

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	21 FEBRUARY 2018
TITLE OF REPORT:	174332 - PROPOSED EXTENSION AND ENLARGEMENT OF EXISTING SUN ROOM AT 1 ARROWSMITH AVENUE, BARTESTREE, HEREFORD, HR1 4DW For: Mr Ponnambalam per Mr Tom Margrett, Old Field Barn, Green Farm, Hope Mansell, Ross-On-Wye, Herefordshire HR9 5TJ
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=174332&search=174332
Reason Application submitted to Committee – Redirection	

Date Received: 20 November 2017 Ward: Hagley

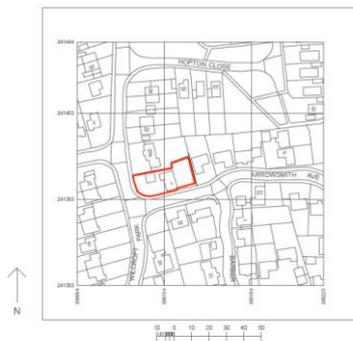
Grid Ref: 356134,241366

Expiry Date: 22 February 2018

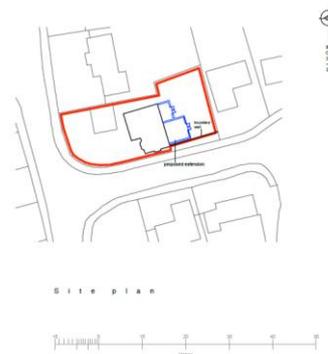
Local Member: Councillor DW Greenow

1. Site Description and Proposal

- 1.1 1 Arrowsmith Avenue comprises a modern two storey detached property that occupies a corner plot at the junction of Wilcroft Park and Arrowsmith Avenue, in the village of Bartestree.
- 1.2 The application seeks permission for the erection of a two storey extension and the enlargement of the existing sun room.
- 1.3 Since the application's original submission, and in response to comments received from third parties, the plans have been amended to alter the previous red line boundary of the site.



Prepared on 22 June 2017 from the Ordnance Survey National Grid. Coordinates and accompanying coloured markers available at the site.
This map shows the area bounded by 356134 241366 to 356134 241366. All other coordinates are relative to this point.
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2. Policies

2.1 Herefordshire Local Plan – Core Strategy:

SS1	-	Presumption in Favour of Sustainable Development
LD1	-	Landscape and Townscape
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Waste Water Treatment and River Water Quality

The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan

2.2 National Planning Policy Framework (NPPF)

Introduction	-	Achieving Sustainable Development
Section 7	-	Requiring Good Design
Section 8	-	Promoting Healthy Communities
Section 11	-	Conserving and Enhancing the Natural Environment

2.3 The Bartestree with Lugwardine Group Neighbourhood Development Plan (NDP).

The Bartestree with Lugwardine Group Neighbourhood Development Plan was made in December 2016 and therefore forms part of the Development Plan and is accorded full weight in the determination of applications.

Policy BL2 - Extensions to Properties.

https://www.herefordshire.gov.uk/downloads/file/3207/neighbourhood_development_plan_adopted

3. Planning History

3.1 P172385/FH - Proposed extension and enlargement of existing sun room. Withdrawn 22 August 2017.

3.2 This previous application is similar to the one that is now submitted; however the size of the two storey extension has been reduced.

3.3 P131287/FH - Erection of porch (retrospective) Approved 26 June 2013.

4. Consultation Summary

Statutory Consultations

4.1 Natural England

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED
We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of River Wye Special Area of Conservation

- damage or destroy the interest features for which River Wye / Lugg Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Foul sewage to be disposed in line with Policy SD4 of the adopted Herefordshire Core Strategy. Where a package treatment plant is used for foul sewage, this should discharge to a soakaway or a suitable alternative if a soakaway is not possible due to soil/geology.
- Surface water should be disposed of in line with Policy SD3 of the adopted Herefordshire Core Strategy and the CIRIA SuDS Manual (2015) C753.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Subject to the above appropriate mitigation being secured, we advise that the proposal can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 62 of the Habitats Regulations 2017, as amended.

