



COMMITTEE REPORT

Item Number:
Application Number:
S/HOU/18/1845/CHHO

Ward: Blunsdon And Highworth
Parish:
Blunsdon

Proposal: Erection of a two storey rear extension and pitched roof to existing dormer window.

Site Location: The Cedars, Widhill Lane, Blunsdon

Case Officer: Miss Charlotte Hopkins

Agent:
Mr Stuart Miles
Vision Planning
Hartham Park
Hartham Lane
Corsham
SN13 0RP

Applicant
Mr Justin Jheeta

c/o agent

Officers Report

Background:

This application has been brought before the Planning Committee at the request of Blunsdon Parish Council, due to concerns about the proximity of the extension to the neighbour 'Woodlands' and the effect on the neighbour's light. The PC consider that the current application has not changed significantly from all previous applications and would still have an unacceptable detrimental impact on this neighbour.

Summary of Recommendation:

1. Planning permission be **GRANTED** with conditions

The Proposal:

2. The proposed development would involve the erection of a part two storey and part single storey rear extension. The proposed two storey element would extend 2 metres and would be stepped in by 2 metres from the side wall of the original dwellinghouse, adjacent to the southern boundary with Woodlands. The two storey element of the extension would feature a hipped roof design. The single storey element would extend a further 2 metres beyond the two storey element, designed with a flat roof. The proposal also includes the installation of a pitched roof over the existing flat roof dormer on the north east side elevation.

Site and Surroundings:

3. Widhill Lane consists of a number of detached residential properties of varying style and design which are set broadly along a similar building line. The application site consists of a detached chalet style bungalow with its ridge line set perpendicular to the road. The original rear wall of the host

dwelling is set beyond the rear wall of the neighbouring property, Woodlands, by about 3 metres. The intervening boundary between the host dwelling and Woodlands is formed from a line of evergreen trees, which are a little taller than the eaves height of the host dwelling. Woodlands has a lounge with patio doors set close to the common boundary, giving access to a raised patio area. Two bedroom windows at first floor level are also located close to the common boundary. The patio and floor level at Woodlands is set a little above the ground floor level of the host dwelling.

Site History:

4. This development is a revised submission following the refusal and dismissal at appeal of a larger scheme (S/HOU/16/2133) which proposed to extend 3 metres at two storey forming a gable end with no step in. The inspector concluded that the proposal would appear as a harmfully dominant structure impinging on the open aspect currently experienced from the lounge and bedroom window at Woodlands. It was also noted the 45 degree line would be obstructed contrary to the Residential Extensions and Alterations SPD, further suggesting that harm would arise to the outlook from Woodlands.

5. Following the dismissed appeal, a revised scheme was submitted that reduced the two storey element from 3 metres to 2 metres (S/HOU/17/1493). However, this proposal was refused as despite a reduction in depth of the first floor element by 1 metre, the proposal was still considered to result in a harmful effect upon the outlook and amenity of Woodlands, with the two storey extension still encroaching to within a 45 degree angle as measured from the nearest bedroom window at Woodlands.

6. A further scheme was submitted in August 2018 (S/HOU/18/1175), however the Local Planning Authority declined to determine this application on the basis it was too similar to the previous refused scheme (S/HOU/17/1493). A further revised scheme was submitted and is now before members.

Representations:

7. Neighbours:

One objection received from Woodlands raising concerns regarding the following matters:

- Drawings look like a small corner has been rubbed out on the plans, and is stepped away from the boundary by 2 metres. Still very close to the boundary.
- The height of the two storey building is still the same.
- The same objections still apply and must be considered as raised in the beginning - excessive height of the roof of the proposal above boundary hedging; the effect on natural daylight to the rear patio of living room; the overbearing appearance of the proposed extension; the reduction in depth of the extension would not reduce the impact, particularly as the height is still the same.
- These objections have been agreed by everyone who has viewed the back of our house/garden, next to The Cedars, regarding significant daylight cut out of lounge window, corner of garden/patio and bedroom windows, still would create a negative impact on our property.

8. Blunsdon Parish Council: Objection. The proximity to neighbour and the effect on the neighbour's light is still of concern. All previous comments still apply please see application S/HOU/17/1493 and S/HOU/16/2133. S/HOU/18/1175 was declined for determination. The PC consider the current application has not changed significantly from all previous applications and would still have an unacceptable detrimental impact on the neighbour

Relevant Policy:

9. Adopted Swindon Borough Local Plan 2026 (2015)

- o Policy SD1 (Sustainable Development Principles)
- o Policy DE1 (High Quality Design)

- o Policy TR2 (Transport and Development)

Material Planning Considerations

- o Adopted SPD Residential Extensions and Alterations (2011)
- o Adopted DCGN Technical Guidance on Parking Standards (2007)

National Planning Policy Framework (2018)

Planning Considerations:

10. The main issues to be considered are the design and appearance of the proposal in relation to the host dwelling and surrounding area and the impact upon the neighbour's amenity.

Design:

11. Policy DE1 (High Quality Design) of the SBLP seeks to ensure that there is a high standard of design of any development which is also sympathetic to the local context and character. Development should also be acceptable in terms of scale, mass, and siting and have an acceptable appearance. The Residential Extensions and Alterations SPD suggests a maximum depth of 3 metres for 2 storey rear extensions and 4 metres for single storey rear extensions. The proposal adheres to the maximum suggested depths, extending 2 metres at first floor and 4 metres at ground floor. The proposed development relating to the pitched roof to the existing dormer is also considered to be acceptable and no objection was raised to this element in the previous schemes. Overall, the extensions are deemed to be acceptable in design terms and are not considered to cause harm to the character or appearance of the host property or the area in which it is situated in accordance with Policy DE1 and the SPD.

