

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>Statutory Target Date</b>	<b>Proposal, Location, Applicant</b>
(1)	20/00115/HOUSE Thatcham	19 <sup>th</sup> March 2020 <sup>1</sup>	Additional first floor extension  26 Exmoor Road, Thatcham  Mr Black
<sup>1</sup> Extension of time agreed with applicant until 26 <sup>th</sup> June 2020			

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/00115/HOUSE>

**Recommendation Summary:** To DELEGATE to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to conditions.

**Ward Members:** Councillors Owen Jeffery and Nassar Kessell

**Reason for Committee Determination:** A petition of 20+ signatories received. The application has received 10 objections and the recommendation is to grant planning permission.

**Committee Site Visit:** Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

#### **Contact Officer Details**

**Name:** Gemma Kirk  
**Job Title:** Planning Officer  
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## 1. Introduction

- 1.1 This application seeks planning permission for a first floor extension to the existing bungalow at 26 Exmoor Road.
- 1.2 Exmoor Road is located in the south of Thatcham and is a cul-de-sac accessed from The Moors. The cul-de-sac has a well-established character with a few uniform building designs repeated within the road, dwellings positioned centrally in modest sized plots, and with moderate spacing between the dwellings. 26 Exmoor Road is the furthest south dwelling in the cul-de-sac. The bungalow is set back from the highway by a shared tarmac access. The rear wall of the bungalow is adjacent and runs parallel to The Moors from where it is also visible. To the north is the neighbouring bungalow with a similar character and to the west is a two storey dwelling.
- 1.3 The proposed first floor extension will add an additional floor over the existing footprint of the main dwelling. The footprint of the dwelling will not increase. The extension will result in the floorspace of the bungalow increasing by approximately 80% and the volume increasing by approximately 65%. The proposal will convert the existing bungalow to a two storey dwelling.

## 2. Planning History

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

Application	Proposal	Decision / Date
123647	Lounge dining area	Approved. 15.05.1985.

## 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 A site notice was displayed on 7<sup>th</sup> February 2020, on a lamp post by the shared access; the deadline for representations expired on 28<sup>th</sup> February 2020.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 – A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Based on the information provided the proposed development will not be CIL Liable. However, CIL liability will be formally confirmed by the CIL Charing Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)
- 3.4 During the course of the application letters challenging the ownership of the land within the red line have been received. It is considered there is no definitive evidence to demonstrate the ownership certificates submitted with this application are incorrect and that the application is invalid. Irrespective of such conclusions on validity of the

application, it should be noted that the granting of any planning permission would not affect the proprietary rights and a developer cannot do any work on someone else's land without their consent. This would remain a civil matter between the affected parties and the Council would not be party. An informative is recommended to be applied to this effect if this application is granted planning permission.

## 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.

<b>Thatcham Town Council:</b>	<p>Object. Overdevelopment- inadequate parking provision. Clarification is sought on what appears from the plans to be the proposed retention of 3 bedrooms on the ground floor, and the addition of 4 bedrooms on the first floor, thereby resulting in a 7 bedroom property. Please could this be confirmed?</p> <p>No comments received at time of writing the report on the consultation sent on 19.02.2020 clarifying the use of the dwelling as a domestic dwelling and revised floor plans.</p>
<b>WBC Highways:</b>	<p>06.02.2020: Clarification sought on the use of the dwelling due to the plans indicating the property was to become an 8 bedroom dwelling.</p> <p>20.02.2020: Following the submission of a Parking Plan and clarification that the dwelling is intended to remain as a domestic dwelling for a family. The following comments were provided:</p> <p>"I have also noted the objections regarding parking at this site. According to policy P1 garages are no longer considered as parking as this is rarely what they are used for. Furthermore according to Policy P1 of the Housing Site Allocations DPD, a property in this area of this size (4 bed plus) needs to provide x3 off road parking spaces and as per the plans this has now been achieved so I am unable to object any further as the applicants have fulfilled the requirement. I note this is a shared drive. We also require a construction method statement (CMS) and plan."</p> <p>17.03.2020: A CMS was submitted, however there are concerns that the site cannot accommodate storage of materials, a skip, scaffolding and construction vehicle parking.</p> <p>30.04.2020: Sight lines are required to be provided on a site plan for the proposed temporary access onto The Moors.</p> <p>18.05.2020: Visibility splays acceptable, additional information required on the condition of the existing kerb required and controls to stop mud migrating onto the footpath for the temporary access. A licence will need to be obtained for the temporary access from Street Works.</p>

	05.06.2020: Conditional approval. Conditions for construction method statement and parking in accordance with plans is recommended.
<b>Lead Local Flood Authority:</b>	No comments received at time of writing the report.

