



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/030

Development Control Committee 6 July 2017

Planning Application DC/17/0971/HH – 9 Westminster Drive, Bury St Edmunds

Date Registered: 19.05.2017 **Expiry Date:** 14.07.2017

Case Officer: Matthew Gee **Recommendation:** Approve Application

Parish: Bury St Edmunds **Ward:** Westgate

Proposal: Householder Planning Application - (i) Two storey side and rear extensions (following demolition of existing double garage) and (ii) new vehicular access

Site: 9 Westminster Drive, Bury St Edmunds

Applicant: Mr Rod Eggleston

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Matthew Gee

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Background:

1. The application is referred to the Development Control Committee as the applicant is related to a member of staff.

Proposal:

2. Planning permission is sought for
 - i. Two storey side extension measuring 5.5m wide, 11.9m deep, 4m to the eaves, and 8.3m in height, including 7.7sqm balcony enclosed on eastern elevation (following demolition of existing double garage) and;
 - ii. Single storey rear extension attached to two storey side extension measuring 3.4m deep, 8.3m wide, 2.2m to the eaves and 3.4m in height.
 - iii. New vehicular access

Site Details:

3. The site is located within the settlement boundary for Bury St Edmunds, and comprises of a detached two storey dwelling with attached garage.
4. The site fronts the highway to the south, residential properties to the east and west and a school to the north.

Planning History:

Reference	Proposal	Status	Decision Date
DC/14/0295/TPO	TPO42(1962) - Tree Preservation Order Application - Fell one Horse Chestnut tree (T1 on plan, Area A1 on order)	Application Granted	14.04.2014
TPO42(1962)17	TPO42(1962)17 - Tree Preservation Order Application (i) Reduce protruding limb by 40% and remove two lower laterals facing school to one Horse chestnut tree (1 on plan), (ii) Fell one Horse chestnut tree (2 on plan), and (iii) Remove two lower laterals facing school to one Horse chestnut tree (3 on plan)(all trees within area A1 on Order) protected by a Preservation Order.	Application Granted	16.05.2005
E/83/3228/P	Erection of house with garage and access	Application Granted	09.01.1984

E/82/2034/P	Construction of access road and services	Application Granted	06.09.1982
E/79/3948/P	CHANGE OF USE FROM RESIDENTIAL TO HOTEL USE	Application Refused	14.04.1980
E/79/3725/P	ERECTION OF 10 DWELLINGS AND GARAGES WITH ACCESS	Application Withdrawn	21.01.1980
E/79/2835/P	HOUSING DEVELOPMENT (10DWELLINGS) WITH ACCESS	Application Granted	13.12.1979
E/79/2178/P	ERECTION OF 10 DWELLINGS AND GARAGES TOGETHER WITH ACCESS ROAD	Application Withdrawn	14.06.1979
E/79/1602/P	9 HOUSES WITH ACCESS TO GLASTONBURY ROAD AND MAIN BUILDING INTO 12 FLATS	Application Withdrawn	08.10.1979
E/78/2814/P	CONVERT LARGE COUNTRY HOUSE TO LUXURY HOTEL WITH BARS AND BALLROOM	Application Withdrawn	07.09.1978
E/76/3193/P	PROVISION AND CONSTRUCTION OF VEHICULAR ACCESS	Application Granted	11.01.1977
E/74/2578/P	LAYOUT FOR RESIDENTIAL DEVELOPMENT BY 24 HOUSES	Application Refused	05.12.1974

Consultations:

5. Tree Officer: No objection – two trees in rear garden are a suitable distance from the proposed extensions
6. Highways Authority: No objection subject to conditions

Representations:

7. Letter of representation – 8 Westminster Drive: No objection to proposal
8. Town Council: No objection based on information received

Policy: The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

9. Joint Development Management Policies Document:
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places Development Principles and Local

- Distinctiveness
 - Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
 - Policy DM46 Parking Standards
10. St Edmundsbury Core Strategy December 2010
- Policy CS3 Design quality and local distinctiveness
11. Bury St Edmunds Vision Document 2031
- Policy BV1 Presumption in Favour of Sustainable Development

