

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|---|-----------------------------------|------------------------------|--|
| (1) | 19/02700/HOUSE Basildon | 27.12.2019 | Retrospective - Amendments to 4 dormers. Clifton House, Upper Basildon, Berkshire Stephen Orton and Karen Lally |
| ¹ Extension of time agreed with applicant until 21.02.2020 | | | |

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/02700/HOUSE>

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

Ward Member(s): Councillor Alan Law

Reason for Committee Determination: Due to the number of objections received.

Committee Site Visit: 12 February 2020

Contact Officer Details

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1. Introduction

- 1.1 This application seeks planning permission for the retention of four unauthorised dormers windows with amendments to the design and materials. It is an established principle that no weight can be given to the fact that this is a retrospective application, and the dormers are already in situ. The application is assessed accordingly.
- 1.2 The application site is located within the village of Upper Basildon in a prominent position facing a village green. The area is characterised in the main by detached houses and cottages of predominantly traditional design and materials. Clifton House is a large, imposing brick walled detached dwelling of distinctive design, one of a pair approved in 2005. The distinctive features of the property include parapet gables, bay windows and moulded stone surrounds and mullions.
- 1.3 Planning permission is required for the retention of the dormers as they would not constitute permitted development under the criteria of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 given that the dwelling is in article 2(3) land (the North Wessex Downs Area of Outstanding Natural Beauty). Restrictive conditions were also placed upon application 05/00482/FUL, the original permission for the dwelling. Condition 4 removed permitted development rights for additions or extensions to the dwelling, ancillary buildings or structures and material alterations made to the appearance. Condition 8 stated that no additional openings shall be inserted in the south-western elevation of plot 1 or the north-eastern elevation of plot 2 without the permission in writing of the Local Planning Authority. Application 05/1857/HOUSE sought amendments to the design however the approval did not affect or vary any of the conditions imposed on application 05/00482/FUL unless where specified.
- 1.4 The second floor rooms pre-existed the new dormer windows and were previously served by rooflights. Neither the rooms at second floor level nor the rooflights were shown on the plans for application numbers 05/00482/FUL and 05/01857/HOUSE. However, it is unlikely that these rooflights would have been considered to materially affect the appearance of the dwelling, such that planning permission would have been required. The internal alterations to convert the rooms to habitable space can be carried without the need for planning permission. The second floor rooms are now used as additional bedroom accommodation. A new bathroom has been installed in the place of an original store area.
- 1.5 Following the refusal of application number 18/01968/HOUSE that sought to retain the dormers as built, and application number 19/00517/HOUSE that sought their retention with modifications to the materials and the design, this latest application proposes modifications to the dormer materials and more significant alterations to the design as described in detail below.
- 1.6 The dormers, as built, have tile hung cheeks (sides) and the faces are currently clad with stone coloured board and wood effect uPVC. The existing materials result in box like dormers with little overhang. The dormers, as built, can be summarised as follows:
 - Dormer # 01: a 3 casement dormer to the south-east elevation facing the green serving a bedroom.
 - Dormer # 02: a 2 casement dormer to the north-east elevation facing The Beehive serving a bedroom.
 - Dormer # 03: a 2 casement dormer to the north-west elevation facing Galvey serving a bedroom.

- Dormer # 04: a 4 casement dormer to the south-west elevation facing Morna serving a bathroom.

1.7 The current proposal seeks to amend the materials and remodel the design as follows:

- Dormer # 01: The dormer is reduced from 3 to 2 casements. Resulting in a reduction in width of approximately 1 metre.
- Dormer # 02: The dormer is reduced in width by approximately 0.10 metres. The dormer is positioned centrally above the gable.
- Dormer # 03: The dormer is reduced in width by approximately 0.10 metres. The dormer is positioned centrally above the gable.
- Dormer # 04: The dormer is reduced from 4 to 3 casements. Resulting in a reduction in width of approximately 0.5 metres.

1.8 All dormer materials are proposed to be amended to have lead lined fascias, cheeks and roof to replace the existing board, plastic and tile. The glazing bars to match the colour of the existing house windows.

