

DELEGATED APPLICATION REPORT

Address: 18 Marsack Street
Application No: 180222
Proposal: Single storey side extension
Applicant: Mr Benny Devadasan
Date received (valid from): 16/02/2018
Target Decision date: 13/04/2018
Case officer: Tom French

1. Site description and Surrounding Area

The application site contains a semi-detached dwelling with a pitched roof and single storey rear extension. The plot is a moderate size with an enclosed garden to the rear that is approximately 18m deep and 8m wide.

The character of the surrounding area is predominantly residential with a mix of similar sized semi-detached dwelling adjacent to terrace housing and the South View Park industrial units, which occupies the land on the opposite side of Marsack Street.

The application site is within Flood Zone 3 as shown at: <https://flood-map-for-planning.service.gov.uk/summary/472367/174349>

2. The Proposal

A householder application for planning permission is sought for the construction of a single storey side extension to the rear of the property. The proposal would protrude from the side elevation a distance of 2.35m leaving a 0.05m gap to the boundary with no. 16 Marsack Street. The extension would have a length of 6.7m with flat roof at a maximum height of 2.8m that would step down to 2.4m to match the conservatory. The proposal would be set back 6.5m from the front elevation and would align with the rear elevation of the existing conservatory. The proposal would have a single roof lantern and no side facing windows.

3. Consultation

Neighbours consultation:

No.s 16 and 20 Marsack Street and No.s 11 and 13 Nelson Road have been notified of the application and a site notice has also been displayed at the site from the 20th February 2018.

A comment was received from a nearby occupier querying the distance of the extension to the side boundary, potential damage to neighbouring land/structures/foundations. Officer response: None of the issues raised are material planning considerations and would be subject to the separate Party Wall Act.

4. Plans and Documents Considered

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

Drawing Title:

- Location Plan 1 : 1250
- Existing Site Plan 1 : 200
- Site Plan 1 : 100

- Site Plan 1 : 200

As received: 20/01/2018

FRA as received on 20/03/2018.

- Existing Ground Floor Plan
- Proposed Ground Floor Plan
- Existing Side Elevation, West
- Proposed Side Elevation, West
- Existing Rear Elevation
- Proposed Rear Elevation
- Side Elevation, East
- Proposed Side Elevation, East
- Existing Front Elevation
- Proposed Front Elevation

As received: 26/03/2018

5. Relevant Planning History

20/01/2012 - 120369 - FUL - Proposed rear conservatory - Application Permitted

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

CS35 Flooding

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

Whilst visible from the street scene, the proposal would be single storey and set back 6.5m from the existing front elevation. As such the proposed development would not have a significantly detrimental impact to the street scene along Marsack Street.

The extension would not project beyond the rear elevation of existing conservatory and with materials to match existing and flat roof, the proposal is considered to integrate satisfactorily with the character of the host dwelling and visual amenity of the 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 existing conservatory is between no.20 Marsack Street and the proposed works; therefore it is considered that the proposal would not appear overbearing to no.20 or result in any loss of light. With respect to no.16 Marsack Street the garage is between the boundary with the application site and the habitable rooms of no.16. Combining this with the proposal being single storey and not projecting past the rear elevation of the existing conservatory there would be no significantly adverse effect in terms of loss of light or overbearing. As a flat roof is proposed, it is considered necessary to include a condition specifying this shall not be used as a terrace, to prevent overlooking/noise/disturbance.

Further, the proposal is for a single storey extension with no windows in the side elevation. Combining this with the existing conservatory being between the proposed extension and no.20 it is considered that the proposal would not have a detrimental impact in terms of privacy or overlooking and is in accord with Policies DM4 and DM9.

Other Issues

Flooding:

The site is located within Flood Zone 3. The plans submitted as part of the application indicate that the floor levels of the proposed development would be set at the height of the property. Further flood proofing measures are described in the flood risk assessment

(FRA) that was submitted alongside this application. It is not considered that the proposal would result in a significantly increased risk of flooding and complies with Policy CS35. A condition is recommended that states that development shall only be undertaken in accord with the FRA as received by the LPA on 20/03/2018.

CIL:

The proposal would not be liable for the Community Infrastructure Levy.

10. Recommendation

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Conditions

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

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 the development hereby permitted shall match those used on the existing building.

Reason: in the interests of ensuring that the new development appears in keeping with the existing building in accordance with Policy CS7 and Policy DM9.

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

Drawing Title:

- Site Plan 1 : 100
- Site Plan 1 : 200

As received: 20/01/2018

- Proposed Ground Floor Plan
- Proposed Side Elevation, West
- Proposed Rear Elevation
- Proposed Side Elevation, East
- Proposed Front Elevation

As received: 26/03/2018

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. The development hereby approved shall only be undertaken in accordance with the document, 'Flood Risk Assessment (FRA)', which was received by the Local Planning Authority on 20th March 2018.

Reason: in order to comply with good practice building for flood resilience/safety in the flood zone. Policies: CS35

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. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.
3. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.
4. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at:
www.communities.gov.uk/publications/planningandbuilding/partywall
5. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target for the decision to be issued.