

TWC/2017/0891

9 Pitchford Drive, Priorslee, Telford, Shropshire, TF2 9SG

Erection of a first floor side extension over the existing garage, single storey side and rear extension and a single storey front extension

APPLICANT

Mr B Jugjee

RECEIVED

01/11/2017

PARISH

St. Georges and Priorslee

WARD

Priorslee

OFFICER Tom Carruthers

CLLR VERONICA FLETCHER HAS REQUESTED THAT THE APPLICATION BE DETERMINED BY THE PLANNING COMMITTEE.

1. THE PROPOSAL

- 1.1 This full application seeks consent for the erection of a first floor side extension over the existing garage, single storey side and rear extension and a single storey front extension.
- 1.2 The front extension has a sloping roof and is being built under the existing front canopy, and therefore is not extending any further than the existing canopy. The first floor side extension is being built over the existing garage and the footprint is not being extended in regard to this element. The extension in line with the existing property in terms of the front and rear elevations and the height both to the eaves and the ridge. The roof will have the same pitch as the current property. The single storey wrap around side and rear extension is a maximum of 9.7m from front to back and comes out 4.2m from the side of the property. The extension only protrudes 3.5m from the rear of the existing house.
- 1.3 The submitted plans show the existing garage as being converted to create an extended kitchen a WC/shower room and a study. This element does not require planning permission and is not being considered as part of this application.

2. SITE AND SURROUNDINGS

- 2.1 9 Pitchford Drive is situated on a residential estate in Priorslee which is in the built up area of Telford.
- 2.2 The property is a two storey, detached 4 bedroom dwelling with an attached single garage. It is a corner plot and is one of the bigger plots in the immediate area.

3. RELEVANT PLANNING HISTORY

- 3.1 TWC/2014/0586 Erection of a detached dwelling Full Refused 12/08/2014

4. PLANNING POLICY CONTEXT

4.1 National Planning Policy Framework (the NPPF)

4.2 Saved Wrekin Local Plan policies
UD2 Design Criteria

4.3 LDF Core Strategy policies
CS15 Urban Design

4.4 Telford & Wrekin Local Plan (Publication Version)
BE1 Design Criteria
BE2 Residential Alterations

5. SUMMARY OF CONSULTATION RESPONSES

5.1 St Georges & Priorslee Parish Council: No objection

5.2 Shropshire Fire: Comment. Recommend Fire Safety Informative

5.3 Neighbour Consultation: Fourteen letters of objection have been received raising the following concerns:

- The motivation to build is to produce a multi occupancy property.
- Insufficient parking for multi occupants. There is a likelihood off on street parking on a corner plot.
- Building beyond existing building line on left hand side, encroaching over existing boundary lines.
- The proposed front left hand elevation appears to restrict the open plan view across the corner, as does the fence, what happened to para 2 of the fourth restrictive covenant?
- The proposed development is overbearing and not in keeping with the existing 3/4 bedroom houses in this street.
- Concerns as to whether existing boundary maintenance issues will be resolved as part of the project, specifically the fence line between No.'s 9 and 10 Pitchford Drive, which have been neglected for 2 years.
- The application document states that the applicant is an agent and their address as 9 Pitchford Drive, however the current occupant is a tenant, not the person named.
- Since the property was sold to the current owner, it has not been maintained
- The property is used and has been allowed to be used by the owner for many years as a commercial car repair and maintenance garage.
- Paragraph No 10 of the planning application asks can the property be seen from a road or public footpath, to which they have answered no.
- T&W rejected an application more recently for a separate property to be built within the property grounds.
- In essence the size of the extension proposed would increase the number of bedrooms to 5, including the proposed guest room, but it

would also provide the facility to increase the number of bedrooms to 7, given the size of the proposed study and the potential for the proposed garage to be converted.

- Extending the property would significantly reduce the size of the existing garden to the rear and side of the house and would therefore replace garden that currently provides natural drainage with 'house' which would need surface water drainage to be piped into the existing storm water drainage system.

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:

- Scale and design of the proposal
- Parking
- Impact on the amenity of neighbouring properties
- Other Issues

Scale and design of the proposal

6.2 The proposal is made up of 3 distinct parts namely, i) a single storey front extension, ii) a first floor side extension over the existing garage iii) a single storey side and rear extension.