### ***Public representations***

- 4.2 Representations have been received from 10 contributors, all of which object to the proposal.
- 4.3 A petition with 33 signatories was also received on 28.02.2020. The signatories object to the planning application due to the additional 5 bedrooms on the first floor which would have traffic implications on Exmoor Road. Signatories are concerned that the dwelling will be used as a House of Multiple Occupation (HMO) which would change the character of the dwelling and area.
- 4.4 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 impact on highway safety in Exmoor Road due to the increased parking demand. Concerns that the proposed parking cannot be accommodated within the site.
  - The impact on the sewage infrastructure.
  - The dwelling has the potential to be converted to a HMO. Amended floor plans demonstrate a reduction of the number of bedrooms, however some of the rooms are capable of being converted to bedrooms.
  - Overdevelopment of the site (parking and potential conversion to HMO).
  - Disturbance to neighbouring dwellings during construction including both noise and parking.
  - The extension is out of keeping in its locality.
  - Overlooking into neighbouring properties (in particular 30 Exmoor Road).

## **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 ADDP1 (Spatial Strategy), ADPP3 (Thatcham), CS13 (Transport), CS14 (Design Principles), CS19 (Historic Environment and Landscape Character) of the West Berkshire Core Strategy 2006-2026 (WBCS).
  - Policy P1 (Residential Parking for New Development) 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)

- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

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

### ***Principle of development***

6.2 The application site is located within the defined settlement boundary of Thatcham. According to WBCS Policy ADPP1, Thatcham is an Urban Area with a wide range of services and the focus for the majority of the development. The extension of an existing dwelling within the settlement boundary is generally in accordance with the development plan in principle. However, the development plan also includes general development management policies which seek to ensure that the impacts of any development are acceptable (e.g. design, highway safety); such policies are considered below.

### ***Character and appearance***

6.3 The NPPF outlines the importance of good design in the built environment. Policy CS14 of the WBCS seeks high quality design to ensure development respects the character and appearance of the area. Policy CS19 of the WBCS seeks the enhancement of both the natural and built environment. It states that particular regard will be given to the sensitivity to the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.

6.4 The existing dwelling at 26 Exmoor Road is a low profile single storey bungalow. This is the last bungalow in a row of 3 bungalows in the south of the cul-de-sac. The proposed extension will add an additional floor and therefore convert the bungalow to a two storey dwelling.

6.5 It is acknowledged, that due to the nature of the first floor extension, the proposed development will not be subservient to the existing bungalow in terms of mass, bulk and scale. However, in this instance it is considered that the design of the extension, the existing character in the area and position of the dwelling in the street scene negate the impact the scale of the proposal has on the character of the area. The scale of the resultant dwelling would respect the two storey scale of other dwellings in Exmoor Road, whilst not resulting in an unacceptable relationship with the single storey dwelling at number 25. Such changes of scale already exist between numbers 23 and 24, and between numbers 26 (the application site) and 27.

6.6 The first floor extension is designed to replicate the style of other two storey dwellings in Exmoor Road. This includes numbers 3-4 and 20-23 Exmoor Road. The agent submitted a Supporting Statement on 17<sup>th</sup> February 2020 which reiterates this. The similarities include the bulk, shape and the use of cladding at first floor. It is considered that this design will respect the character of Exmoor Road which assists in mitigating the impact of the first floor extension on the character of the area.

- 6.7 The materials chosen for the first floor extension are proposed to closely match the existing bungalow. It is proposed that the cladding at first floor will be similar in colour to those in Exmoor Road. Notwithstanding, the details of the cladding submitted, it is recommended a condition is added, if this application is delegated for approval, to require details of cladding to ensure this will respect the character of the area.
- 6.8 The position of 26 Exmoor Road in the street scene also ensures that the proposed works are not harmful to the character of the area. The property is at the end of the row of bungalows and is positioned adjacent to a two storey dwelling. This helps to ensure the first floor extension does not appear incongruous in the street scene. Furthermore, this is the southerly most dwelling in Exmoor Road and is set back from the public highway by approximately 18 metres which reduces the dominance of a two storey dwelling in this location.
- 6.9 26 Exmoor Road also sits adjacent to The Moors and will be in a prominent location in this street scene. In this locality dwellings are predominately two storey and do not front The Moors. Therefore a two storey rear elevation would not be out of character. Visible in The Moors' street scene is 8- 10 Denton Close which have a similar mass, scale and bulk to the proposed extended dwelling. As a result it is considered that the proposed works do not have a harmful impact on the character of The Moors.
- 6.10 Letters of representation raised concerns that the proposed development would be overdevelopment. However, it is considered that the proposed development can be accommodated comfortably with the site and retain space for a sizable private garden. The relationship between the resultant two storey building and its plot would be comparable to other two storey dwellings in the vicinity. As such, the plot would not appear to be cramped or out of character with its neighbours.
- 6.11 Due to the design of the proposed extension, the position of the dwelling in the street scene and existing character of the area it is considered that the impact of a first floor extension to the bungalow will be acceptable in terms of impact on the character of the area.

