

DELEGATED APPLICATION REPORT

Address: 33 Chiltern Road

Application No: 190098 / HOU

Proposal: Rear extension at ground floor and part rear extension at first floor

Applicant: Mrs Alison Hepworth & David Keeler

Date received (valid from): 21/01/2019

Target Decision date: 18/03/2019

Case officer: Tom French

1. Site description and Surrounding Area

The application site contains a two storey semi-detached property on the west side of Chiltern Road. The application property has an existing single storey lean-to rear extension and large outbuilding in the rear garden. The application site includes a rear amenity area approximately 13m deep and 8m wide.

The surrounding area is predominantly residential and characterised by semi-detached properties of a similar scale to the application property.

The application building is not listed, nor is it within a Conservation Area.

2. The Proposal

A householder planning permission is sought for a part two-storey part single-storey rear and side extension. The existing single storey rear extension would be demolished and the proposed extension would project 5.2m beyond the original rear elevation. The proposed extension would have a hipped, tiled roof and the wall would be finished in white render to match the existing.

3. Consultation

Neighbours consultation:

No.s 31 & 35 Chiltern Road have been notified of the application and a site notice has also been displayed at the site.

No responses have been received.

4. Plans and Documents Considered

The Council, in reaching its recommendation, has taken into consideration the following plans & documents:

Drawing No.:

- 001 Rev. A - Existing Site Plan

- 010 Rev. A - Existing Ground Floor Plan
- 011 Rev. A - Existing First Floor Plan
- 012 Rev. A - Existing Roof Plan
- 020 Rev. A - Existing Front Elevation
- 021 Rev. A - Existing Side Elevation
- 022 Rev. A - Existing Rear Elevation
- 030 Rev. A - Existing Section A-A
- 031 Rev. A - Existing Section B-B
- 101 Rev. B - Proposed Site Plan
- 110 Rev. B - Proposed Ground Floor Plan
- 111 Rev. B - Proposed First Floor Plan
- 112 Rev. B - Proposed Roof Plan
- 120 Rev. B - Proposed First Floor Elevation
- 121 Rev. B - Proposed Side Elevation
- 122 Rev. B - Proposed Rear Elevation
- 130 Rev. B - Proposed Section A-A
- 131 Rev. B - Proposed Section B-B
- 050_002 Rev. A - Existing Site Plan & Block Plan
- 050_003 Rev. A - Proposed Block Plan
- Design & Access Statement - January 2019 - To Accompany The Planning Application For 33 Chiltern Road, RG4 5HR | Rev. B

As received: 21/01/2019

5. Relevant Planning History

At the application site:

051215 - FUL - Erection of single storey rear extension - Application Permitted

181450 - HOU - Rear extension at ground floor and part rear extension at first floor - Application Refused

6. Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

7. Relevant Planning Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework 'Core Strategy' 2008 (Altered 2015) and 'Sites and Detailed Policies Document' 2012 (Altered 2015).

The 'National Planning Policy framework' ('NPPF') 2012 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given). Accordingly, the 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

8. Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework;
National Planning Policy Guidance;

RBC Local Development Framework

Core Strategy 2008 (Altered 2015)

CS7 Design and the Public Realm

Sites and Detailed Policies Document 2012 (Altered 2015)

DM4 (Safeguarding Amenity)
DM9 (House Extensions and Ancillary Accommodation)
DM10 (Amenity Space)
Supplementary Planning Guidance - A Design Guide to House Extensions (2003)

9. Appraisal

Design, impact on the host dwelling, character of the area and street scene

Application 181450 was refused on the basis of design and impact on neighbouring amenity. With respect to design, the application was refused for the following reason:

The proposed development owing to its design, materials and orientation with respect to the host dwelling would create an incongruous form of development which would appear out of keeping with the host property, and would be poorly integrated within the local

context. As such, the proposed development would be harmful to and out of keeping with the character of the surrounding area, contrary to Policy DM9 of the Sites and Detailed Policies Document 2012 (altered 2015), Policy CS7 of the Core Strategy 2008 (altered 2015) and the National Planning Policy Framework 2012.

Whilst each planning application must be assessed on its own merits against all relevant planning policy, previous determinations are a material consideration. It is therefore necessary to consider the degree to which the previous reasons for refusal have been addressed.

The current proposal would retain the same orientation with respect to the host dwelling as the previously refused scheme, and as such would still be visible from the front gardens/driveways of no.s 25, 27, 29 and 31 Chiltern Road. However, the current proposal would be finished in the same materials as the existing house and would have a hipped roof to match the roof of the host dwelling. Whilst the proposed junction between the existing roof and proposed extension is still somewhat contrived, the revised scheme is considered to adequately overcome the previous reason for refusal (in terms of design).

