

PLANNING COMMITTEE - 13 SEPTEMBER 2016

APPLICATION NO DC/16/2420/FUL

9

LOCATION

5 Vicarage Lane
Mettingham
Bungay
Suffolk
NR35 1TE

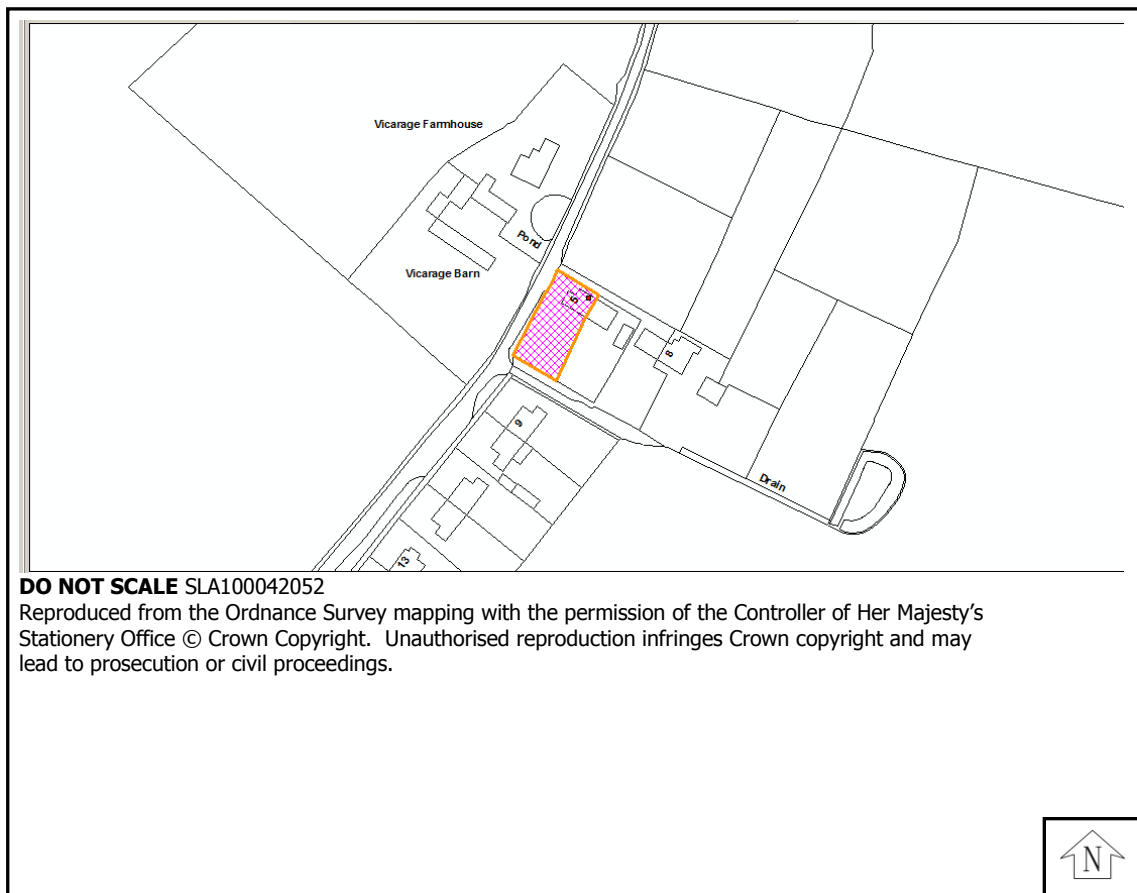
EXPIRY DATE 4 August 2016

APPLICATION TYPE Full Application

APPLICANT Mr & Mrs Toplis

PARISH Mettingham

PROPOSAL Construction of single and two storey rear extensions



1 SUMMARY

- 1.1 This application was presented to members on 16th August 2016 for consideration. Following debate it was suggested that the application be deferred to allow a site visit to take place to enable members to fully assess the configuration of the site and any subsequent implications of the visual amenities of the area and the potential impact on the amenities adjoining neighbours.
- 1.2 As members will recall the submitted application is for an extension to the southern elevation of the dwelling comprising part two storey and part single storey development.

The main considerations are the impact to the adjoining neighbour who has objected to the proposed scheme, and also the scale of the development having specific regard to Policy DM21 (House Extensions in the Countryside). Members are asked to consider whether the proposal compromises the aims of this policy or is justified as an exception.

2 SITE DESCRIPTION

- 2.1 Vicarage Lane, Mettingham is located in a rural setting on the eastern outskirts of Bungay approximately 1 mile from the town. As well as a converted barn and a working farm, the small settlement consists of a group of 16 dwellings built by a previous Local Authority. These are arranged in a row of 12, comprising pairs of bungalows and chalet bungalows, parallel with the lane and facing due west, with a further 2 pairs of two storey houses positioned separately and at right angles, at the northern end next to a field. The first one of these, with its side flank wall facing Vicarage Lane, is no.5 and is the site of the current application. There are no planning land constraints and permitted development rights have not been removed.