Natural England's advice on other natural environment issues is set out below.

Further advice on mitigation

To avoid impacting the water quality of the designated sites waste and surface water must be disposed in accordance with the policies SD3 and 4 in of the adopted Herefordshire Core Strategy.

Foul sewage

We would advise that package treatment plants should discharge to an appropriate soakaway which will help to remove some of the phosphate (see NE report below). Package Treatment Plants and Septic Tanks will discharge phosphate and we are therefore concerned about the risk to the protected site in receiving this. We therefore propose that the package treatment plant/septic tanks and soakaway should be sited 50m or more from any hydrological source. Natural England research indicates that sufficient distance from watercourses is required to allow soil to remove phosphate before reaching the receiving waterbody. (Development of a Risk Assessment Tool to Evaluate the Significance of Septic Tanks around Freshwater SSSIs) Where this approach is not possible, secondary treatment to remove phosphate should be proposed. Bespoke discharge methods such as borehole disposal should only be proposed where hydrogeological reports support such methods and no other alternative is available. Any disposal infrastructure should comply with the current Building Regulations 2010.

Surface water

Guidance on sustainable drainage systems, including the design criteria, can be found in the CIRIA SuDS Manual (2015) C753. The expectation is that the level of provision will be as described for the highest level of environmental protection outlined within the guidance. For discharge to any waterbody within the River Wye SAC catchment the 'high' waterbody sensitivity should be selected. Most housing developments should include at least 3 treatment trains which are designed to improve water quality. The number of treatment trains will be higher for industrial developments.

An appropriate surface water drainage system should be secured by condition or legal agreement.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Internal Council Consultations

4.2 Conservation Manager (Ecologist) (First Consultation Response)

I can see no changes to foul or surface water so no impacts on River Lugg/Wye SAC/SSSI and I can see no other ecological comments.

4.3 Conservation Manager (Ecologist) (Second Consultation Response)

I note Natural England's standard response supplied. To expand on my original comments:

There is no additional Foul Water generated by the proposed development so there are no issues or Conditions required as regards Core Strategy Policy SD4. The potentially small increase in surface water that may be generated is not an ecology issue and will be managed through existing on site soakaway system or through connection to the mains sewer system - if this is already occurring and so a historically permitted right for this property managed by the relevant Statutory Body - Welsh Water (as may well be the case given the age of the development). I would interpret this as being acceptable under Policy SD3 of the Core Strategy. Based on this information it is evidenced that there would be NO additional unmitigated 'Likely Significant Effects' on the River Lugg/Wye SAC &SSSI.

Any issues as regards to locations of existing drains etc. on site in relation to the extension is to my understanding a Building Regulations issue and not part of the planning process or an ecology consideration.

5. Representations

5.1 Bartestree with Lugwardine Group Parish Council (First Consultation Response)

Following the meeting of the parish council, they would like the following comments to be noted with respect to application 174332.

2 members of the public attended to voice their objections to this application.

The parish council would like to "object" to the application. Please see the following points:

Whilst the application has been scaled down slightly from the original it was considered that the proposed extension was excessive and would have a negative impact on neighbouring properties particularly no'2 and 25.

The addition of dormer windows was not considered helpful in that they overlook the garden and ensuite toilet of No2.

NDP Reference BL2 (1) & (3)

Whilst not a material consideration the parish council would also like it noted that the owners of No2 claim to own the boundary wall alongside the road and also alongside part of the garden of No1 Arrowsmith. There is no reference to this in the application

5.2 Bartestree with Lugwardine Group Parish Council (Second Consultation Response)

The parish council continue to object to this application as the amendment is minimal. It will have an overbearing impact on 2 Arrowsmith Avenue and contravenes NDP Ref: BL2 (iii)

5.3 8 letters of objection from five households have been received in response to the first public consultation process.