1.9 The reduction in width of dormer # 04 and the position of dormers # 02 and # 03 were detailed in amended plans received on 28th January 2020.

2. Planning History

2.1 The table below outlines the relevant planning history of the application site.

| Application | Proposal | Decision / Date |
|----------------|---|------------------------|
| 04/01595/FUL | Demolition of 2 existing properties and erection of 2 new houses and garages | Approved 03.09.2004 |
| 05/00842/FUL | Erection of two detached houses with garages | Approved 21.04.2005 |
| 05/01857/FUL | Amendments to 05/00482/FUL | Approved 13.10.2005 |
| 18/01968/HOUSE | Dormer windows for existing second floor rooms | Refused 28.11.2018 |
| 19/00517/HOUSE | Retrospective – dormer windows for existing second floor rooms with alterations to design and materials | Refused 18.04.2019 |

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 Site notice displayed on 4th November 2019; the deadline for representations expired on 25th November 2019.

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

| | |
|---|--|
| Basildon Parish Council: | As it did previously, the Parish Council objects to this proposal for the following reasons: <ul style="list-style-type: none">• It presents little new from previous unacceptable application(s)• It is still intrusive to immediate neighbours. Amended Plans: No further comments received. |
| Highways Authority: | No comments. |
| North Wessex Downs AONB Partnership: | No comments were received. |

Public representations

- 4.2 Representations have been received from 11 contributors, all of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- The design of the existing dormers is out of character with that of the house/makes it appear more prominent
 - The dormers have an adverse effect on the character of the area including the AONB/conservation area/prominent location in streetscene
 - The dormers degrade the architecture and quality of the surrounding properties
 - The dormers were installed without planning permission
 - The principle of dormers on the property is not appropriate
 - Overlooking and loss of privacy to surrounding properties and the village green
 - Overbearing to views from neighbouring properties

- Proposed amendments to the design are not an improvement
- Precedent set by granting permission retrospectively
- Contrary to village planning policy
- Application fails to address previous concerns re the traditional hierarchy of windows, excessive size of windows, front elevation top heavy, unbalanced, eil cramped above the gable, dormers represent overly dominant and disproportionate addition.
- Breach of condition contained in the original planning permission for the house
- Council has failed to enforce its previous decisions/possibility of granting of permission by the 'four year' rule

4.4 Further comments were received following the submission of amended plans as follows:

- The issue is not the appearance of the windows
- Windows added without planning permission and the council has refused retrospective permission twice
- No enforcement of previous decisions
- Original reasons for refusing retrospective planning are still valid
- The additional changes make little difference to the fundamental issue of the dormers being on Clifton House and fail to address issues previously raised

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C3 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-24
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Basildon Village Design Statement (2001) (BVDS)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Neighbouring amenity
- Highway safety

Principle of development

- 6.2 Policy ADPP1 advises that most development will be within or adjacent to existing settlements. The application site is located within the defined settlement boundary for Upper Basildon where the principle of extending an existing dwelling broadly complies with the development plan.
- 6.3 The site is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Recognising the statutory protection afforded to such areas, Policy ADPP5 seeks development that will conserve and enhance the local distinctiveness and setting of the AONB.
- 6.4 Extending an existing dwelling within the settlement boundary of Upper Basildon is therefore acceptable in principle, subject to its impacts, and in particular the conservation of the AONB.

