

TWC/2015/1082

10 Pine View, Muxton, Telford, Shropshire, TF2 8QX

Erection of a two storey and first floor side extension and a detached games room

APPLICANT

Mr M Singh

RECEIVED

02/12/2015

PARISH

Donnington and Muxton

WARD

Muxton

OFFICER Tom Carruthers

CLLR ADRIAN LAWRENCE HAS REQUESTED THIS APPLICATION BE DETERMINED BY MEMBERS OF PLANNING COMMITTEE

OBJECTIONS: Yes

1. THE PROPOSAL

- 1.1 This is a householder extension for the erection of a two storey and first floor side extension and a detached games room.
- 1.2 The extension is to be built above and to the rear of an existing attached garage. The rear of the extension will be flush with the rear of the existing house and the front elevation at first floor level will be in line with the existing first floor. The height to the eaves and to the ridge will match the existing dwelling.
- 1.3 The width of the extension is to be 2.8m and the maximum length is to be 8.5m. The height to the eaves from ground level will be 4.8m and to the ridge will be 7.2m. The extension will not be going closer to the boundary with no.8 Pine View than the existing dwelling. The extension will be 1.3m from the boundary with no.8 and will be 10m from the rear boundary which adjoins the side of 4 Almond Close.
- 1.4 The games room building is to be 5.1m in width and 7.5m in length. It is to have a dual pitch roof and will be 2.2m in height to the eaves and 3.85m to the ridge. It will be 0.4m from the site boundary adjoining Marshbrook Way and 3.9m away from the boundary with 4 Almond Close. The building is to have patio style doors on the elevation facing the boundary with 8 Pine View and will be a minimum of 17m away from the boundary with no.8.
- 1.5 The originally submitted elevations for the games room building showed barge boards. Officers considered that the barge boards gave the impression that the building looked like a separate dwelling. Following discussions with the applicant and agent, the plans have been amended to show the barge boards removed. These are the plans being assessed.
- 1.6 The games room building only requires planning permission as it exceeds 2.5m in height within 2m of a boundary and it is situated on land between the

side elevation of the house and a highway. If the building was relocated further into the rear garden of the dwelling, closer to the boundaries with no.8 Pine View and 4 Almond Close, and as long as there was a gap of at least 2m to any boundary, it would not require consent

2. SITE AND SURROUNDINGS

- 2.1 The application site is within Muxton which is a predominately residential district in the North East of Telford.
- 2.2 The site is within a residential cul-de-sac on a housing estate that was given consent under the New Towns Act in 1991.
- 2.3 The properties in the immediate vicinity are all detached 2 storey properties in varying size gardens.
- 2.4 The application property is set within a large plot at the end of Pine View. The property also borders onto Marshbrook Way. The front garden is open plan. The front is predominately a tarmac driveway with a small lawn area to the left hand side. There is a high boundary hedge along the boundary with Marshbrook Way. Also along part of this boundary is an existing 1.8m high brick boundary wall which curves round and also acts as part of the boundary between the application site and 4 Almond Close. The rest of the boundary with 4 Almond Close and 8 Pine View has a 1.8m high fence. There is an existing large conservatory on the rear of the existing property.

3. PLANNING HISTORY

- 3.1 None

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Guidance
National Planning Policy Framework
- 4.2 Wrekin Local Plan Saved Policies
UD2 Design Criteria
- 4.3 Core Strategy
CS15 Urban Design

5. CONSULTATION RESPONSES

- 5.1 Donnington & Muxton Parish Council: Object

It is considered to be overdevelopment of the site, loss of privacy to the adjoining neighbour and the Council has concerns regarding the current parking congestion at this location.