Other Planning Policy:

12. National Planning Policy Framework (2012) core principles and paragraphs 56 - 68

Officer Comment:

13. The issues to be considered in the determination of the application are:
- Impact on character, design and scale of existing dwelling and surrounding area
 - Impact on amenity
 - Highway Safety
 - Other concerns

Impact on character, design and scale of existing dwelling and surrounding area

14. Policies DM2, DM24 and CS3 all seek to ensure that proposed extensions to dwellings respect the character, scale and design of the existing dwelling. The proposed extension will be of a design and will use materials that are sympathetic to the character and design of the existing dwelling. In addition, the proposed extension will be approximately the same width of the garage for which it replaces, and will be no taller than the existing dwelling. As such it is considered that the proposal respects the existing scale of the dwelling. Given the above-mentioned points it is considered that the proposal complies with policies DM2, DM24 and CS3.
15. The above policies also seek to ensure that proposed development respects the existing character and appearance of the surrounding area. The surrounding area is characterised by dwellings of similar design all set within large spacious plots. It is not considered that this proposal would detract from that character. In addition, the proposed design and materials used are considered sympathetic to the surrounding dwellings. Given the above-mentioned points it is considered that the proposal respects the existing character and appearance of the surrounding area and as such complies with policies DM2, DM24 and CS3.
16. Policy DM24 also seeks to ensure that proposed development does not result in the overdevelopment of the dwellings curtilage. It is considered that the curtilage of dwellings is of a sufficient size that the proposed extensions will not result in the overdevelopment of the site.

Impact on amenity

- 17.The proposal includes the introduction of a first floor 7.7sqm balcony. The balcony will be enclosed on the eastern side which is considered to give a sufficient screening that protects the amenity space of no.10 (east) from potential overlooking. In addition, the dwelling of no.8 (west) and its private amenity space is considered to be located a sufficient distance from the balcony such that it will not result in any material overlooking or loss of privacy. It is also considered that the school to the rear of the site is located a sufficient distance that it would not result in overlooking, not that overlooking of school grounds would be an issue in any event.
- 18.The proposal includes the introduction of 2no. first floor side elevation windows. These windows will serve 2no. bathrooms, and as such it is considered necessary for it to be conditioned for them to be obscured glazed and remain so.

Highway Safety

- 19.The Highways Authority have raised no objections to the proposal, and there is sufficient room on site to accommodate the parking of 3no. vehicles as is required for a dwelling of 4 or more dwellings.

Other concerns

- 20.The site is located within a TPO area. The Tree Officer has confirmed that the trees in the rear garden are located a sufficient distance from the proposed extensions that they will not be adversely impacted by the development.

Conclusion:

- 21.In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

- 22.It is recommended that planning permission be **APPROVED** subject to the following conditions:
- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.
 - 2 The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 3 metres and made available for use prior to the improved dwelling be first used.
Thereafter the access shall be retained in the specified form.
Reason: To ensure that the access is designed and constructed to an

appropriate specification and made available for use at an appropriate time in the interests of highway safety.

- 3 Prior to the improved dwelling hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.
- 4 Prior to the construction of the new access, hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
Reason: To prevent hazards caused by flowing water or ice on the highway.
- 5 The use shall not commence until the area(s) within the site shown on drawing No. 09/WMD/01 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.
- 6 Before the dwelling/extension hereby permitted is first occupied/brought into use, the 2no. windows in the eastern elevation shall not be glazed other than with obscure glass and this form of glazing shall be retained permanently at all times thereafter.
Reason: To prevent the overlooking of adjacent properties in order to ensure that residential amenity is not adversely affected.
- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:
Reason: To define the scope and extent of this permission.

Reference No:	Plan Type	Date Received
(-)	Location Plan	19.05.2017
09/WMD/02	Existing Block Plan	19.05.2017
(-)	Location Plan	19.05.2017
09/WMD/01 REV B	Existing and Proposed Plans	13.06.2017

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online <DC/17/0971/HH>