6.3 The design of both the first floor extension and the single storey side and rear extension will have a tiled pitched roof which matches the pitch of the existing house, and will be built of brick to match the current property. The proposed windows are of the same form and design as the existing windows. On the front of the single storey side extension will be a garage door. The first floor extension has not been set back or down, however it is considered that in this instance, as there is a single storey side extension proposed on the opposite side which helps to break up the front elevation of the property, a further set down would make the front elevation appear more fussy. Therefore it is considered, in this particular instance, to be acceptable.

6.4 The single storey front extension is to the left of the existing garage. It is being built under the existing canopy. The height of the canopy will not be altered and the front wall will be coming level with both the canopy and the front of the existing garage.

6.5 The rear part of the side and rear extension only comes out 3.5m from the rear of the existing property. If this single storey extension off the rear of the existing house, were proposed as a standalone element, it would be classed as permitted development. The side element of this extension is 4.2m in width, this is less than half the width of the existing house, but as the site is a corner plot, this cannot be done under permitted development. The proposed side extension is of a modest design and does not come forward of the front elevation of the property and therefore the current building line is maintained.

- 6.6 There have been comments made about the left hand side extension being built over the existing building line and encroaching over the existing boundary line. It appears that there was a piece of open land on the outside of the property's boundary but within the same ownership. However, after looking at Google Maps, it is evident that this piece of land was enclosed with a hedge back in 2009 and therefore it is considered that this now forms part of the applicant's garden due to the passage of more than 4 years that renders the development immune from enforcement action. With regard to the actual building line, the side of the extension does not come out any further than the front of no.8 Pitchford Drive, which itself is set back from the next 2 properties on this stretch of Pitchford Drive.
- 6.7 The plot is one of the largest in the immediate area. Under permitted development rights, a property can cover upto 50% of its curtilage with extensions or outbuildings without the need for planning permission. The proposals being assessed do not take up anywhere near 50% of the applicant's property. It is therefore considered that there is more than adequate amenity land left for the property.
- 6.8 Officers consider that the design, mass, scale and materials of the extensions do relate to the original house and do not cause harm to the streetscene, in accordance with UD2 of the Wrekin Local Plan, CS15 of the Core Strategy and BE1 & BE2 of the Telford & Wrekin Local Plan (Publication Version).

Parking

- 6.9 There have been many comments made regarding parking at the property but these mostly relate to future issues if the applicants choose to rent the property as a House in Multiple Occupation. This application is a householder application for extension to a dwelling and not a change of use application for an HMO. Speculation that the property may be turned into an HMO cannot be taken into account whilst determining this application. The property is currently a 4 bedroom property and the plans show that this is not changing. Even taking into account the guest room at ground floor and the study at ground floor which could theoretically be used as a bedroom without consent, this could create a 6 bedroom. Using the parking standards in the Telford & Wrekin Local Plan which are guidance only, a 6 bed property would ideally need 5 parking spaces. The Property has an existing large driveway which is considered to be more than adequate to accommodate 5 vehicles.

Impact on the amenity of neighbouring properties

- 6.10 9 Pitchford Drive is a detached house on a corner plot. The first floor extension will be adjacent to the side of no.10 Pitchford Drive. The extension will not extend beyond either the existing front or rear elevation and No.10 has no habitable room windows within its side elevation so there will be no overlooking or overbearing impact. There is to be a new window on both the front and rear elevations. With regard to the rear window, it will be going closer to the boundary than existing windows but officers do not consider that there would be significant increase in overlooking. The same is considered of the front window and therefore consider that the first floor extension would not have a detrimental impact on no.10.