- 5.2 Shropshire Fire: No comment

5.4 Neighbourhood Consultation

Seven letters of objection were received following neighbour consultation. The points raised are:

- The extension and games room will overlook the neighbouring property and this will lead to a loss of privacy.
- The games room will impact on the peaceful private enjoyment of neighbouring homes and gardens by creating additional noise disturbance day and night.
- The property already has 5 bedrooms. This proposal will make it 6.
- The proposals will be visually overbearing and out of keeping with neighbouring properties. The proposed extension would also look completely out of scale and character with the estate.
- The games room is like a bungalow and will be totally out of keeping with the area.
- The proposed development would adversely affect highway safety and convenience to local residents as it does not provide sufficient parking to meet the additional requirements and will cause traffic problems and create access and safety issues for the emergency services, motorists, pedestrians and cyclists (mainly young children).
- The driveway currently accommodates one large van (a commercial vehicle) and two family size cars with a further family size car parked on the road. The parking of the commercial vehicle impedes access to the driveways of no.8, no.21 and no.23 Pine View.
- The games room could be used for commercial purposes as there is a commercial vehicle parked regularly at the property.
- The proposed development will increase pressure on public services such as drainage and water supply.
- The drainage is on a shared network which may not cope with the additional loading.
- The proposed development will introduce additional fumes into neighbouring properties as the development will bring the boiler vent, shower room window and kitchen door closer to the boundary.
- The proposed development will need excavation work which could have a serious adverse impact upon the stability of existing structures and pathways.
- The development is on a very large scale and it will take a long period of time to complete. This will cause major disruption (noise, dust, traffic etc.) to all neighbouring properties over a long period of time.
- If approved, the Council should consider using its powers to enforce controlled hours of operations and other restrictions that might make the duration of the works more bearable. Working hours during construction should be imposed to prevent work outside normal business hours (8am – 5pm) and a prohibition on weekend working.
- There should be no damage incurred to neighbouring properties, grass verges or pathways and no scaffolding or ladders should be erected on neighbours properties or within their airspace.

- Consideration should be made about how and where construction vehicles and staff would gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours.
- We were given to understand by a former senior member of TDC that the appearance of this particular grouping of houses fronting onto Marshbrook Way was given particular attention at the instruction of Lord Northfield and we are concerned that any alteration will detract from the intended appearance.
- Consent of the Homes and Communities Agency is required for any alteration of the external parts of the building and that the owners of the property have covenanted not to do or permit or suffer to be done anything which may be or become a nuisance or annoyance to the owners or occupiers of any adjoining or neighbouring land. As our property lies within 200 yards of 10 Pine View, we appear to have the benefit of such covenants and could presumably enforce them should we wish. Although these matters would appear to be contractual matters between the parties, how does the Council stand on the issue of HCA consent?

6. PLANNING CONSIDERATIONS

6.1 Having regard to the development plan policy and other material considerations, including comments received during the consultation process, the planning application raises the following main issues.

- The principle of development
- Scale and design
- Impact on residential amenity
- Other Matters

The principle of development

- 6.2 The side extension requires consent as it consists of more than one storey on a side elevation. The extension is not going beyond the front or rear elevations of the main property and the height to the eaves and the ridge match the existing dwelling.
- 6.3 The games room outbuilding only requires consent as it exceeds 2.5m in height within 2m of a boundary and it is situated on land between the side elevation of the house and a highway. The outbuilding could be moved into the rear garden of the property and as long as it was not within 2m of a boundary, planning permission would not be required. This would bring the building much closer to residential properties, especially 4 Almond Close and 8 Pine View and it is likely to be more harmful than in the position shown on the submitted plans. This would also make the building much more visible within the street scene.
- 6.4 The National Planning Policy Framework (NPPF) supports the principle of applications that seek to respond to local character and history, reflect the identity of local surroundings and materials and are visually attractive as a result of good architecture and appropriate landscaping. The NPPF advises that 'permission should be refused for development of poor design that fails to

take opportunities available for improving character and quality of an area and the way it functions’.

- 6.5 The Wrekin Local Plan, Policy UD2 Design Criteria, requires new development to be of high quality and distinctive design, whilst also respecting and relating to the context, both visually and functionally and enhancing the quality of the local environment. This policy advises the Council to assess the development in relation to its scale, massing, form, density, orientation, layout, proportions, materials, landscape elements, access and spatial quality. In addition to this policy, the Core Strategy, CS15 Urban Design, states the design of development will assist in creating and sustaining safe places, strengthening local identity and projecting a positive local image, positively influencing the appearance and use of the local environment.