Character and appearance

- 6.5 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.
- 6.6 The Basildon Village Design Statement states that 'Extensions, conversions and alterations should use materials and be of a design and scale compatible with original buildings'.
- 6.7 The guidance within the House Extensions SPG states that dormer windows can present very prominent features, which dominate a building. They should be seen as a means of providing light and ventilation to an existing space not as a means of increasing floorspace. They should be designed to keep their size to a minimum. Windows should match those on the main house.
- 6.8 As previously stated no weight can be given to the fact that the dormers are already in situ and the application is assessed accordingly. As expected by the NPPF, the local planning authority has worked proactively with the applicant to secure a development that is acceptable within environmental conditions of the area.
- 6.9 There are numerous examples of dormer windows in the village. The Basildon VDS refers to 'many dormer windows in both old and new housing'. It is considered that dormers of an acceptable scale, design and materials would therefore not appear significantly out of keeping in the context of the village setting or the immediate street scene.
- 6.10 Although dormer windows are not a prominent feature in the immediate street scene, there is a dormer on the south-western roof slope to the adjacent property *Morna*, the other property in the pair approved in 2005. The property is already prominent and imposing, occupying a dominant position within the street scene at the end of the village green. It is considered that the addition of appropriately scaled and sited dormers would not necessarily further increase its prominent appearance.
- 6.11 However, the existing colour of the surrounds are in part in a uniform light stone board. This is conspicuous and exacerbates the appearance of the chunky nature of the sides and fascia of the dormers which fail to reflect the more refined detailing of the stone surrounds to the windows below. The tile hanging to the cheeks generates an increased width to the construction. The proposed replacement of these materials with lead cheeks, fascia and roof will result in the dormers appearing significantly less prominent

in colour in relation to the roof and will also reduce the unacceptably bulky and boxy nature of the existing surrounds. The use of lead lined glazing bars will match the colour of the existing windows.

- 6.12 **Dormer #01** is very prominent given its location facing the green, The reduction in scale from 3 casements to 2 will now reflect the traditional hierarchy of window openings, where the size of windows typically diminish from the ground floor upward, thereby reflecting the status of the rooms. This elevation features imposing large two storey bays, with heavy stone dressings, and large amounts of glazing, with large parapeted gables above them. Together with the alterations to materials in this context the remodelled dormer will appear significantly less prominent and top heavy and will sit more comfortably within the roof slope of this principal elevation.
- 6.13 **Dormers # 02 and # 03** on the north-east and north-west elevations remain directly above the gables with their cills somewhat cramped above the apex of the gable. However given the alterations to the materials it is considered that they will also appear less prominent. **Dormer # 02** will echo the scale of the two bay window below, which is of a lesser scale to the front door and porch below it. **Dormer # 03** will be of a lesser scale compared to the window below and the door below that. The proposed remodelled dormers will be more appropriately scaled therefore and, on balance, their appearance would not detract so significantly from the character of the host property so as to warrant the refusal of planning permission.
- 6.14 **Dormer # 04** on the south-west elevation is also reduced in scale from 4 casements to 3. Whilst it remains larger than any other window in this elevation it is acknowledged that this elevation is not so highly prominent within the street scene, as when viewed from the green the angle is acute so that the width is not quite so conspicuous. There is no overriding symmetry to the windows on this elevation and the dormer will be stacked symmetrically over the castellated garage roof. On balance, the reduction in width and the altered materials will result in the remodelled dormer appearing significantly less prominent than the dormer as built.
- 6.15 The proposals do not alter the space available within the curtilage. There are 3 new bedrooms created. The SPD gives a general guide of properties of 3 or more bedroom houses requiring 100 square metres of amenity space. The amenity space available is approximately 530 square metres. It is therefore considered that adequate amenity space remains and the proposals are not considered to represent overdevelopment of the plot.
- 6.16 Whilst no important open landscape views of the AONB are considered to be affected, the impact on the character of the rural village environment and the sensitivity of the area to change remains an important consideration. The rural character of settlements within the AONB contribute to the special qualities of the North Wessex Downs. As such, the amended scheme is considered, on balance, to respect the character and appearance of the area and to conserve the character of the AONB.