- 6.11 With regard to No.8, the new first floor window on the rear elevation will be over 13m away from the boundary and officers consider this distance separation adequate for the extension not to have a detrimental impact. The new first floor window in the front elevation will not be any closer than existing windows on the property and will be overlooking driveways and front gardens which officers do not have any concerns over.
- 6.12 In terms of the single storey rear element, as already noted this would be permitted development on its own. Regardless of this, due to the height of the extension and the existing boundary treatment, it is considered that there is no detrimental impact on No.10. With regard to the property at the rear, No.8 Pitchford Drive, the extension is over 10m away from the boundary and therefore it is considered due to this distance, there would be no detrimental impact caused.
- 6.13 Due to the position of the front extension to the side of the existing garage and under the existing canopy, it is considered that this element will not have any significant impact on the residential amenity of any neighbouring property.
- 6.14 The proposed side extension does not extend forward of the front elevation of No.8 Pitchford Drive and is a minimum of 10m away from the boundary. Therefore officers consider that there is no impact caused. With regards to the properties opposite, there are no windows proposed in this elevation and due to the distances involved and the current boundary treatment, there is considered to be no impact caused.

Other Issues

- 6.15 There have been twelve letters of objection received on the application, but the majority of the objections raised do not relate to the current proposals and are not planning issues.
- 6.16 Comment has been made about boundary treatment between No.9 & 10 not being maintained. This is not a planning consideration and is a civil matter between the two affected parties.
- 6.17 Mention has been made of a restrictive covenant on the property regarding the open plan nature of the street and the restriction of commercial working on the estate. As has already been mentioned, this plot is already enclosed and is no longer open. With regard to the commercial activity, this is a separate issue which is not part of this application. The LPA are aware of the accusations about the current tenant working from home and this is being investigated. Regardless of this, restrictive covenants are a civil matter and are not planning considerations.
- 6.18 The reduction in size of the garden has been mentioned in regard to natural drainage. This is an extension to an existing residential property, on a residential estate and as such, drainage is not a matter for consideration but will need to be addressed as part of Building Regulations.

- 6.19 There have been many comments made about the current property not being maintained. This is not a material planning consideration, however, as the property is to be extended, it is expected that the existing property will be made good as part of the overall works.
- 6.20 A previously refused application has been mentioned but this was for a new dwelling in the grounds of the existing property and is a completely different situation to the proposed extension of the property. Whilst it was considered that there was inadequate land to build an additional property, this was not the only reason the application was refused and has no bearing on this application for an extension to an existing property. There have been comments made about the accuracy of the information on the submitted application form. It has been stated that the form states that the applicant is an agent and their address as 9 Pitchford Drive, however the current occupant is a tenant, not the person named. This is not correct. The agent has been put down as ASG Architects who have submitted the application on behalf of the applicant who is Mr Jugjee. The application form states Applicant not Occupant. Mr Jugjee owns the property and is entitled to use the property as the address where any paperwork or correspondence goes. The fact that he may not live there and has a tenant in the property has no bearing on the application. It has also been stated that part 10 of the planning application asks can the property be seen from a road or public footpath, to which they have answered no. This section relates to the site visit. As the majority of the proposal is at the rear of the property, it would not be seen from the road and any officer carrying out a site visit would need to gain access to the property which is why 'no' has been ticked.
- 6.21 The majority of the objections relate to the presumption that the property is to be used as an HMO and would cause problems with parking. As previously stated, it is considered that there is adequate parking for the property. However, this application is a householder planning application and no mention has been made by either the applicant or agent regarding the use as an HMO and therefore, speculation of the future use of the property cannot be considered when determining the application.
- 6.22 Officers would like to qualify that even if the property was to be used as an HMO in the future, as long as there were no more than 6 people living in the property and based on current national planning advice, it is likely that no planning permission would be required.

7. CONCLUSIONS

- 7.1 The proposed extensions are deemed to be acceptable in respect of its siting, scale and design and consider that there will still be adequate amenity land for the property. The proposal will not cause harm to the amenity in terms of parking, overbearing impact, loss of light or loss of privacy to the occupiers of the adjacent properties and as such; the proposal is deemed to be compliant with Policy UD2 of the Wrekin Local Plan, CS15 of the Core Strategy, Policies BE1 and BE2 of the Telford & Wrekin Local Plan 2011-2031 (Publication Version) and the guidance contained within the National Planning Policy

Framework.

8. RECOMMENDATION

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

Conditions

1. A04 Time Limit
2. C001 Materials to match existing
3. C38 Development in accordance with approved plans

Informatives

I17b Coal Authority Low Risk Area
I31 Fire Safety
I40 Conditions
I41 Reasons for grant of approval
RANPPF1