

The application is for full planning permission for a two storey side and rear extension.

The property is a two storey, semi-detached dwelling, and is located within the urban area of Newcastle under Lyme as defined on the Local Development Framework Proposals Map.

The application has been referred to the Planning Committee at the request of two councillors in response of concerns of neighbours due to the size of the proposed extension.

The statutory 8 week period for the determination of this application expires on 30th March 2015.

RECOMMENDATION

Refuse for the following reason:

- 1. As a result of the development the car parking provision on site would be significantly less than the maximum standards for a five bedroom dwelling therefore the development could create a local on street parking or traffic problem to the detriment of highway safety and contrary to Policy T16 of the Newcastle under Lyme Local Plan.**

Reasons for Recommendation

The applicant has failed to demonstrate that 2 parking spaces can be provided on site and as such significantly less than the maximum standards for car parking provision can be achieved within the site which could create a local on street parking or traffic problem, contrary to Policy T16 of the Newcastle under Lyme Local Plan.

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

This is considered to be an unsustainable form of development and so does not comply with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for a two storey side extension and a part single storey, part two storey rear extension to a two storey semi-detached dwelling located within the urban area of Newcastle under Lyme, as indicated by the Local Development Framework Proposals Map.

The extension would project 3600mm from the rear elevation at its furthest point, and the single storey element would have a chamfered edge at the point closest with the boundary with 3 Lansdell Avenue, the attached dwelling.

Part of the two storey rear extension would have a flat roof, with the remainder having a hipped and pitched roof that would be set lower than the main ridge height. The two storey side extension would have hipped and flat roof elements. The overall ridge height of the extension would be set down from the ridge of the existing

dwelling. The side extension would be set back from the existing front elevation at first floor. At ground floor it projects forward of the front elevation to create a hallway.

Materials are proposed to match those of the existing dwelling.

The application follows an application in 2013 which was withdrawn following concerns about impact on trees and off road parking. The current application includes a car parking plan and a revised arboricultural report.

The key issues in the determination of the application are:

- The design of the extension
- The impact upon highway safety and car parking
- The impact upon residential amenity
- The impact upon existing trees and hedgerows

The design of the extension

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy H18 of the Local Plan relates specifically to the design of residential extensions and considers that the form, size and location of the extension should be subordinate in design to the original dwelling, the materials and design of each extension should fit in with those of the dwelling to be extended and the extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or setting.

The proposed extension is large, and would wrap around the side and rear of the dwelling at mostly two storeys in height. A small single storey extension is proposed to the rear which would have a chamfered edge, which has been designed this way to avoid conflict with the 45 degree code as set out later in the report under the residential amenity section. The chamfered edge is not a design solution which is encouraged, however it would not be visible within views from the street scene and would not have a significant impact on the overall appearance of the dwelling.

Turning to the two storey rear extension, this would not be visible within views from the street scene, and whilst large, it would be stepped down from the main ridge height of the dwelling in order to achieve a subordinate appearance. The flat roof section of the two storey element is not ideal; however it is to the rear of the dwelling and would not be visible within views from the street scene.

The ridge height of the two storey side extension would be stepped down from the main roof height of the dwelling, and would be set back at first floor level. The side extension does include a small, flat roofed element which will be visible from the street scene. Again this is not ideal, however it would appear subordinate to the appearance of the dwelling as extended and it is considered that it would not detract materially from the character of the original dwelling or the street scene.

Overall the extension is considered to be of an appropriate design and appearance, and would accord with Policy H18 of the Local Plan and the aims and objectives of the NPPF.

The impact upon highway safety and car parking

The plans indicate that two of the upper floor rooms would be for a study and a box room. The study is considered an acceptable size for a bedroom. The box room is identified on the existing plan as a bedroom. Therefore, whilst the indication is that two of the upper floor rooms would not be used as bedrooms, these two rooms could be used for that purpose in the future and as such the application should be assessed as increasing the size of the dwelling from a three bedroom to a five bedroom dwelling.

The maximum car parking standards for a five bedroom dwelling as set out in the Local Plan are 3 off road spaces. It is considered, however, that two off road car parking spaces would be a satisfactory amount of off road parking for this dwelling in this location. The Highway Authority, however, have objected to the proposals as the proposed car parking plan does not show two parking spaces of an appropriate size. They also object to the lack of manoeuvring space within the site. The level of parking achieved is considered to be significantly below the maximum set out in Local Plan policy and, contrary to policy T16, has the potential to create a local on street parking or traffic problem. As such it is considered unacceptable.

The impact upon residential amenity

It is important to assess how a proposed development will impact upon residential amenity in terms of loss of light or privacy.