The impact on neighbouring occupiers

- 6.17 It is a policy of the NPPF to secure a good standard of amenity for all existing and future occupants of land and buildings, and Policy CS14 states that development should make a positive contribution to the quality of life. As such neighbouring amenity is an important consideration.
- 6.18 Given the nature of the development the principal concern relates to potential overlooking and loss of privacy. Officers made a detailed site visit during the course of a previous application and have assessed the view from each window from within the property as follows:

- 6.19 **Dormer # 01** on the south-east elevation facing the green: The green is a public area and so overlooking of such areas is not an issue. There is a long established good practice guideline of 21 metres as a privacy distance between rear windows and 9 metres for front facing windows as laid out in the WBC Quality Design SPD. In areas where there are larger houses or in more rural locations greater levels of privacy may be expected. The closest properties are *Honeypot House* set approximately 44 metres away and *Spring House* set at a distance of approximately 61 metres. Given that there are no directly facing windows between properties and given the degree of separation and the orientation the impact is considered acceptable.
- 6.20 **Dormer # 02** on the north-east elevation facing *The Beehive*: It is possible to view the southern garden of the old converted pub, but the level of overlooking is no greater (arguably less due to the elevated angle) than from the existing first floor window below. This area of garden is also not particularly private from public viewpoints from the lane. Given the degree of separation of over 38 metres between the properties and the intervening trees there is no materially greater overlooking impact compared to existing windows. It is accepted that additional windows on the facing elevation may slightly increase a perception of overlooking, but in context this impact is not considered sufficient to justify the refusal of the application.
- 6.21 **Dormer # 03** on the north-west elevation facing *Galvey*: This window faces the side of *Galvey* and the roof of an outbuilding. The distance between the properties is approximately 23 metres. There is a good level of screening and no windows or the garden area considered to be materially affected to a significant degree. *Bwythn Iscoed* is set approximately 42 metres away at an oblique angle, given the orientation and degree of separation the impact is not considered significantly harmful.
- 6.22 **Dormer # 04** on the south-west elevation facing *Morna*: This window serves a bathroom, this is considered to be a non-habitable area. As detailed in the previous application the existing windows are obscure glazed internally with Pilkington Cotswold, with a privacy rating of 5, therefore there are no views available towards *Morna* with the windows closed. Two of the existing four panes can be opened. Although the loss of privacy to *Morna* is not considered significantly harmful it was suggested during the previous application that the situation could be further improved by altering the way the opening windows are hung or by restricting the degree to which they can be opened. A condition is proposed that the remodelled dormer shall also utilise obscure glazed windows to privacy rating of 5 and that details of how the degree of opening can be restricted is submitted. Given the above and the degree of separation *Spring House* and *Bwythn Iscoed* to the south-east and south-west are not affected.
- 6.23 It is concluded that the impact on increased overlooking and loss of privacy is not sufficiently harmful to warrant a refusal on this basis.

The impact on highway safety

- 6.24 The Highways Authority were previously satisfied with the parking arrangements. No further comments have been offered on the current application.

7. Planning Balance and Conclusion

- 7.1 For the above reasons, it is considered that the proposed development, which proposes amendments to the existing arrangements, complies with the development plan in terms of the character and appearance of the area, and in terms of safeguarding neighbouring amenity. As such, it is recommended for conditional approval.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. **Commencement of development**

The development hereby permitted shall be implemented and completed before the expiration of six months 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. **Approved plans**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

- 04-01 Revision P1 (received 28/01/2020);
- 05-20 Revision P2 (received 28/01/2020);
- 05-21 Revision P2 (received 28/01/2020);
- 05-22 Revision P2 (received 28/01/2020);
- 05-23 Revision P2 (received 28/01/2020);
- 03-10 Revision P2 (received 06/02/2020).

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 approved 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. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

4. The construction of the remodelled dormer hereby permitted at second floor level in the south-west elevation shall not commence until details of the degree to which the windows can be opened have been submitted to and approved in writing by the Local Planning Authority. The works to remodel the dormer shall thereafter be implemented and completed in accordance with the approved details within six months of the date of this permission. The windows and glazing shall be permanently retained in the approved condition thereafter.

The bathroom window at second floor level in the south-west elevation shall be fitted with obscure glass with a privacy rating of 5 when the remodelled dormer hereby permitted is constructed. The obscure glazing shall be permanently retained in that condition thereafter.

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