

REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/00471/APP	BRILL The Local Member for this area is: -	07/02/18
<p>ONE AND A HALF STOREY SIDE AND REAR EXTENSIONS, SINGLE STOREY REAR EXTENSION WITH BALCONY ABOVE, BASEMENT ACCOMMODATION TO SIDE OF DWELLING, GARDEN BUILDING, PORCH AND DETACHED GARAGE TO THE FRONT. (AMENDMENT TO 16/00368/APP - RETROSPECTIVE)</p> <p>1 GODFREYS CLOSE HP18 9SW</p> <p>MR M BIRMINGHAM</p> <p>STREET ATLAS PAGE NO.96</p>		

1.0 The Key Issues in determining this application are:-

- a.) Impact upon the character of the host dwelling and on the character of the street scene and area in general
- b.) Residential amenities
- c.) Car Parking and highway matters

The recommendation is that permission be **GRANTED**, subject to conditions

2.0 CONCLUSION AND RECOMMENDATION

2.1 The proposals have an acceptable impact in visual amenity terms and accord with the character and appearance of the existing dwelling, would not have a negative impact upon the street scene and surrounding area and does not result in any harm to nearby residential properties. The extensions would comply with policies GP8, GP9, and GP35 of the Aylesbury Vale District Local Plan, the Residential Extensions Design Guide and with the National Planning Policy Framework.

2.2 It is therefore recommended that planning permission be **APPROVED** subject to the following conditions:-

- 1) US05 – Materials as indicated on approved plans
- 2) WIN3 - No further windows to be added to the south elevation of the rear extension
- 3) HG31 – Scheme for parking and garaging to be laid and retained
- 4) REU1 – Outbuilding to be used for purposes incidental to the dwelling
- 5) AMP1 – Amended plans

Reasons:

- 1) RE11
- 2) RE25 GP9 of AVDLP & NPPF
- 3) RE52 GP8 of AVDLP & NPPF
- 4) RE39 GP24 of AVDLP & NPPF
- 5) RE39 GP35 of AVDLP and NPPF

Informative

I07 – proximity to party boundary

WORKING WITH THE APPLICANT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case, the applicant/agent was informed of the issues arising from the proposal and given the opportunity to submit amendments/additional information in order to address those issues prior to determination. The applicant/agent responded by submitting amended plans/additional information which were found to be acceptable so the application has been approved.

2.0 INTRODUCTION

- 2.1 The application needs to be determined by committee as the Parish Council has raised material planning objections and confirms that it will speak at the Committee meeting.
- 2.2 In response to the comments made, the application as amended, in relation to the extensions, is considered to be comparative to the permission granted under 16/00368/APP and an acceptable addition in terms of its impact on the character and appearance of the dwelling, impact on the wider area and relationship to neighbouring dwellings.
- 2.3 The outbuilding is located to the north of the dwelling and as its roof would not project above the existing boundary treatment, it is considered to be of an appropriate scale and design, with acceptable materials, that would respect the setting of the existing dwelling and would not appear unduly prominent to neighbouring residents. .

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The application site relates to No.1 Godfreys Close; a semi-detached bungalow located within a small cul-de-sac off the south-east side of Temple Street. The dwelling comprises a 2 bedroom property and is constructed of brown brick with a concrete tile roof. The front boundary of the site is marked by a low level fence, with the boundaries to the north-west, north-east and south-east (rear) marked by a 1,8m high close boarded fence. There is an existing off road parking area to the north-west of the dwelling.

3.2 To the south-west is No.2, the attached semi. To the north-west are the rear gardens of No.40-44 Temple Street. Further to the north-east is the rear garden of No.46 Temple Street.

4.0 PROPOSAL

4.1 The application seeks retrospective permission for the erection of a one and a half storey side and rear extensions, single storey rear extension with balcony above, basement accommodation to side of dwelling, garden building, porch and detached garage to the front.

4.2 Planning application 16/00368/APP granted permission for a one and a half storey side and rear extensions, single storey rear extension with balcony above, basement accommodation to side of dwelling, porch and detached garage to the front and the current application seeks an amendment to this.