The proposal complies with the 45 degree code with regards to loss of light, as set out in the Council's SPG when measured from the nearest principal window of the attached dwelling, 3 Lansdell Avenue. In terms of the impact of the extension on the occupiers of No. 3, the two storey part of the extension closest to the boundary would project 1800mm from the original rear wall, and it is considered that this would not have an overbearing impact on the adjoining occupiers

Turning to the impact on the adjoining dwelling whose rear elevation faces the side of the proposed extension. The extension would be approximately 12.75 metres from the windows on the rear elevation. The SPG sets out an advised distance of 13.5 metres from principal windows facing onto a wall of a two storey dwelling with no principal windows. The distance achieved falls short of the advised distance by just over 1 metre, however on balance this is considered acceptable when taking into account that there are intervening trees and the proposed extension would be to the north west of 11 Clare Avenue, therefore not likely to cause any significant shading issues to principal windows.

The distance between the proposed principal windows on the rear elevation and the dwellings to the rear on Croft Avenue would be around 38 metres. The advised separation distance in the SPG is 21 metres between facing principal windows which increases by 3 metres for each additional storey. Taking into account the change in land levels, which has a similar impact as additional storeys, the 38 metre separation distance is still considered to exceed the requirements of the SPG.

In terms of the amount of garden remaining should the development be permitted, there is an outbuilding in the south east corner of the rear garden, however the size of the remaining rear garden would exceed 65 square metres, which is the minimum standard advised for dwellings with three or more bedrooms.

Overall, the proposed development is considered acceptable in terms of its impact upon residential amenity, and is considered to comply with the requirements of the SPG.

The impact upon existing trees and hedgerows

Policy N12 of the Local Plan states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design.

There are existing trees within the garden area of the neighbouring property which contribute to the visual appearance of the area and which would be very close to the proposed extension.

The Landscape Division, having considered the submitted information, has no objections to the proposal, subject to conditions relating to tree protection fencing, and appropriate construction methods to ensure that if significant roots are discovered they can be dealt with appropriately. They also recommend that a condition is included on any approval to ensure that there are no changes in ground level within Root Protection Areas and that any hard surfacing is limited within these areas.

As advised it is therefore considered that subject to appropriate controls the trees will not be adversely affected by the development.

Policies and proposals in the approved Development Plan relevant to this decision:

Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009)

Policy ASP5: Newcastle and Kidsgrove urban neighbourhoods area spatial policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change

Newcastle under Lyme Local Plan 2011

Policy H18: Design of residential extensions, where subject to planning control
Policy T16: Development – general parking requirements
Policy N12: Development and the protection of trees

Other Material Considerations

Relevant National Policy Guidance:

National Planning Policy Framework (March 2012)
Planning Practice Guidance (March 2014)

Supplementary Planning Guidance/Documents

Supplementary Planning Guidance relating to the control of residential development
Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)

Relevant Planning History

07/00612/FUL Permitted 24.08.2007 Two storey rear extension and single storey rear extension

13/00833/FUL Withdrawn Two storey side and rear extension

Views of Consultees

The **Landscape Division** has no objections subject to conditions relating to tree protection and construction methods.

The **Highway Authority** objects to the proposed development on the grounds that submitted application does not provide sufficient parking and manoeuvring space to allow vehicles to park within the curtilage of the property.

Representations

7 representations, all objecting to the proposal, have been received and are summarised below:

- Insufficient off road car parking; inadequate room to manoeuvre into the parking spaces; and the parking bays shown on plan are not to scale and will not accommodate the commercial vehicle that belongs to the property. The levels add to the parking difficulties.
- The arboricultural impact assessment does not assess the proposed development, may be incorrect and does not consider shade, amenity and future management requirements, all of which contribute to the poor relationship of the proposed development with existing trees. If the application is granted, a pre commencement condition should be made in respect of tree protection.
- The floor space would be doubled if the application is permitted which would significantly alter its appearance and detract from its character and that of the street scene. The design would be disjointed and contrary to Policy H18.
- The scale, height and general bulky mass of the proposal would have an adverse impact upon the amenities of adjoining properties due to loss of light, loss of privacy and its overbearing impact. The issues are increased due to the levels difference between the site and adjoining properties.
- Amendments to the proposal from the previous application have not addressed the concerns of residents unlike an extension to a nearby property which was permitted after a number of amendments.
- Council should consider the Human Rights Act – in particular Protocol 1, Article 1
- Surface water run off will increase as a result of the development

Applicant's/Agent's Submission

A tree survey, car parking plan and the requisite plans and form were submitted by the applicant.

The application details are available to view at the Guildhall or using the following link www.newcastle-staffs.gov.uk/planning/1400941FUL

Background Papers

Planning File

Development Plan

National Planning Policy Framework (2012)

Date report prepared

9th March 2015