councillor Martha Vickers

**Reason for Committee determination:**                      Over 10 letters of objection.  
Deferred from 18 December 2019

**Committee Site Visit:**                                      9<sup>th</sup> January 2020

#### Contact Officer Details

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## **1. INTRODUCTION**

1.1 This householder application seeks planning permission to make a number of changes to the two storey side and rear extensions approved under planning consent Ref: 18/00541/HOUSE. The proposed variations are as follows:-

- 1) Retain hipped roof to east elevation and to reduce the size (width) of the two storey rear extension, replacing it with a single storey rear extension. The rear extensions will increase in depth by 600mm.
- 2) Render the entire property on all sides rather than try to match the original brickwork.

1.2 As a result of discussions at the last Western Area Planning Committee, shadow diagrams are to be shown at the next committee meeting and the following amendments have been submitted:

- a 300mm reduction to the projection of the rear extension
- the first floor rear extension has a 200mm reduction to its width, taken from the east side, and in turn a slight reduction to the ridge height
- the first floor extension has also been positioned 100mm further west, in total the side wall of the first floor rear extension is 300mm further away from no. 35
- the single storey roof closest to no. 35 has also been lowered by 200mm

Any comments following the reconsultations will be included in the update. The remainder of the report remains as before except Condition 2.

1.3 The application site is a detached house which lies within the defined settlement boundary of Newbury in an established residential area known as 'Westfields'. In most of the streets the development is primarily terraced housing dating from the 19<sup>th</sup> century. However, No. 37a is an example of some of the infilling carried out more recently and dates from 1960.

## **2. PLANNING HISTORY**

2.1 The relevant planning history for the application site is summarised below:-

- 18/00541/HOUSE – Two storey side and rear extensions and loft conversion to create larger family home. Widen existing dropped kerb access to provide four off-road parking.
- 243/60 (outline) – erection of dwelling house APPROVED 19.08.60
- 337/61 – House and garage APPROVED 14.11.61

## **3. PROCEDURAL MATTERS**

3.1 Given the nature and scale of this householder development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.

3.2 The application has been publicised in accordance with the Town and Country Planning (Development Management Procedure) Order 2015 with the display of a site notice for 21 days. The site notice expired on 27.11.2019.

3.3 Concerns raised regarding whether the proposed amendments can be considered under a s73 application have been reviewed. The proposed changes do not amend the form of development stated in the description of the approved application and therefore, on

balance, there is no reason why this application should not be determined in the normal way.

- 3.4 The proposed net floor space created is approximately 90 square metres and may be CIL liable. This is subject to the CIL team.

#### 4. CONSULTATION

Consultee	Summary of response
Town Council:	No objections
Conservation:	<p>In short, the current application is for a reduced scheme, and, on that basis is more acceptable in building conservation terms. Previous comments on application 18/00541/HOUSE were that the application property comprised (a) "Detached house. Not listed. Not in a Conservation Area, the boundary of which lies at the northern end of the long rear garden to this and neighbouring properties. Views of the property from the within the Conservation Area, from the river Kennet/towpath, are therefore limited by distance.</p> <p>"Notwithstanding any Development Control Case Officer considerations in respect of impact on neighbouring properties, were the street frontage within the conservation area, I would comment that the proposed extensions to the property would affect the sense of space between properties in this part of the street scene, by not only closing the gap with the neighbour at number 37, but also effectively increasing the height of the property across the full width of the building, by introducing a full width gable roof parallel to the road in place of the current more modest hipped roof". The hipped roof is however now retained.</p> <p>It is however a moot point as to whether the introduction of render to all elevations is in keeping with the street scene, although "street view" indicates several rendered properties in the vicinity. Under the GDPO, it would normally be expected that materials used in the external elevations of alterations and extensions to a dwelling house would be similar to the existing, with traditional brickwork the preferred option.</p>
Archaeology:	The evidence suggests there will be no major impact on any features of archaeological significance from this proposal.
Highways:	<p>Highway aspects/requirements are unchanged from 18/00541/HOUSE. The highway recommendation is therefore for conditional approval as per the previous application.</p> <p>The frontage must be used for parking of construction vehicles during the works. I therefore consider it to be appropriate to include a condition on any planning approval which may be given</p>
Public Representations:	<p>13 letters of objection relating to poor design, not subservient, harmful overlooking, loss of light, materials out of keeping</p> <p>1 letter in support</p>

## **5. PLANNING POLICY**

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant policies of the statutory development plan for West Berkshire are listed below. These policies can be read online at [www.westberks.gov.uk/planningpolicy](http://www.westberks.gov.uk/planningpolicy).
- 5.2 West Berkshire Core Strategy 2006-2026 (WBCS):  
Policies: ADPP1, CS14, CS19
- 5.3 The following documents are relevant material considerations:
- National Planning Policy Framework (NPPF)
  - Planning Practice Guidance (PPG)
  - House Extensions SPG (2004)
  - Quality Design SPD (2006)
  - Newbury Town Centre Design Statement 2018

## **6. APPRAISAL**

- 6.1 The main issues raised by this development are:
- The principle of development
  - The design and impact on the character of the area
  - The impact on the living conditions of the neighbouring properties
  - The impact on highway safety

### Principle of development

- 6.2 The application site lies within the settlement boundary of Newbury. Within settlement boundaries the principle of extending an existing dwelling accords with the development plan subject to its specific impacts. The principle of the proposal has been established under the 2018 application.