### ***Neighbouring amenity***

- 6.12 Policy CS14 of the Core Strategy states that new development must make a positive contribution to quality of life in West Berkshire. The NPPF also seeks to protect the amenity of neighbouring land users.
- 6.13 The proposed development is considered not to have a significant harmful impact in terms of overbearing impact and loss of daylight/sunlight for both 25 and 27 Exmoor Road (the adjoining neighbours). This is due to the positioning of the bungalow and the neighbouring dwellings.
- 6.14 27 Exmoor Road, the two storey neighbour, sits to the side of the 26 Exmoor Road and retains a separation of approximately 5 metres this position and orientation is considered to negate the impact on neighbouring amenity.
- 6.15 25 Exmoor Road, a low profile bungalow, sits to the north of the application site with its side elevation facing number 25. It is acknowledged that the increased scale of the dwelling would be readily visible from this neighbour, but given the orientation of number 25, the separation distance of approximately 9.5 metres, and no changes to the rear building line, any increased sense of enclosure would be limited and not materially overbearing. The extension would not obstruct the rear outlook of number 25. There would be a small loss of afternoon sunlight to the garden of number 25, but given the otherwise unrestricted rear outlook this is not considered significant or demonstrably harmful.

- 6.16 It is acknowledged that concerns are raised with regard to overlooking from the proposed first floor windows. The proposed first floor side elevation windows on the north-east elevation that will face 25 Exmoor Road do not serve habitable rooms. This reduces the overlooking impact. It is recommended a condition is applied for the first floor windows on this elevation to be fitted with obscure glass to ensure there is no direct overlooking. The proposed windows in the south-west elevation at first floor are considered not to have a harmful impact on privacy for 10 Denton Close (opposite the application site on the south side of The Moors). This is because the planning history for 10 Denton Close indicates that the first floor windows serve non-habitable rooms (bathrooms) and a distance of approximately 19 metres is retained between the proposed windows and the existing windows at 10 Denton Close. The proposed window on the south-east elevation is considered to be acceptable as any limited overlooking would be typical of that possible from many rear windows throughout the estate. It is noted that other neighbouring properties raised concerns with regard to the impact on privacy, however, these are sufficiently separated from the proposal to not have a detrimental impact on privacy.
- 6.17 Letters of representation raised concerns that the construction of the first floor extension would have a harmful impact upon neighbours. It is recommended that a condition is applied that limits the hours of work during construction to protect the surrounding neighbours.

### ***Highway safety***

- 6.18 Policy CS13 of the Core Strategy set out highway requirements. Policy P1 of the HSA DPD sets out residential car parking levels for the district.
- 6.19 Policy P1 of the HSA DPD identifies the site is located within parking Zone 2 and therefore a dwelling with 4+ bedrooms is required to provide 3 parking spaces. Drawing 1946003\_002\_REV\_A received on 17.02.2020 demonstrated that 3 off road parking spaces could be achieved. It is noted that an additional space is shown within the garage, however as per Policy P1 garages do not count as parking spaces. The Highway Officer raised no objections to the proposed parking spaces.
- 6.20 Access to the public highway is over a shared access. It is noted the Highway Officer requested an amended site red line to include access to the public highway due to the provision of an additional parking space. However, on site the area in which the additional parking space is indicated is already used as a parking area. In addition the application form states there are no proposed changes to parking arrangements or access to the public highway it was therefore considered it is not necessary to include access to the public highway to consider this application.
- 6.21 The Highway Officer and letters of representation raised concerns with regard to the impact on highway safety during construction works. During the course of the application a construction method statement (CMS) was agreed with the Highway Officer. The CMS deals with deliveries, storage of materials/waste and construction vehicle parking. A new temporary access will be created onto The Moors during construction. The Highway Officer is satisfied with the details provided in the CMS including the temporary access and recommends a condition is applied for works to be carried out in accordance with the CMS. The Highway Officer would like to draw the applicant's attention to the requirement of a licence from the Street Works team for the temporary access before works can commence. It is recommended an informative is applied to this effect.
- 6.22 The proposed development is not considered to have harmful implications on highway safety and subject to conditions will be acceptable.