Further, when considering the proposal on its own merits, irrespective of the previous application, the proposal is considered acceptable in design terms, as explained in greater detail below.

Whilst the proposed extension would project 5.2m beyond the original rear elevation (greater than the 4m reference in the SPG - A Design Guide to House Extensions), given that the proposal includes the demolition of the existing rear extension, the size of the rear garden and host dwelling and that due to the irregular orientation of the proposal it is considered that the proposed extension would not be significantly out of character with host dwelling or surrounding area in terms of scale.

The extension would have a hipped roof and would be finished with materials to match the existing and as such is considered to integrate satisfactorily with the character of the host dwelling and surrounding area.

The host dwelling would retain sufficient amenity space to the rear elevation, which is considered adequate for a dwelling of this size and relative to the character of amenity spaces to surrounding dwellings.

The proposal would accord with Policies CS7, DM9 and DM10.

Impact on neighbouring amenity

The neighbouring properties potentially affected by the proposed development are 31 Chiltern Road and 35 Chiltern Road, located to the south and north of the application site respectively.

With regards to no.31 the proposed extension would be set off the common boundary by 4m. The 4m set off the common boundary is sufficient that the proposed development

would not have any significant adverse effects upon the living environment of the current or future occupiers of no.31.

Application 181450 was refused on the basis of design and impact on neighbouring amenity. With respect to amenity, the application was refused for the following reason:

The proposed development, by extending along the common boundary, would have an unacceptable detrimental impact on the living environment of the occupiers of 35 Chiltern Road in terms of overbearing effects and appearing visually dominant. As such the proposed development would be harmful to neighbouring amenity and is contrary to Policy DM4 of the Sites and Detailed Policies Document 2012 (altered 2015).

The current proposal does not include the 'external powered catering area' that was included in the previous application and as such 1.5m of built form along the boundary has been removed for this application.

When determining application 051215 (approved but not implemented at the time of the case officer site visit - see Relevant Planning History above) at this site, the case officer noted in their report:

'The original proposal involved erecting an extension that would protrude 5.5 meters from the rear of the existing property. It was considered that the close proximity of the extension to the boundary fence and the angle at which the property faces the neighbouring property, would create a feeling of overbearingness; even though it would be a flat roof extension'.

This is still considered to be the case however, as with application 051215, the harmful impact of the current scheme (which is of a similar scale to the permitted application 051215) is not considered so severe as to warrant the refusal of this application. This is consistent with application 051215 and the reduction in built form between application 181450 is considered sufficient to overcome the previous reason for refusal. On balance, it is considered that there would not be an unacceptable adverse impact upon the amenity of no.31 in terms of loss of light or overbearing.

An additional first floor side facing window is proposed, however this is marked on the plans as being obscure glazed. As such, subject to a condition stating that the flat roof area may not be used as a terrace, there would be no significant detrimental impact in terms of privacy or overlooking, and therefore the proposal accords with Policy DM4.

Other Issues

The application would not be liable for the Community Infrastructure Levy (CIL).

Grant planning permission, subject to the following conditions:

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of the external surfaces of this development shall match those of the existing building.

Reason: To ensure that the new development appears in keeping with the existing building, in the interests of the character of the area, in accordance Policy DM9 of the Sites and Detailed Policies Document 2012 (altered 2015).

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No.:

- 101 Rev. B - Proposed Site Plan
- 110 Rev. B - Proposed Ground Floor Plan
- 111 Rev. B - Proposed First Floor Plan
- 112 Rev. B - Proposed Roof Plan
- 120 Rev. B - Proposed First Floor Elevation
- 121 Rev. B - Proposed Side Elevation
- 122 Rev. B - Proposed Rear Elevation
- 130 Rev. B - Proposed Section A-A
- 131 Rev. B - Proposed Section B-B
- 050_003 Rev. A - Proposed Block Plan

As received:21/01/2019

Reason: because permission is granted in respect of the development as detailed in the approved plans only.

4. The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy DM4.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor side facing window shall be *non-opening and glazed with obscure glass* on parts below 1.7m as a minimum when measured from the floor level of the respective rooms, before occupation of that room, and shall be permanently maintained thereafter as non-opening and obscure glazed.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy DM4 and DM11.

Informatives

1. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.
2. The applicant's attention is drawn to Building Regulations requirements. Please contact Building Control on 0118 937 2449 for advice.
3. The construction (and demolition) of the development will be subject to environmental health law and the applicant is referred to:
<http://beta.reading.gov.uk/environmentalprotection>
4. The decision to grant planning permission follows the positive and proactive consideration of the issues raised by this planning application and issuing the decision within the statutory time period.