Residential Amenity:

12. Policy DE1 also seeks to protect the amenity of neighbouring properties in respect of light, outlook, privacy, noise, disturbance, privacy and smell. The Residential Extensions and Alterations SPD states that the effect of an extension will be assessed with regard to the impact upon residential amenity to ensure there would not be unacceptable harm by reason of light, visual intrusion, privacy or nuisance (paragraph 2.7). Paragraph 2.8 of the SPD goes on to state that the proposal will be assessed in terms of the siting, orientation and size of an extension in terms of daylight with the use of the 45 degree angle to assess impact upon daylight to a neighbouring window.

13. The key issues with regard to amenity as identified in the previous schemes, relate to the impact on outlook from Woodlands. The proposal is sited to the north of the Woodlands and there is an intervening evergreen hedge (in the control of the owners of Woodlands). The siting of the development would have very little demonstrable impact upon the direct sunlight to the adjacent property at 'Woodlands', as acknowledged within the inspectors appeal decision which notes *"the orientation of the site and extension is such that it would not result in any significant impact on direct sunlight reaching the neighbouring house or garden"*. The intervening boundary hedge would also screen part of the development from view by the occupiers of 'Woodlands', meaning the ground floor element would create very little impact. However, the two storey extension would be clearly visible above the existing evergreen hedge. In the appeal scheme which extended 3 metres at first floor, the inspector concluded that *'from the lounge, the bedroom window closest to the boundary and the patio, it would appear as a harmfully dominant structure imposing on the open aspect'*.

14. The scheme has now been reduced to 2 metres in depth at first floor level and stepped in by 2 metres from the side wall of the host dwelling, adjacent to the common boundary with Woodlands. As a result of the reduction in depth of the scheme and the step-in, the 45 degree line as measured from the quarter point of the nearest first floor bedroom window at Woodlands is not obstructed. On this basis, there will be no unacceptable material detracting of light to this window, nor will the outlook be unacceptably harmed in accordance with the guidance in the SPD. The hipped roof design, also further helps to reduce the bulk and visual dominance of the scheme as viewed from neighbouring properties. Although the extension will still be visible above the evergreen trees, due to

the reduction in depth of the extension, the step-in by 2 metres which creates greater separation between the neighbour at Woodlands, the hipped roof design and compliance with the 45 degree rule, it is considered the proposal will not appear unduly dominant to Woodlands, nor will the outlook or open aspect currently experienced be significantly harmed. For these reasons, the proposal has overcome the refusal reasons of the previous scheme and Officers consider that refusal on the grounds of significant harm to the outlook and visual amenity of the occupiers of The Woodlands, could not be justified. There would be no unacceptable impact to the amenity of the neighbour to the north 'Rose View', which also benefits from a rear extension. The proposal does not raise any concerns in respect of overlooking or loss of privacy. Overall, the proposal is considered to accord with Policy DE1 and the Residential Extensions and Alterations SPD and no unacceptable impact to neighbouring amenity arises.

Highways:

15. Policy TR2 requires parking is provided in accordance with the Parking Standards (2007). As existing, the property has 2 no. bedrooms and the proposal would create a 3no. bed property. The Parking Standards (2007) requires a single family dwelling with up to 4no. bedrooms provides 2no. parking spaces measuring 2.4 x 4.8 metres. The host dwelling can accommodate these parking spaces on the private driveway to the front of the dwelling. The proposal accords with Policy TR2 in this respect.

CIL:

16. The proposed development would be minor for the purposes of CIL legislation due to the proposed extensions floorspace falling below 100 sqm GIA. Therefore, no contribution towards CIL would be required.

Concluding Comments:

17. The proposed extension is acceptable in design terms and is not considered to cause unacceptable harm to neighbouring amenity in accordance with Policy DE1 and the Residential Extensions and Alterations SPD. Through a combination of the reduction in depth of the two storey rear extension, the set-in by 2 metres from the original side wall of the property, the hipped roof design and adherence to the 45 degree line as measured from the first floor bedroom window at Woodlands, the proposal has addressed the reasons for refusal created by the previous schemes and is therefore acceptable, in accordance with policy.

Recommendation:

18. That planning permission be **GRANTED** with conditions

Conditions

1. This approval shall be in respect of drawings no. 16/093 Rev C, Site Location Plan (1:1250) and Planning/Design & Access Statement received by the Local Planning Authority on the 13th November 2018 and Block Plan (1:100) received by the Local Planning Authority on the 14th December 2018.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing building. Such facing materials shall be retained thereafter in their approved form.

Reason: To ensure that the appearance of the development is satisfactory.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no windows other than those hereby approved shall be formed in the side elevations at first floor level of the two storey rear extension hereby permitted.

Reason: In the interests of residential amenity

Informatives

1. CIL - Reg. 42 Exemption for Minor development: Whilst the development generates a net gain in floor space and is Community Infrastructure Levy (CIL) liable, it is exempt from CIL liability under CIL Regulation 42, as it constitutes minor development for the purposes of calculating CIL liability because the proposed extensions floorspace is below 100 sqm GIA.

End of Report