Scale and design

- 6.6 The side extension is considered to be fairly modest in scale and the design picks out features that are already included in the original dwelling. The style of the windows matches that of the existing dwelling. The height to the eaves and the ridge and the position of the extension match the existing dwelling.
- 6.7 The side extension will be visible from the highway both in Pine View and Marshbrook Way. This type of extension is typical in many areas of Telford. Whilst there is not another similar extension within Pine View, there are examples of extensions built above single garages that are in line at first floor level with the existing house. It is not considered that this type of extension will have a visually adverse impact on the street scene or the surrounding area as a whole.
- 6.8 The games room has been designed as a domestic brick built outbuilding with patio doors overlooking the applicant’s garden. It will be built 0.4m from the existing 1.8m high boundary wall which obscures the site from Marshbrook Way. There is also additional planting which will also help to screen the building from the road. However even if this planting was not in situ, as the building is close to the boundary wall, the majority of what can be seen from the road would be roof. It is considered that this would not adversely impact on the street scene.
- 6.9 This games room could be moved further into the applicant’s garden under ‘permitted development’ and the Council would have no control on its design, appearance or materials used in its construction. If the external planting was removed, this would make the building more visible within the street scene which would be less desirable than the current position it is in.
- 6.10 As the games room requires planning permission, the LPA can ask for amendments. On this scheme, officers requested the removal of the barge boards to help lessen the visual impact of the building and it looking like a separate new bungalow. If the building was relocated and built under permitted development, the barge boards could be reinstated and it is

considered that this would have an adverse impact with the street scene, but the Council could not control this.

- 6.11 It has been stated by objectors that the development is an overdevelopment of the plot. However, the plot is large and even taking into account the existing large conservatory on the property, with the two elements proposed, the applicants would still have much more than 50% of their original garden area left un-developed. It is considered that there is more than enough amenity land left for the property. Under permitted development, 50% of the curtilage can be occupied by outbuildings.
- 6.12 It has been stated by objectors that the existing property has five bedrooms and that this proposal will make it six. However this is actually incorrect. The existing plans do show a fifth bedroom which is at the rear of the existing store which is in the double garage. The proposed plans show that the garages are to be reinstated and therefore the new bedroom has correctly been labelled as bedroom five.

Impact on residential amenity

- 6.13 The extension is going to be built to the side of the property, adjacent to no.8 Pine View. The extension will be 1.3m away from the boundary with no.8 which is the same as the existing dwelling.
- 6.14 No.8 Pine View has a garage on the side elevation adjacent to the application site. The two storey element of the extension would be 4.5m away from the wall of the main house of no.8. There is a back door within this elevation which goes into the kitchen which is not a principal room. The extension does not protrude beyond the rear wall of the application property. Due to the orientation of the property and the journey of the sun, it is considered there is no increase in overshadowing or a loss of light caused by the extension to warrant refusal.
- 6.15 There is an en-suite window on the rear elevation at first floor level. To maintain privacy for the neighbouring property, this will be conditioned so that it is obscure glazed.
- 6.16 The games room outbuilding is a single storey building which is predominately obscured by the brick boundary wall. Three of the elevations do not have any openings within them. The elevation facing towards the boundary with no.8 Pine View has a set of patio doors within it. Due to the fact there is a minimum distance of 17m from the games room to the boundary with no.8, it is considered that the building does not cause any overlooking issues.
- 6.17 Officers consider that any other windows that may be inserted into the building after construction need to be controlled so that any possible impact on the residential amenity of neighbouring properties and the appearance of the building can be assessed. Therefore, a condition will be placed on the decision notice restricting new windows in the games room.