4.3 For clarity, the approved application comprised the following elements:

- A side extension measuring 4.9m wide x 7.1m deep, with a hipped roof 5.2m high.
- A flat roof dormer, 2.6m high x 3.15m to the rear
- To the rear; an extension measuring 3.6m deep x 6.6m wide, with a gable end 5.25m in height and set down by 0.2m from the ridgeline of the main dwelling.
- A flat roof dormer to the north facing roof slope; 2.1m high x 3m deep.
- A single storey extension to the rear; 3.6m deep and 6.1m wide, with a flat roof 2.8m high. Above the flat roof would be a balcony area enclosed by an obscure glazed balustrade and accessed by the proposed dormers to the rear roof slopes.
- An underground basement area to the immediate north of the proposed side extension, covering an area 9m x 8m and 4m deep with Surface level lightwells located on the external surface.
- A flat roof dormer to the front roof slope
- A single bay detached garage located adjacent to the west boundary of the site opposite the front of the dwelling; measuring 6.8m deep and 3.5m wide, with a pitched roof 3.6m high.

4.4 The revisions made to this current application, following discussions with officers can be described as follows:

- Side extension – as approved
- Flat roof dormer to rear – as approved

- The extension to the rear would be built as approved
- The flat roof dormer to the north roofslope would increase in height to 2.4m.
- The single storey rear extension, flat roof dormer and balcony area would be as approved
- The underground basement area would now be detached from the main dwelling and connected by way of a small link. Its footprint would increase to 12.5m x 7.5m.
- The proposed garden room has been partially constructed and measures 8.2m x 4.2m, with a lean-to roof 2.75m to eaves and 3m to the ridge. It is set in by 3m from the north boundary.
- The single bay detached garage is unaffected by the revised scheme.

5.0 RELEVANT PLANNING HISTORY

14/02787/APP - Erection of single storey side and rear extension with accommodation in roofspace including rear dormer window. – APPROVED

16/00368/APP - One and a half storey side and rear extensions, single storey rear extension with balcony above, basement accommodation to side of dwelling, porch and detached garage to the front. – APPROVED, partially implemented

6.0 PARISH COUNCIL COMMENTS

Brill Parish Council strongly opposes the amended plans for 1 Godfrey Close on the following grounds:

- The application contravenes many elements of AVDC planning policy, notably S.4,25 & 26 which deal with the protection of neighbours. 4.115 location, skylines and public views.
- Also planning GP8 protection of amenity of residents, GP9, appearance of original building, GP34 and GP35, respecting the characteristics of settlements and the surrounding areas and design of new development proposals.
- The structure is overbearing and affects the character of the village edge and overall street scene, resulting in a complete loss of architectural integrity.
- The existing building is in contravention of the existing permission.
- The garden building in the plan is incorrect, the height and proximity to the boundary already contravene the new application. The footprint of the garden room is much larger than stipulated on the plans, the ground floor is raised, again not depicted on the plans, and affects the overall height of the building.
- There are mature trees on site that have not been shown on the plans. Their proximity to the building will have an adverse effect upon the foundations that have already been laid, and upon the trees.
- The gable end, location of windows and the ridge line of the main building are all incorrect and bear no resemblance to the original plan or indeed what has been already been built.

- The materials used on the build to date are not as specified and approved in the original plan.
- The application in itself is extremely inaccurate, almost to the extent of being fraudulent. The existing elevations on the form show the outline of the property before any works were undertaken. The actual elevations are in fact already beyond that of the proposed elevations

The PC requested that this application is not dealt with under delegated powers but goes to full committee at which at least one of the Brill Parish Councilors will provide representation.

7.0 CONSULTATION RESPONSES

Heritage: No comments to make

BCC Archaeology: The proposals are unlikely to materially harm the archaeological significance of the heritage assets.

8.0 REPRESENTATIONS

6.1 Fourteen letters of representation has been received which can be summarised in the following points:

- The outbuilding is far too high and will spoil the outlook of No.40 , No.42 and No.44 Temple Street
- The extended building is visually prominent when viewed from the recreation ground to the rear
- The developer has already received a very generous offer of planning permission. The current scheme goes as far as could be reasonably permitted under planning guidance but this new scheme breaches it in the used of materials, the shape and form, the proximity to neighbours and public space, the overbearing nature of the current and proposed build, the 1st floor terrace, overlooking neighbours.
- The bulky, box like overdevelopment is contrary to AVDLP policies in respect of good neighbourliness and fairness. The impact of this new proposal is unreasonable and should be rejected in its entirety.
- The proposed development increases the impact on a number of houses, not just No.44, which directly overlooks the bungalow at the back of our property.
- The new plans will have an increased detrimental affect to both light and visibility from the rear of No.44, as the first floor box shape is bigger than the previous design. This part of the development directly overlooks the living room and 2 bedrooms with rear views now considerably restricted and the house overlooked.
- The separate building in the garden is higher than before, and will negatively impact a number of properties, including 2 newly built houses where this sits directly behind and was not a consideration when being marketed.
- The entry floor level of the outbuilding has been raised from ground level by more than 0.5m probably to accommodate the clearance height in the basement. In effect the developer may need a higher building, beyond that of permitted development, because the basement is not deep enough.
- The revised application form states that there are no trees within falling distance of the new development. This is wholly untrue. There is a mature tree sited approx. 4-5 metres from the garden building and certainly within falling distance of other parts of the main dwelling.
- The outbuilding is not for incidental purposes. It is detailed as being between 40-50 square metres and at such a footprint and height is wholly disproportionate to the plot in which it sits.