## **Other matters**

- 6.23 There are significant concerns from objectors that the extension will create a dwelling that will be capable of conversion into a HMO. This is in part due earlier plans indicating that the extension would allow for 8 bedrooms to be provided. The agent has confirmed on 17.02.2020 that the dwelling is intended to be used as a family dwelling with plans amended accordingly to 4 bedrooms, with 2 rooms capable of conversion to bedrooms (1946003\_007\_REV\_B received on 04.03.2020).
- 6.24 As a dwellinghouse, the application site falls within Use Class C3. This allows for use by a single person or family (with certain domestic employees such as a carer), or up to six people living together *as a single household* (with or without care). HMOs fall within Use Class C4 where they comprise small shared houses occupied by between three and six unrelated individuals, who share basic amenities such as a kitchen or bathroom. It is permitted development to change between C3 and C4. Planning permission would be required for a HMO for more than 6 individuals.
- 6.25 The application must be assessed at face value, as a dwellinghouse. However, the Highway Officer would have concerns if the enlarged dwelling was changed to a HMO (Use Class C4) under permitted development. It would appear there would be insufficient parking if this were to be converted to a HMO as 4 off road parking spaces would usually be sought for a HMO with up to 6 individuals. It is recommended to address the highway safety implications of this potential change of use, by applying a condition which restricts permitted development rights to prevent a change of use from Use Class C3 to Use Class C4. The Highway Officer supports the condition to remove permitted developments for this change of use.
- 6.26 Letters of representation raised concerns with the pressures on sewage system. If this application is approved, waste/ sewage treatment is a matter dealt with by Building Control.

## **7. Planning Balance and Conclusion**

- 7.1 Whilst there have been a number of objections to this application, it is considered the proposal for the first floor extension is acceptable and can be secured by the use of conditions.
- 7.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable. The proposal accords with the NPPF, Policies ADPP1, ADPP3, CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations Development Planning Development (2006-2026), the House Extensions SPG (2004) and the Quality Design SPD (2006).

## **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 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. **Approved plans**

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

- Drawing 1946003\_001 (Location Plan) received on 21.01.2020;
- Drawing 1946003\_002\_REV\_A (Parking Plan) received on 17.02.2020;
- Drawing 1946003\_003\_REV\_A (Block Plan) received on 17.02.2020;
- Drawing 1946003\_006\_REV\_A (Proposed Plan and Elevations) received on 17.02.2020;
- Drawing 1946003\_007\_REV\_B (Proposed Floor Plans) received on 04.03.2020.

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

## 3. **Materials as specified**

The materials to be used in the development hereby permitted shall be as specified on the plans and the application form. 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. **Details of cladding**

Notwithstanding the details submitted with the application, no cladding shall be fixed to the hereby approved extension until details of the cladding have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

Reason: To ensure 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).

## 5. **Obscure glazing of windows**

The windows at first floor level in the north-east elevation shall be fitted with obscure glass and top hung before the extension hereby permitted is first occupied. The obscure glazing shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of adjacent properties, 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).

6. **Hours of work**

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

7:30am 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 and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

7. **Construction method statement**

The development shall be carried out in accordance with the approved Construction Method Statement by Moduloft (including photos, dated 12.03.2020) including the site set-up plan received on 26.05.2020.

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 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

8. **Parking**

The extension shall not be occupied until the vehicle parking have been surfaced, marked out and provided in accordance with the approved plans. The parking 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, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the Housing Site Allocations DPD (2006-2026).

9. **HMO restriction**

Notwithstanding the provisions 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), the enlarged building shall only be used as a single dwellinghouse (Use Class C3), and for no other purpose (including any other purpose in Class C4 (House of Multiple Occupation) on the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking, re-enacting or modifying that order with or without modification).

Reason: There would be insufficient parking to use the building as a house of multiple occupation under Use Class C4 without detriment to highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026), and Quality Design SPD (June 2006).

## ***Informatives***

### **1. Proactive statement**

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 worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

### **2. Access construction**

The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

### **3. Damage to footways, cycleways and verges**

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

### **4. Damage to the carriageway**

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

### **5. Incidental works affecting the highway**

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.

### **6. Consent to enter adjoining land**

You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.