3 PROPOSAL

- 3.1 The proposal seeks to add a 6 metre deep garden room projection off the southern wall with a bedroom extension above projecting out just over halfway to 3.3 metres. A further, taller two storey element was initially also proposed, for an en-suite-bathroom to serve the extended bedroom and this would have been positioned above the proposed central entrance lobby (which itself will replace the existing open porch). However, this first floor bathroom element has since been omitted from the scheme and the Committee is therefore requested to consider the revised proposal on its merits.

4 CONSULTATIONS/COMMENTS

- 4.1 Neighbour consultation/representations
- 4.2 3 properties consulted; 1 neighbour has objected.
- 4.3 The adjoining neighbour at no. 6 has lodged a strong objection, claiming that the extensions will "drastically and detrimentally alter the light" to their garden and habitable rooms and will not be in keeping with the other houses in the lane, none of which have extended on that side. They also state it will block their views, create shade and have a severe impact upon light and privacy as well as making their garden feel enclosed.
- 4.4 Following re-consultation these objections still stand with regard to the revised plans which have moved the two storey element further away from their property thus reducing the bulk.
- 4.5 Mettingham Parish Council: following a site meeting held on 25th June, the Parish Council had NO objection to the proposed planning application. But did ask for the following observation to be noted: The overhead telephone wire may need to be moved.

PUBLICITY

No statutory publicity required.

SITE NOTICES

The following site notices have been displayed:

General Site Notice Reason for site notice: General Site Notice, Date posted 21.06.2016 Expiry date 11.07.2016

RELATED APPLICATIONS

Reference No	Proposal	Decision	Date
W17236	Two storey extension	Approved	19.04.1999

5 PLANNING POLICY

- 5.1 The Waveney Core Strategy was adopted in 2009. The relevant policy in this instance is CS02 High Quality and Sustainable Design.
- 5.2 The Development Management policies were approved in 2011. The relevant policies considered in this application are: DM02 Design Principles and DM21 House Extensions and Replacement Dwellings in the Countryside.

6 PLANNING CONSIDERATIONS

- 6.1 The house occupies a prominent position within the group due to its relationship with the lane, and the proposal is to construct a part 2 storey / part single storey extension projecting from the southern wall of the dwelling. The orientation of the property is unusual where the two pairs numbered 5-8 are concerned and the neighbour makes much of this point. It is believed the south facing elevation was originally intended as the front façade and floor plans showing the staircase position would suggest this to be the case. However, as the northern side has no garden, only a very small courtyard and pedestrian access path, the generous garden to the south has the greater potential to be used in the manner that a traditional back garden would be used, i.e. for sitting out and recreation, and the tall screen hedges between each plot and around the southern boundary easily facilitates this. Apart from no.5, the other three properties in this row take vehicular access from the southern side.
- 6.2 With particular respect to no.5, due to its aspect and the way it has evolved, the west facing side elevation where the main access door is located would most likely be regarded now as the 'principal' elevation for the purposes of applying planning legislation. The present proposal has been described as 'rear' extensions because that is the description provided by the applicant on their forms. This family clearly uses the southern side as any rear garden would normally be used - physically it is fully enclosed and screened and contains a trampoline and swing.
- 6.3 There was much discussion surrounding whether this was in fact a front or rear extension, however as stated above this is perhaps subject to interpretation and has been submitted as a rear extension as the applicant believe this to be their rear garden. The neighbours however have classed this as the front garden but either way, this is perhaps not the main issue. The main issue remains that of scale, appearance and the impact of the proposed extension on the amenities of the adjoining occupants.
- 6.4 The dwellings were originally constructed as an L-shape with a single storey side projection to each and over the years many have infilled the space and/or added first floor side extensions to increase the accommodation and this is indeed the case with no.5 where extensions were added in around 1999 according to the planning history. These have resulted in the house having a shallow, low pitched northern roof-slope over a previous bedroom extension which would be difficult to alter and a wrap around single storey extension at the north-west corner of the house, incorporating a utility room and enlarged kitchen.
- 6.5 The two key considerations of this case are firstly whether the planning authority agrees with the neighbour's concerns and secondly whether the scheme justifies an exception to policy DM21 of the LDF Development Management Policies, as adopted in 2011.

