

14 DCNW2004/1257/F - PROPOSED SINGLE STOREY FRONT EXTENSION 27 LLEWELLIN ROAD, KINGTON, HEREFORDSHIRE, HR5 3AB**For: Mr M Traylor per Mr D Walters, 27 Elizabeth Road, Kington, Herefordshire, HR5 3DB****Date Received:**
6th April, 2004**Ward:**
Kington Town**Grid Ref:**
29645, 56905**Expiry Date:**
1st June, 2004

Local Member: Councillor: T.M. James

Introduction

This application was originally put before the Northern Area Planning Sub-Committee on the 16th June, 2004. At this meeting it was resolved:

'That Officers named in the Scheme of Delegation to officers be authorised to grant planning permission, subject to negotiating an extension that would allay the concerns of the neighbours and consulting the neighbours and subject to the following conditions:'

On the 12th July, 2004 a letter was received from the agent for the applicant, advising that no compromise agreement had been met. It was requested that the application be determined on the basis of the scheme previously placed before members. The application is therefore returned to the Northern Area Planning Committee Sub-Committee unchanged, with the following report as per that submitted on the 16th June, 2004.

1. Site Description and Proposal

- 1.1 This application seeks consent for the erection of a single-storey, front extension at 27, Llewelin Road, Kington. The existing dwelling house is a two-storey terrace dwelling, with a small, flat-roof porch to the front. The site is located within the settlement boundary of Kington.
- 1.2 The proposal involves the erection of a single-storey, mono-pitched addition between the existing porch and the boundary with neighbouring property, Number 29.

2. Policies

2.1 PPG1 - General Policy and Principles

2.2 Leominster District Local Plan

A1 - Managing the District's Assets and Resources

A2(A) - Settlement Hierarchy

A24 - Scale and character of Development

A54 - Protection of Residential Amenity

A56 - Alterations, Extensions and Improvements to Dwellings

2.3 Herefordshire Unitary Development Plan (Deposit Draft)

S1 - Sustainable Development
S2 - Development Requirements
H4 - Main Villages - Settlement Boundaries
H18 - Alterations and Extensions
PPG1 - General Policy and Principles

3. Planning History

DCNW2004/0553/F - Erection of front conservatory
Withdrawn

4. Consultation Summary

Statutory Consultations

4.1 None required

Internal Council Advice

4.2 Head of Engineering and Transportation - Raised no observation in respect of this application

5. Representations

5.1 A single letter of objection has been received to this proposal from the following source;

Mr, & Mrs, Williams, 29, Llewelin Road, Kington

The objections raised can be summarised as follows:

1. Loss of light to seating area to front of property
2. Loss of light to front room (sitting room)
3. Loss of outlook from front room (sitting room)

5.2 Kington Town Council: Kington Parish Council raised no objection.

5.3 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford, and prior to the Sub-Committee meeting.

6. Officers Appraisal

Principle

6.1 The Leominster District Local Plan accepts the principle of extending residential properties in situations such as this. Notwithstanding this, development plan policy requires that any proposal must be assessed and considered acceptable in relation to issues such as design, scale, residential and visual amenity, transportation and environmental impact.

Design and Scale

- 6.2 A front extension in a suburban setting can represent an incongruous feature. In this situation, however, the addition is not only of a modest size, but it also reflects the design appearance of the porch attached to the front of the neighbouring property, number 29. Therefore, although the addition is an extension to a habitable room, it nevertheless integrates with the existing street scene. In fact, a degree of design variety is found in the wider area and, as such, it is not considered that this addition constitutes an incongruous feature. The addition will integrate into the existing dwelling house and is of appropriate size for the relatively prominent location. The design and scale are therefore considered acceptable.

Residential and Visual Amenity

- 6.3 The principal concern with this proposal is the impact of the addition upon the attached neighbouring property, number 29. Although there is no right to a view or "right to light" as such, the impact upon light to a habitable room and the overbearing impact of a development is a material planning consideration. In this instance, the concern relates to the loss of light and overbearing impact caused to the front room of the affected neighbour. Whilst a degree of light loss will occur to this room, it is not considered to be to an unacceptable extent. The addition projects only by 1.8 metres and this is not considered sufficient to represent an overbearing impact. In addition, the addition meets the 45 degree test, suggesting the loss of light will be within acceptable limits. Of further consideration is the fact that the front elevations are south facing; therefore it is only the afternoon sun that is impacted upon by virtue of this addition, with the morning sun only lost because the occupiers of number 29 themselves have extended to the front of their property. The "tunnel" effect to the room in question is therefore equally the result of the occupiers of No 29's own development. It is considered unreasonable to refuse this application on the basis of impact upon this neighbour alone, particularly when the impact itself is considered acceptable and the impact is only of such concern by virtue of the objector's own development. An additional factor for consideration is the fact that either party, causing no less an impact than this current proposal, could erect a 2 metre high fence on this boundary. No other properties will be harmed by this development and, as such, the impact upon residential amenity is considered acceptable.
- 6.4 By virtue of the similar addition to the front of the neighbouring property, together with the design and siting factors, it is considered that the impact upon visual amenity will be acceptable.

RECOMMENDATION

That planning permission be granted, subject to the following conditions:

- 1 - A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 - B02 (Matching external materials (extension))**

Reason: To ensure the external materials harmonise with the existing building.

3 - E17 (No windows in side elevation of extension)

Reason: In order to protect the residential amenity of adjacent properties.

Informatives:

1 - N03 - Adjoining property rights

2 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.