

MAIN CASE

Proposal: Single storey rear extension to house and new porch to front of house- Retrospective.

Location: 7 The Hythe Littleport Ely CB6 1QA

Applicant: Mr Phillip Robinson

Agent: Neil Cutforth & Associates

Reference No: 12/00993/FUL

Case Officer: Scott Jackson

Parish: Littleport
Ward: Littleport East
Ward Councillor/s: Councillor Andrew Wright
Councillor David Ambrose-Smith

Date Received: 21 November 2012 Expiry Date: 16 January 2013

[M231]

1.0 **EXECUTIVE SUMMARY**

- 1.1 This application seeks retrospective planning permission for the retention of a porch to the front of the dwelling and a single-storey rear extension. Both of these extensions are nearing completion at the time of writing this report.
- 1.2 The main considerations in the determination of this application are whether the proposed extensions impact upon residential amenity and on the visual appearance of the street scene. The single-storey extension to the rear of the property, if retained will result in loss of residential amenity to the rear garden, conservatory and bedroom window on the rear elevation of 23 Ferry Way through the effects of overlooking and having an overbearing impact, exacerbated by the proximity of the extension to the rear boundary (2m) the difference in ground levels (the application site having a significantly higher ground level) and the proximity of windows in the extension to the rear boundary (2.5m and 3.3m respectively). The rear extension has replaced a patio measuring 29.7m². The erection of the rear extension has significantly reduced the amount of useable private amenity space available to the rear of the applicant's property, to the detriment of their enjoyment of this overall space.
- 1.3 Whilst the retention of the single-storey extension results in loss of residential amenity to both the applicant and 23 Ferry Way the single-storey porch to the front of the dwelling is considered to be subservient in its height and width and allows the principal elevation to remain legible and predominant.

1.4 Based on the impact that the retention of the single-storey rear extension would have on residential amenity, including that of the applicant, the application is recommended for REFUSAL.

1.5 A site visit has been arranged for 12.35pm.

2.0 **THE APPLICATION**

2.1 Retrospective planning permission is being sought to retain two extensions, these consist of a porch (under construction) to the front of the property and a single storey extension to the rear (also under construction). The porch will serve the existing front pedestrian entrance and measures 2.437m x 1.1m with a ridge height of 3.15m. The single storey rear extension measures 4.2m x 7m with an eaves height of 3m-3.3m (taking into account differences in ground levels) and a ridge height of 4.05m-4.35m.

3.0 **THE APPLICANT'S CASE**

3.1 No Design and Access Statement was submitted with the application as it was not required in this case.

4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The application site comprises a two-storey, modern, link-detached dwelling constructed from a buff brick and a grey pantile roof. The dwelling is located on a small residential cul-de-sac with properties of similar scale and materials of construction. The dwelling has a single-bay garage attached to its southern elevation, together with a driveway that provides off-street parking for one vehicle. The dwelling is located on a sloping site (land slopes north to south away from The Hythe) with a stepped entrance to the front door and a path to the side of the property, this leads to the rear garden, enclosed by the garage to 6 The Hythe (northern boundary) and by a 2.26m high closed boarded fence.

5.0 **PLANNING HISTORY**

5.1

02/00806/RMA	Construction of two bungalows and five houses with single garages	Approved	17.10.02
00/00080/OUT	Residential development of 2 bungalows and five houses	Approved	01.12.00

6.0 **REPLIES TO CONSULTATIONS**

6.1 Neighbouring properties were notified and a site notice was displayed. 5 letters of objection (3 from the same address) were received, raising the following issues:

- Damage to kerb stones from construction/delivery vehicles;

- The original soakaway has been covered over by the extension;
- Insufficient space for a new soakaway;
- Blocking up of air brick to neighbours garage with debris;
- Porch is not in keeping, it dominates the front elevation;
- Neighbour's garage is left in permanent shadow;
- Porch spoils the symmetry of the five houses within the cul-de-sac;
- Overlooking of garden to the rear;
- Loss of privacy to rear garden and conservatory to rear;
- Overbearing impact due to proximity of extension to rear boundary.

6.2 Littleport Parish Council- Object to all retrospective applications as they are usually contentious applications which would otherwise have been refused.

7.0 **THE PLANNING POLICY CONTEXT**

7.1 East Cambridgeshire Core Strategy 2009

CS1 Spatial Strategy
 EN1 Landscape and settlement character
 EN2 Design

7.2 Supplementary Planning Documents

Design Guide

7.3 National Planning Policy Framework 2012

7 Requiring good design

8.0 **PLANNING COMMENTS**

8.1 It is important to note that the development consists of two constituent parts, namely the erection of a single-storey rear extension and a porch to the front of the house. Each of these extensions will be discussed in turn, in accordance with their respective degree of impact. The main considerations in the determination of this application are whether the proposed extensions impact upon residential amenity and on the visual appearance of the street scene.