5.4 5 letters of objection from four households have been received in response to the second public consultation process for the amended plans. In summary the points raised within both consultations are as follows:

- The proposed building is out of character with other homes around;
- Loss of light to 25 Arrowsmith Avenue, would be looking at a brick wall, which would cause occupants to be even more isolated in a mental and physical sense;
- Although extension size is smaller than the previous application, it is still out of scale and inappropriate for roads such as this, already with close housing and few gaps;
- New development would seem dominating and out of keeping with existing houses;
- Proposed development would be over 80% larger than the original house without the sun room;
- Impression from Arrowsmith Avenue would still be that the house has doubled in size which would have an overbearing effect on neighbouring properties;
- Substantial, inappropriate development & unnecessary development;
- Loss of light to house and garden at 2 Arrowsmith Avenue that such a huge two storey extension would surely cause;
- Proposed site location plan & site plan does not accurately represent the boundary between No1 & No2 Arrowsmith Avenue;
- Proposed extension will meet the boundary, according to plans the proposed new build will partially replace the existing boundary wall;
- No 2 Arrowsmith Avenue incorporates strip of land along the roadside which is not marked on the 'planning application site plan';
- Permission has not been sought to cross, dig up or place footing on land outside applicants ownership, concerns raised that any construction or alterations to neighbours land will be unlawful and may impact further sale of the property;
- How the footing for a substantial two storey extension will be dug and placed without affecting the existing boundary wall;
- Owner of 2 Arrowsmith Avenue owns all of the boundary walls and fences to No 2 Arrowsmith avenue, does not wish for the boundary wall to be altered in any way, seeks assurance the boundary walls will remain in situ if planning is granted;
- Recent alterations to No1 Arrowsmith Avenue have significantly changed the appearance of the property and entrance to the estate, alterations are not in keeping with the neighbouring properties. Adding a two storey extension to the property would significantly change the appearance of the established residential area;

Further information on the subject of this report is available from Abigail Molyneux on 01432 260246

- The proposed description is misleading, plan is for a two storey extension not a bigger conservatory;
- The proposed plans do not show a gap between the structure and boundary wall, this can only mean the removal of part of that wall to facilitate the new build and more removal than just the amount needed to extend, as access to work and footings would be required;
- Concerns about building disruption and noise, increase and heavier traffic during such works with scaffolding and the necessary safety zones rendering the pavement adjacent to those works out of bound. This will have an effect on residents access through this area and will be a major concern for those walking with children to and from school;
- The proposal will bring a larger No1 considerably closer to No2. Therefore light to No2 will be severely affected especially in the winter months;
- Concerns regarding drainage, the proposed building works are probably on top of the existing drains and potential exists for many problems;
- Proposal still seems unreasonable and without any thought of the impact its size will have on the overbearing visual impact, brings concerns of proximity, privacy, loss of light and increased noise;
- Extension would negatively affect all residents of Arrowsmith Avenue and Barber Close, given the prominent position of this house;
- Disruption caused during the build phase;
- Whilst the overall development has been reduced, it states that the materials to be used are bricks and tile so how does this create a sun room?, development not in keeping with surrounding houses;
- Wording of the description is misleading, proposed extension is disproportionate to the existing house;
- Whilst it is good the amended plans show the actual boundaries between No1 & No2 Arrowsmith Avenue, very little else has changed; no reassurance from the latest application that the work proposed will not affect boundary land wall;
- Very minor changes to the original plan;
- Enormity and visual impact of this two storey overbearing extension proposal still raises concerns;
- New build will compromise many existing features currently enjoyed, impacting severely on both daylight and privacy;
- Visual impact will be heavy and dominating, with respect to surrounding properties;
- Overbear the surrounding properties especially Nos 2 and 25.