- 6.18 It has been mentioned in most of the objections that the development, especially the games rooms, will create noise disturbance thereby impacting on the peaceful private enjoyment of neighbouring homes. Officers consider that the location of the building in relation to neighbouring properties will not cause undue noise and disturbance. People have a right to use their gardens and can erect sheds and various other, even larger, structures under permitted development, over which the Council would have no control. Repositioning of the outbuilding closer to neighbouring properties without the need for planning permission could create more concern for the objectors.
- 6.19 It has also been mentioned that the development will introduce additional fumes into neighbouring properties. This is a domestic extension and as such, additional cooking fumes are not a material planning consideration in this case.

Other Matters

- 6.20 The majority of the objections received make reference to the parking of vehicles on and off the property. Some objectors consider that the development would adversely affect highway safety and convenience to local residents. This is a householder application for a domestic use. The application property will have 2 parking spaces in the existing garage and at least 4 parking spaces on the existing driveway which is 6 spaces for a 5 bedroom property. Officers consider this is adequate on-site parking provision.
- 6.21 Officers cannot insist on people parking vehicles on their driveway. If a person chooses to park vehicles on the highway and it is causing an obstruction to other road users, pedestrians, the emergency services etc, this is a police matter.
- 6.22 It has also been mentioned that the applicant brings home a commercial vehicle every day and parks it on their driveway. Concern has been raised that the property may be used for commercial activities. The applicant is entitled to bring their works vehicle home. If business activities do start at the property, this is a separate matter and would have to be dealt with accordingly. This cannot be used as a reason to refuse planning permission.
- 6.23 This is a domestic extension. Any increase in demand of the public services including water and drainage is likely to be minimal, and connection to these services would require the permission of the utility companies.
- 6.24 Comments have been made that this development will take a long time to complete and then there have also been comments made that there should be conditions restricting construction hours to between 8am and 5pm and no weekend working. As a matter of course, we do not condition hours of working on domestic extensions. Furthermore, if the applicants chose to build the games room or a smaller extension under permitted development, the applicants could build at any time without the LPA being able to get involved.

- 6.25 It has also been stated that consideration should be made about where construction vehicles and staff would gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours. The property is at the end of a cul-de-sac and construction traffic is not deemed to be an issue to warrant control by condition.
- 6.26 One of the letters received mentioned the excavation works which could have an impact on the stability of existing structures and pathways. It is highly unlikely any impact would be caused by this type of development; however, if there were to be any this would be a civil matter between the affected land owner and the applicant to ascertain the structural integrity of neighbouring properties before construction.
- 6.27 It has also been stated that there should be no damage incurred to neighbouring properties, grass verges or pathways and that no scaffolding or ladders should be erected on neighbouring properties or within their airspace. Again, if any of these things do happen they would be a civil matter between the affected land owner and the applicant and is not a material planning consideration.
- 6.28 Mention has been made that the appearance of this group of houses was given particular attention at the instruction of Lord Northfield. This estate was given consent under the New Towns Act and as is usual with this type of application, permitted development rights were not removed. Even if this group of houses was given particular attention, this was at the original development stage and does not have a significant bearing on this application. The applicant could do extensions and alterations to the property under permitted development without needing planning permission which would impact on the appearance of the area more than the proposed development does.
- 6.29 Finally, mention of covenants has been made. Covenants are not a material planning consideration, and any issues with regard to these covenants are a civil matter.

7. CONCLUSIONS

- 7.1 The two storey and first floor side extension and the detached games room building, are considered appropriate in terms of scale and design. The development respects the context of the site and would not detract from the street scene of either Pine View or Marshbrook Way. The development will not adversely impact on the amenities of neighbouring properties and accordingly the proposal is considered compliant with policy CS15 of the Core Strategy, policy UD2 Wrekin Local Plan and national guidance in the NPPF.

8. RECOMMENDATION

- 8.1 Based on the conclusions above, it is recommended that the committee **GRANT PLANNING PERMISSION** subject to the following conditions:

1. A04 Time Limit
2. C001 Finishing materials to match existing dwelling
3. C38 Development in accordance with plans
4. D008 Obscure glazing
5. D009 No further windows in the games room