- The scale of the development is too large for the plot in which it sits and is out of keeping with surrounding developments within the village.

7.0 EVALUATION

The impact on the character/appearance of the host dwelling and the impact on the character/appearance of the street scene.

- 7.1 AVDLP policy GP.9 and DG on 'residential extensions' state, those extensions to dwellings should not affect the character and appearance of the original building, the street scene, or the area in general. DG specifically advises that extensions to dwellings should not overwhelm existing buildings and that a set back and lower roof ridge can provide a design break between the old and new and subordinates the extension. DG also advises that once extensions begin to match or exceed the size of the original building then the architectural integrity of the original structure tends to become lost. Policy GP.35 of AVDLP seeks that new development proposals respect the physical characteristics of the site and the surroundings.
- 7.2 A number of elements of this revised scheme remained unaltered from the application approved under 16/00368/APP.
- 7.3 The extension to the side extends to the north of the dwelling and although it has increased the height, it is approved under 16/00368/APP and is considered to have been designed in such a way as to respect the host dwellings character and appearance and to not appear overly dominant. The roofline of the extension is set down from the existing dwelling as seen from the front and as such maintains a sufficient degree of subservience. The dwelling is located within a small cul-de-sac of 4 bungalows and benefits from a wide curtilage to the north. As such the side extension does not appear unduly prominent in wider views and sits comfortably within the site.
- 7.4 The rear extension, flat roof dormer and rear balcony elements would be constructed as approved under 16/00368/APP. Although it is accepted that these elements add bulk to the dwelling as seen from the rear, the only long range views are from the recreation ground to the rear of the site. The extensions were considered to provide a sufficient degree of subservience when evaluated under 16/00368/APP and given that no changes are proposed to this element, it continues to be considered as an acceptable addition in accordance with GP35 of AVDLP. It is not considered that the alterations to the rear appear out of character with its surroundings or appear visually prominent from within the street scene.
- 7.5 The flat roof dormer to the front (north facing) roof slope has been increased in height from 2m to 2.3m; however its width has been retained as previously approved. The dormer

continues to be set within the roof slope, in line with the Councils 'Residential Design Guide' advice and appears as a subservient addition that does not adversely impact upon the character and appearance of the dwelling, street scene or surrounding area.

- 7.6 Turning to the underground basement area; as approved, it was proposed that this element would be located (attached) to the immediate north of the proposed side extension. As approved, It would have covered an area 9m x 8m and 4m deep, with surface level lightwells located on the external surface. A sunken area was proposed to the east in order to provide light via a set of glazed doors and to provide external access to the basement.
- 7.7 The basement has now been revised so that it's only connection to the dwelling is via a linked corridor. The footprint of the basement has increased to 12.5m x 7.5m and the sunken area to the east elevation has now been removed. Whilst the footprint has been increased from the previous approval, the nature of the basement by virtue of it being a building below ground level (with the exception of the light wells), means that it is not significantly visible or prominent in wider views and does not adversely impact on the character and appearance of the surrounding area.
- 7.8 Under application 16/00368/APP, an indicative proposal for a detached outbuilding was identified to the north of the proposed basement area. It was originally proposed to construct this building using 'Permitted Development' rights and this did form part of the application proposal.
- 7.9 With the revisions put forward under this current scheme, the outbuilding would now be attached to the proposed basement, by being located directly above it and therefore could not be constructed under permitted development allowances. The building has been partially constructed and measures 8.2m x 4.2m and would have a lean-to roof measuring 2.75m to eaves and 3m to the ridge. The building is set in by 3m from the north boundary of the site.
- 7.10 The outbuilding is located to the north of the dwelling and its roof would not project above the existing boundary treatment, it is considered to be of an appropriate scale and design, with acceptable materials, that would respect the setting of the existing dwelling.
- 7.11 For the same reasons, coupled with the separation between the proposed structure and the existing dwelling (10m at the closest point), its scale and subservient height, it is considered that the outbuilding does not overwhelm the plot nor appear overly prominent within the streetscene, or the locality in general. The building therefore complies with policy GP35 of the AVDLP.
- 7.12 It should be noted that were the building not physically attached to the underground basement addition, it would constitute permitted development under Schedule 2, Part 1, Class E of the General Permitted Development 2015.