5.5 The consultation responses can be viewed on the Council's website by using the following link:-
https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=174332&search=174332

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

- 6.1 The application seeks permission to allow for a two storey extension and the enlargement of the existing sun room to the rear of 1 Arrowsmith Avenue. The enlargement of the sun room will see the length of the existing sun room increased by approximately 1 metre further from the rear wall than currently exists. The northern part of the two storey extension will project from the rear wall by approximately 2.7 metres.
- 6.2 The main considerations identified in this case are the affect the proposal may have upon nearby neighbouring properties and also the design of the proposed development.

Amenity

- 6.3 A number of the objections received raise concerns that the proposal will have an adverse impact due to loss of light and privacy upon nearby neighbouring properties namely number 2 and 25 Arrowsmith Avenue.
- 6.4 Policy SD1 of the Core Strategy and the NPPF require that development delivers good standards of amenity for existing and future occupiers.
- 6.5 Policy BL2 of the NDP states that extensions will be supported provided the extension will not result in significant adverse impact on the amenity of neighbouring properties.
- 6.6 When looking at the potential adverse impact from a loss of light upon No25 Arrowsmith Avenue, the proposed extension will be sited approximately 10m from the property. There is a high boundary wall and a road located between No25 and the proposed extension. I consider that due to the siting and design of the proposed extension there will be no adverse impact upon the levels of light No25 receives as a consequence of allowing the development to proceed.
- 6.7 The occupiers of No25 also state that the proposed extension will impact their view, whilst this is not a planning consideration, I consider that the proposal due to the siting and distance from No25 will not have an adverse impact upon the outlook from this property.
- 6.8 The proposal does not seek to include any additional windows within the southern elevation of the property and as such it is considered the proposal will not have an adverse impact upon privacy for the occupiers of No25 Arrowsmith Avenue.
- 6.9 The proposed extension does seek to include three dormer windows and it is acknowledged that these will be sited closer to No2 Arrowsmith Avenue than existing. No2 Arrowsmith Avenue is to the east of the site and is set further back from the roadside than the application. The proposed extension will overlook the front aspect of the No2 and also look upon the western side of No2.
- 6.10 The western elevation of No2 Arrowsmith Avenue contains one small window at first floor level. When measuring the distances between No2 and the proposed extension, the larger part of the extension will be approximately 5m from the boundary of the site, however this part of the development will overlook the front aspect of No2. The smaller part of the extension will be approximately 8m from No2 and will face the western side of the property. By reason of the distances; the orientation of the properties and the number of windows on the western elevation of No2, it is considered the proposal will not have an adverse impact upon the neighbour's privacy or the level of light that they currently receive. The level of overlooking into No2 Arrowsmith Avenue's rear garden will be negligible due to the siting and orientation of the properties.
- 6.11 When looking at the potential impact the proposal may have upon No20a Wilcroft which is located to the north of the site, the site sits further back from Wilcroft Park Road than No20a and so there is a concern that the proposal could have an adverse impact upon privacy levels due to the level of overlooking that will be caused into the neighbour's garden.
- 6.12 Whilst there was already a window on the eastern elevation, the proposal will result in the windows projecting further forward than existing. However the two windows proposed are shown to serve bathrooms, and so to reduce the level of impact upon privacy levels it is considered reasonable to condition these windows so that they will be obscured glazed.

- 6.13 A window is also proposed on the northern elevation at ground level, however due to the existing boundary fences, it is considered the inclusion of this window will not have an adverse impact upon privacy levels for the neighbouring property.
- 6.14 It is considered that the proposal will not have a significant detrimental impact upon the amount of light received within the neighbouring properties gardens. New housing developments such as this one, are already built in such a way that there is a degree of overlooking, it is considered the proposed siting and orientation of proposed extension will not cause such an unacceptable level of impact in terms of overlooking or overshadowing to consider the proposal unacceptable. As such it is considered the proposal complies with Policy SD1 of the Core Strategy and BL2 of the NDP.