### The design and impact on the character of the area

- 6.3 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.
- 6.4 As referred to in the introduction, Russell Road is one of the more densely developed areas of Newbury, comprising mostly Victorian terraced housing with some infilling of more modern properties – the application site being one of them. No. 37A is on the north side of the road and, like its neighbours, has a long narrow garden backing onto the Kennet & Avon Canal and its tow path which is the boundary to the Conservation Area beyond. Unlike the majority of the neighbours the property is set further back within its plot with a paved frontage allowing off road parking. The application site is a dark red brick property compared to its older neighbours which are a mix of more orange brick, render or painted brick.

- 6.5 The approved application gave consent to alter the design of the roof (currently fully hipped), creating two gable ends to the east and west sides, and therefore increasing the overall built form within the street scene. This revised scheme removes the gable from the eastern side, leaving the original hip. In terms of design, this is not considered to unbalance the property or appear incongruous as the terrace to the east is hipped whilst the neighbour to the west side is gable fronted. Furthermore the application site is not considered to be of any particular architectural merit.
- 6.6 The revisions include a change in materials and it is now proposed to render all elevations with some horizontal boarding on the front bay window. Given the mix of materials in the street scene, and the potential for a poor match of brick for the extension, render is considered acceptable and is considered to improve the overall appearance of the property within the street scene.
- 6.7 The proposals to the rear are considered to be scaled back, although the overall depth is increasing by 600mm. The roof dormer has been removed and the two storey element has been reduced in width to a single pitched roof extension sitting centrally within the rear elevation with single storey extensions to either side. The two storey extension is well set down from the main roof and remains fully hipped. The design has been simplified and is considered to be an improvement to the original scheme. Given the long back gardens, the proposals are not considered to have any impact on views into or from the conservation area to the north.
- 6.8 Consequently, the revised scheme is not considered to harm the character and appearance of the area and would accord with Policies ADPP1, CS14 and CS19 of the WBCS. Together and amongst other things these policies seek to ensure the scale of development is well related to the site's current character, that development respects the character and appearance of an area and that development is appropriate in terms of its scale and design.

#### The impact on the amenities of the neighbouring properties

- 6.9 According to Policy CS14, new development must make a positive contribution to the quality of life in West Berkshire. The Council's adopted Quality Design SPD and House Extensions SPG outline key factors to consider in terms of the potential impact on neighbouring living conditions.
- 6.10 The neighbouring properties most affected by the proposals are Nos. 37 and 35 which lie to either side of the application site. No. 35 is a semi-detached property which has been extended to the rear including a conservatory which extends along the western side of a two storey projection. Given that the back of these properties are north facing and that there is already a degree of overshadowing, the reduction in the overall bulk of the rear extension, notwithstanding the increase in depth, is considered to assist in lessening any potential overbearing effect. Furthermore, there is a reduction in the number of openings proposed on the east elevation, and a condition is recommended to ensure the new bathroom window is obscure glazed.
- 6.11 No. 37 to the west is a detached property which has been recently extended with a timber clad two storey extension to the north side. It benefits from a wider back garden compared to neighbouring properties which widens immediately to the rear of the application site where there is a designated parking and turning area served by a vehicular access running between the two neighbours. Given this arrangement, the proposals are not considered to result in any additional harmful or direct overlooking towards the private amenity area of this neighbour. There are no side openings proposed and a condition restricting openings on the property in the future is recommended for all elevations including the roof.

### The impact on highway safety

- 6.12 The amendments to the approved application do not raise any additional highway concerns.

## **7. CONCLUSION**

- 7.1 Having taken account of the aforementioned planning policies and the relevant material considerations including the Town & Country General Permitted Development Order 2015, it is considered that the development proposed is, on balance, acceptable and the grant of conditional planning permission is justified. As such, the application is recommended for approval.

## **8. FULL RECOMMENDATION**

- 8.1 To be delegated to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the following conditions:

1. The development hereby permitted shall be begun before 17 May 2021, being the date which applied to the original 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). The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

2. The development hereby permitted shall be carried out in accordance with the block plan and drawing number 2855-04C received on 19 December 2019.

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

3. The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respond to local character and appearance. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD (Part 2, June 2006), and House Extensions SPG 04/2 (July 2004).

4. The bathroom window at first floor level in the east elevation shall be obscure glazed before the extension hereby permitted is occupied. The obscure glazing shall be permanently retained in that condition thereafter. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no windows/dormer windows or doors which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent overlooking of adjacent properties/land, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD (2006) and House Extensions SPG (July 2004).

5. No development shall take place until details of a temporary parking and turning area to be provided and maintained concurrently with the development of the site have been submitted to and approved in writing by the Local Planning Authority. The approved parking and turning area shall be provided at the commencement of development and thereafter maintained in accordance with the approved details until the development has been completed. During this time, the approved parking and turning area shall be kept available for parking and used by employees, contractors, operatives and other visitors during all periods that they are working at or visiting the site.

Reason: To ensure that the development is provided with adequate parking and turning facilities during the construction period. This condition is imposed in order to minimise the incidences of off-site parking in the locality which could cause danger to other road users, and long terms inconvenience to local residents. This condition is imposed in accordance with the National Planning Policy Framework 2018 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

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