- 7.13 The approved single bay detached garage is unaffected by the revised scheme.
- 7.14 Overall, the revised proposals are considered acceptable and in accordance with development plan policies GP9 and GP35 of the AVDLP and NPPF guidance.
- 7.15 Some concerns have been expressed the extensions now put forward are larger than those approved under 16/00368/APP; however as set out in the proposals section, discussions have taken place between the applicant and Officers to revise the scheme in line with the extant permission.

Impact on neighbouring amenities.

- 7.16 AVDLP policies GP.8 and GP.9 and DG on residential extensions seek to protect the amenities of neighbouring properties in considering proposals for extensions to dwellings. The adopted DG on Residential Extensions specifically advises that in the interest of amenity, the distance back from the rear elevation of a semi-detached property be restricted to 4m.
- 7.17 The extension to the rear is set in from the boundary with No.2 by 0.5m and the depth of 3.6m of the proposed ground floor extension accords with the advice contained within the DG. Whilst the extension is visible in views from the rear windows of No.2; given the orientation of the extension with No.2 and its depth, it is not considered that the proposal results in a significant degree of overshadowing to the rear amenity area of No.2 and does not appear so visually prominent in views so as to result in a loss of residential amenity. There is no significant increase in loss of privacy or overlooking in excess of that already occurring from the existing rear facing windows (and previously approved scheme) as a result of these proposals. A restriction on the insertion of any additional windows in the south facing flank elevation at first floor level in the extension was added to the approval under 16/00368/APP in order prevent any increase in overlooking to the rear amenity area of No.2 from occurring and would be appropriate to repeat this condition here.
- 7.18 The balcony is obscured from view of No.2 by the roof of the rear extension and does not therefore afford any direct views to No.2. It is considered acceptable in amenity terms and is as per the approval under 16/00368/APP.
- 7.19 Given the positioning of the outbuilding and its relationship relative to the neighbouring properties in terms of scale, height, orientation, and separation, it is considered that it does not have any adverse impact upon their residential amenities in terms of loss of light, outlook, or loss of privacy. In particular the outbuilding lies 3m from the boundary at its closest point to the north. The building, once completed, would have a lean-to roof with a height of 3m to the top of the roof. Windows would be located to south and east

elevations, but as these face the recreation ground and existing dwelling respectively, are not considered to cause any issues of overlooking.

- 7.20 Concerns have been raised that the degree of overlooking towards No.44 from the extensions to the house would be increased by the revised application. However; as previously stated the extensions to the dwelling have been revised so they are in line with the extant permission and on the basis it is not considered any greater degree of overlooking would arise.
- 7.21 In terms of the views to the outbuilding from the rear of No.'s 40-44 Temple Street; it is accepted that the building is visible from these properties, however due its relatively low height and monopitch roof, it is not considered that it appears so visually intrusive as to cause a significant loss of amenity.
- 7.22 Some concern has been expressed by objectors that the outbuilding is not incidental to the dwelling and, whilst officers have no evidence to substantiate this, a condition could be imposed to restrict its use to that of an ancillary residential outbuilding. Furthermore, as set out in the following section, the use of the space could be conditioned to be retained for that purpose. Thus the use of the building would not have an adverse impact upon the character of the area or the residential amenities of the neighbouring dwellings in terms of smells, noise, or other non-residential disturbance, given it would be used for ancillary purposes, and the restrictive conditions would mean that a further planning permission would be required if the building were to be used for any non-ancillary purpose in the future.
- 7.23 Given the positioning of the proposed garage in relation to neighbouring dwellings, no loss of amenity would arise.
- 7.24 There would be no loss of amenity from the proposed underground basement.
- 7.25 The nearest residential properties to the north-west of the site, on Temple Street, are located approximately 20m from the host dwelling. Whilst there would be a dormer to the front of the dwelling, given the distance to the rear of these properties on Temple Street, it is not considered any significant loss of amenity would occur.
- 7.26 The proposals are considered to accord with policy GP8 and GP9 of AVDLP and to the guidance contained within the NPPF.

Parking:

- 7.27 Policy GP24 of AVDLP seeks to maintain levels of car parking appropriate to the level of development.

7.28 The resultant 3 bedroom dwelling requires that 2 parking spaces are provided within the curtilage of the dwelling in accordance with the Council's SPG on parking guidelines. The extended dwelling benefits from the use of the existing driveway and proposed garage which provides 2 spaces within the curtilage. This is considered acceptable and is in accordance with the Council's car parking guidelines.

Case Officer: David Wood

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