- 6.6 Officers have some sympathy with the neighbour's concerns - the location of the extensions would indeed be due west of no. 6 so inevitably a shadow would be cast from late afternoon; however there would remain a substantial gap of 5 metres between the garden room/bedroom extension and the common boundary between the two gardens (and 3 metres between the boundary and the new entrance lobby) which in the officers' opinion sufficiently mitigates substantial loss of light or outlook from the neighbour's windows and the resultant shading will not be excessive. The extensions are well clear of the 45 degree angle which is used as a consistent guide to assess likely impact in terms of light levels. The generous distance from the boundary, coupled with the two storey element only projecting 3.3 metres means that the proximity of the development will not be overbearing or particularly dominant or oppressive to the occupants of no. 6.
- 6.7 The change to the neighbours' presently open view to the west is not a material planning consideration – views cannot be protected and privacy will be unaltered as there are no first floor side facing windows proposed in the revised scheme. There will be a new first floor rear window but that will be further away than the two existing first floor rear windows so will not create any new potential for overlooking.
- 6.8 In terms of precedent, each of these properties has become more individual as various forms of extensions have been added, such that there is no longer a strong sense of regularity, and as mentioned earlier in the report, no.5 is set out somewhat differently as it has parking and garaging to the side whereas the others do not, resulting in an eclectic mix and varying characteristics to each property. The precedent factor for allowing extensions to the southern side of No's 5-8 is not considered to be harmful due to the unusual arrangement and screening to these particular properties which have a far less open aspect than the other row numbered 9-20.
- 6.9 In the officers' opinion the siting, design, proportions and external appearance of this proposal are all acceptable and the neighbour's opinion that light levels will be dramatically affected by this extension are not supported. Of all the concerns raised by the neighbour, scale of development is considered to be the most pertinent and relevant having regard to policy DM21.
- 6.10 Essentially the aim of the policy is to keep extensions to a modest size in the interests of retaining a range of types and sizes of dwellings in the countryside, and in particular the stock of smaller dwellings, and also to protect the character and appearance of the original dwelling as well as minimising intrusiveness in the landscape. The preamble goes on to suggest that 'modest' extensions will usually mean somewhere in the region of 35% of the volume of the original dwelling. As members will be aware this policy has been repeatedly tested at appeal since 2011 and the outcomes of these independent appeals now have a bearing on the way the policy is currently interpreted and applied. This figure has been deemed too prescriptive and a more flexible approach has evolved, assessing each proposal on its individual merits while still broadly meeting the aims behind this policy.
- 6.11 In this case, as the previous two storey extensions were added fairly recently (16 years ago) this factor carries slightly more weight. Those extensions themselves resulted in a 60% increase and the current proposals, as revised, will bring this to a total volume increase of 100% on the original cottage. In mitigation of these figures, character and landscape impact are considered to be preserved and the footprint of the extension is in proportion with the site. Adding a first floor extension onto the western end of the cottage was explored but would arguably be more intrusive in the public realm and encroach upon the established parking area.
- 6.12 A further material consideration that requires some thought is whether there would be a fall-back position under permitted development outside of planning controls.
- 6.13 This basically comes down to the interpretation of whether this elevation constitutes the front or rear of the property which has a further bearing on the weight of the policy issue.

Under current 'permitted development' allowances it is permissible to construct a 3 m deep two storey rear extension on a dwelling where that extension is not positioned within 2 metres of any boundary. The current owners clearly consider this to be the rear of their property and as already explained it has the appearance of being the rear of the building due to the way the overall plot is laid out. This arrangement is not uncommon in rural locations where the property faces the highway but is not necessarily the historic formal entry point, which may have been at the side or even the 'back' of the dwelling, which has been altered over the preceding years. The proposed two storey element exceeds the exempt limit by just 300mm. Similarly, a single storey extension could project out to 6 metres in depth under the prior notification scheme unless neighbour's objections are upheld by the planning authority.

- 6.14 This means that if it is accepted that the development is a rear extension then a two-storey 3m deep extension could potentially be constructed without requiring planning permission and the sunroom projection could then be added via the prior notification process.
- 6.15 Finally, the policy seeks to retain modest accommodation within the property. The house currently has 3 bedrooms and this would remain the case if the extension is approved as the proposal only involves increasing the size of the main bedroom as opposed to adding an additional bedroom.

7 CONCLUSION

- 7.1 Therefore, having taken into consideration all of the above it is your officer's opinion that the proposal is not considered to be detrimental to the adjoining neighbour's amenity, will not cause harm in terms of loss of character to the host dwelling or group as a whole and will not be intrusive in the wider landscape. Furthermore this proposal is not considered to conflict with the overarching aims of Policy DM21 in the opinion of your officers.

8 RECOMMENDATION

- 8.1 Approval of the scheme in its amended form with the following controlling conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be carried out in accordance with the following plans:

160516 -2 Floor Plans and Elevations (dated 29/06/2016), and;
160516 -3A Site and Block Plan (received 27/07/2016)

Reason: To ensure the development is carried out in the manner considered by the local planning authority.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason: To ensure the satisfactory external appearance of the development.

ADDITIONAL NOTES

- 1 The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

BACKGROUND INFORMATION: See application ref: DC/16/2420/FUL at www.waveney.gov.uk/publicaccess

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