Design and Townscape

- 6.15 Chapter 7 of the NPPF states the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 6.16 Policy LD1 seeks to see proposals that will conserve and enhance the landscape and townscape.
- 6.17 Policy BL2 of the NDP also states that extension to properties will be supported provided the overall design, size, appearance scale, height and mass remain subservient to the main dwelling. The policy also states that the external facing materials should match or complement the materials in the host dwelling.
- 6.18 When considering the amount of built development as a result of the proposals there will be an increase to the current footprint of the built development, but it is not considered to be at a scale that would be unacceptable or constitute over development.
- 6.19 The proposal relies on its position of being located at the rear of the property and so if viewing from directly in front of the property the extension will not compete with the existing property, and as such it is considered the proposal will not have an adverse impact upon the surrounding townscape when viewing Arrowsmith Avenue from the junction from Wilcroft Park.
- 6.20 However the proposed extension will be seen from the side and rear by the occupants of these properties. A catslide roof is proposed which allows for the roof to continue down below the main eaves height. This type of roof design allows a greater depth of building without increasing the ridge height. The design also replaces the existing windows on the western elevation with three dormers.



- 6.21 The proposed site does benefit from a high boundary wall which will minimise the amount of the development that will be seen from within the surrounding townscape.
- 6.22 Whilst a number of the objections received state that the proposed design of the extension is not in keeping with the surrounding properties and so will have an adverse impact upon the character of the area, catslide roofs have been used on the majority of the houses built within Arrowsmith Avenue. Whilst the catslide roof has been used primarily to the side of the properties within the area, the use of a catslide roof to the rear of the property shows that the development has been designed to respect and resemble the character of the area and as such the proposal will not have an adverse impact upon the surrounding townscape or character of the area.
- 6.23 The proposed extension will be subservient to the existing property, the development proposes to use materials that will match the host dwelling and so will be in keeping with the existing dwelling and also the surrounding built environment. It is considered the proposed extension will not have an adverse impact upon the surrounding landscape and as such the proposal complies with Policy LD1 of the Core Strategy and BL2 of the NDP.

Other Matters

- 6.24 A number of the objections received raise concerns over the disruption that the building of the proposed extension will cause, along with noise and traffic issues that will arise if the extension is permitted. This is not a material planning consideration when assessing the proposal, however due to the site being located within a residential area a condition is proposed to limit the times when building work can be carried out to help minimise the impact the building of the extension would have on neighbouring properties.
- 6.25 Objections have also been raised regarding the potential for the applicant to remove the boundary wall that is not in the applicant's ownership. This is not a material planning consideration, however the red line boundary was amended to remove the boundary wall from within the application boundary. The application does not seek to remove any boundaries from around the application site to allow the development to proceed. The matter raised is a civil issue and would need to be resolved between the owners of the boundary wall and applicants if any work was to be undertaken to the boundaries of the site.

- 6.26 On balance, the proposal is acceptable and complies with national and local planning policy and will be in keeping with the surrounding properties. It is considered the proposal will not cause an adverse impact upon the surrounding environment or neighbouring amenity and so accords with LD1 and SD1 of the Core Strategy, Policy BL2 of the NDP and NPPF guidance.
- 6.27 The proposal complies with the adopted Development Plan and is therefore recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other conditions considered necessary by officers named in the scheme of delegation:

- 1. **A01 Time limit for commencement (full permission)**
- 2. **B02 Development in accordance with approved plans and materials**
- 3. **C02 Matching external materials (extension)**
- 4. **F17 Obscure glazing to windows**
- 5. **I16 Restriction of hours during construction**

INFORMATIVES:

- 1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

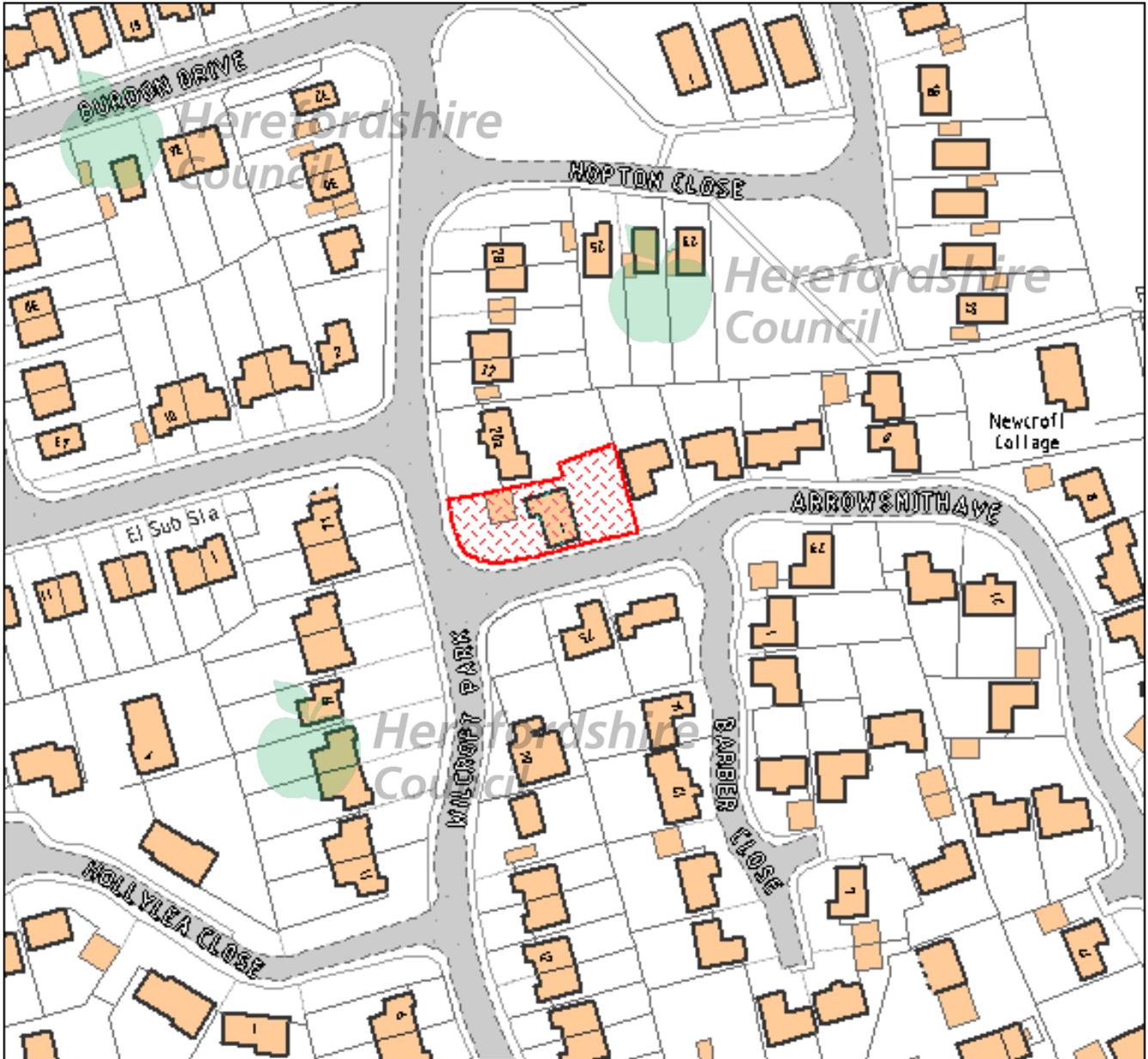
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 174332

SITE ADDRESS : 1 ARROWSMITH AVENUE, BARTESTREE, HEREFORD, HEREFORDSHIRE, HR1 4DW

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