Single-storey rear extension

Residential amenity

8.2 To fully assess the impact of the proposed development upon residential amenity it is important to understand the planning history of the site. Planning permission was granted for a small residential development in 2002 (reference 02/00806/RMA) for 5 dwellings and 2 bungalows. Condition 17 of the 2002 planning permission removed householder permitted development rights to extend any of the properties. It was established from the outset that each plot, and the development as a whole, was of a size whereby extending the properties, even to a low level would reduce the amount of useable private amenity space available to the rear. The other reasoning for this

planning condition was to ensure that extensions (which could otherwise have been built to permitted development parameters) were not constructed. This prevented the establishment of extensions which could be considered as being un-neighbourly, both to surrounding properties and to each property within the small residential cul-de-sac.

The extension now under construction, is sited to the rear of the dwelling within 2m (at its nearest point) of the rear boundary. The site backs onto the rear garden of 23 Ferry Way to the west. The ground levels on the application site are significantly higher than those of 23 Ferry Way. The applicant has erected an additional section of fencing on top of the existing boundary fence (closed-boarded fence) along the rear of the site, giving an overall boundary treatment height of 2.26m. This in itself requires planning permission to be retained. This additional section of fencing has been erected by the applicant to protect their own privacy in the rear garden.

A site visit was undertaken by the case officer to the occupiers of 23 Ferry Way on 18th December 2012. It was noted that the extension and its rear facing habitable room windows were highly visible from within the conservatory and the garden of 23 Ferry Way, even with the benefit of the additional height to the boundary fence. This gives rise to a sense of being overlooked and dominated by the extension (overbearing impact), exacerbated by the close proximity of the extension to the rear boundary (2m) and the difference in ground levels between the two sites. An additional point of note is that one of the windows proposed to serve the extension (the most northerly) will be positioned within 2.5m of the rear boundary.

A second site visit was undertaken by the case officer to the applicant's property on 16th January 2013 to view the extension from the applicant's perspective. It became evident that part of the rear garden, conservatory and the rear bedroom window on the rear elevation of 23 Ferry Way are clearly visible above the extended boundary fence, particularly from the most northerly of the two living room windows, these windows having already been installed. Therefore without the benefit of the additional 0.26m of boundary treatment a greater amount of the rear garden, conservatory and bedroom window belonging to 23 Ferry Way would be visible from the windows in the rear extension. This loss of residential amenity, through the effects of overlooking and overbearing is exacerbated by the fact that the separation distance from the rear wall of the proposed extension to the rear elevation of 23 Ferry Way is only 9.2m and to the rear aspect of the conservatory, only 6.8m, in addition to the ground level of the site being higher.

Another issue is the loss of useable private amenity space available to the applicant. The proposed extension to the rear of the site has replaced an area of patio measuring 29.7m, this previously constituting an area of useable private amenity space. The applicant's agent has confirmed via email that the resultant garden space is 67m². It is contended whether much of this resultant garden space remains useable as it largely consists of pathways, retaining walls and steps to the rear and side of the dwelling. Therefore it is concluded that the extension, if retained will significantly reduce the amount of useable private amenity space available to the side and rear of the applicant's property, to the detriment of the enjoyment of the applicant.

The proposals show the installation of a new soakaway to the rear of the extension. The adequacy of soakaways in this location and whether there is sufficient space to install a soakaway would be assessed as part of the building regulations procedure.

The blocking up of the air brick with debris to the neighbour's garage is a matter for the neighbour to address with the applicant. The garage wall being in shadow and damage caused to kerb stones are not material planning issues, therefore they will not be assessed in this case.

Single-storey front extension (Porch).

Impact on street scene

- 8.3 The proposed porch protrudes 1.1m forward of the principal elevation and in terms of its width occupies less than half the width of the principal elevation. In terms of its height it cuts in below the cill level of the first floor window and the finishing materials match the appearance of the existing house. By virtue of its width, height, scale and external finishes the porch is considered to be subservient to the principal elevation, thus allowing the principal elevation to remain the most legible feature within the street scene.

Summary

In conclusion the proposed single-storey rear extension is considered to result in loss of residential amenity to the occupants of 23 Ferry Way, due to the effects of overlooking and having an overbearing impact, exacerbated by the proximity of the extension to the rear boundary and the difference in ground levels (with the application site having a significantly higher finished ground level). In addition, the retention of this extension would result in the significant reduction in loss of useable private amenity space to the side and rear of the applicant's dwelling, to the detriment of the amenity afforded to the occupants of the dwelling.

9.0 RECOMMENDATION- REFUSAL

- 1 The proposed single-storey extension, by virtue of its siting, being to the rear of the property and in close proximity to the rear boundary, together with the positioning of two habitable lounge windows in the rear elevation are considered to result in overlooking and having an overbearing impact to the garden, conservatory and rear bedroom window belonging to 23 Ferry Way, exacerbated by the difference in finished ground levels. Accordingly the proposed rear extension is considered to constitute an un-neighbourly form of development and is therefore contrary to policy EN2 of the adopted Core Strategy 2009.
- 2 The proposed extension to the rear of the property has resulted in the significant loss of useable private amenity space available to the side and rear, to the detriment of the amenity afforded to the occupants of the dwelling. Accordingly the proposed development is considered to be contrary to policy EN2 of the Core Strategy and the Design Guide Supplementary Planning Document 2012.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
The Case File- 12/00993/FUL	Scott Jackson Room No. 011 The Grange Ely	Scott Jackson Planning Officer 01353 665555 scott.jackson@eastcambs.gov.uk