



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/004

Development Control Committee 1 February 2018

Planning Application DC/17/2235/HH – 29 Thistledown Drive, Ixworth

Date Registered: 10.11.2017 **Expiry Date:** 05.01.2018 (EoT 01.02.2018)

Case Officer: Jonny Rankin **Recommendation:** Approve Application

Parish: Ixworth & Ixworth Thorpe **Ward:** Ixworth

Proposal: Householder Planning Application - Two storey rear extension (following demolition of existing conservatory)

Site: 29 Thistledown Drive, Ixworth, IP31 2NH

Applicant: Mr & Mrs Wayne Webb

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:

Jonny Rankin

Email: jonny.rankin@westsuffolk.gov.uk

Telephone: 01284 757621

Background:

This application is before Members of the Development Control Committee as the Officer recommendation is one of APPROVAL contrary to the objection of Ixworth Parish Council.

The matter was referred to the Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel following receipt of an objection from the Parish Council.

A site visit is scheduled to take place on Thursday 25 January 2018.

Proposal:

1. Planning permission is sought for a two storey rear extension (following demolition of an existing conservatory).
2. The extension has a footprint of 3m x 7.4m with a height to the eaves of 4.8m and 7.2m to the ridgeline of the pitched roof. Decking is also shown on-plan within the rear garden of the application site, the agent has confirmed that this is at ground level and is not proposed to be raised.
3. The application has been amended since submission, at officer request, pulling the extension in from the sides of the property by 1no. brick width (215mm) and has also lowering the ridgeline (from 7.4m to 7.2m in overall height).

Site Details:

4. The application site is a detached dwelling fronting Thistledown Drive and situated within the Housing Settlement Boundary.

Planning History:

| Reference | Proposal | Status | Received Date | Decision Date |
|---------------|--|---------------------|---------------|---------------|
| DC/17/2235/HH | Householder Planning Application - Two storey rear extension (following demolition of existing conservatory) | Pending Decision | 25.10.2017 | |
| E/88/3207/P | Erection of 70 dwellings and garages with construction of estate roads | Application Granted | 27.07.1988 | 12.01.1989 |
| E/88/3104/P | Erection of 70 dwellings and garages with | Application Granted | 18.07.1988 | 12.08.1989 |

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|-------------|--|------------------------|------------|------------|
| | construction of estate roads | | | |
| E/87/1421/P | Outline Application - Housing development of 70 dwellings as amended by letter dated 19th March 1987 and accompanying revised plan | Application Granted | 23.02.1987 | 09.03.1988 |

Consultations:

5. None received.

Representations:

6. Neighbour representation:

No. 27 Thistledown Drive

23rd November; *In relation to the above planning application which I received on 16th November 2017, I wish to formally OBJECT and detail the reasons below;*

- a) *The loss of daylight and sunlight - the extension will significantly reduce the available daylight and sunlight to our kitchen, dining room and upstairs bedrooms/office, all of which face the north. The extension will also have considerable impact on the sunlight that we currently receive in our rear garden and patio area, especially in the spring and summer months. We would respectfully request that a full examination of this issue is conducted with reference to the criteria put forward by the Building Research Establishment (BRE) Guidelines, specifically 'Site Layout Planning for Daylight and Sunlight 2011'. Further, in DM 2 of the 'Joint Development Management Policies Document' published in February 2015, as part of the Forest Heath and St Edmundsbury Local Plan, it states on page 7 (g) that any extension should not adversely affect the 'amenities of adjacent areas by reason ofoverlooking, overshadowing, loss of light' which it clearly does. I believe that the section at (d) also applies in relation to how an extension should not involve the loss of gardens which affect the character and appearance of a settlement.*
- b) *'45 degree rule' - I believe that the proposed extension and height of the roof may infringe the '45 degree rule' in relation to my home and would like this matter considered.*
- c) *Adverse effect on the amenity of our property - the rooms at the rear of our house will be impacted with less natural light. In particular the kitchen and dining rooms which we routinely use. The upstairs bedroom nearest the extension is also utilised as an office which we use daily. The lack of natural light will affect adversely our ability to use this this room. The enjoyment and*

use of the patio directly off the dining room, and garden will be severely compromised. The patio area is currently within the morning sun light during spring and summer and allows us to regularly sit outside in the morning and enjoy the amenity. We have spent a considerable sum and invested lots of hard work in making our garden an enjoyable and attractive part of our house. The blocking of this sunlight and daylight will impact on our enjoyment of the property, where we can enjoy nature and view the local wildlife. This is particularly important and poignant for us as my wife currently has an incurable illness and the garden remains a very enjoyable aspect of our residence, which we are very keen to retain. Please see DM2 as detailed above.

- d) *Overdevelopment of the curtilage and overshadowing - the proposed extension would be an over development of the site. There will be significant overshadowing of my property caused by the excessive bulk, proximity to my boundary and intrusiveness of the extension. This is further exaggerated because the property at no 29 (applicant) currently sits approx. 3 metres further back from my house towards the rear boundary, and the other near neighbour at no 31 sits approx. 3 metres further back to towards the rear boundary from no 29, hence this row of houses is not parallel to the rear boundary and is staggered in an almost diagonal line. The effect of this extension will be to produce an 'overlap' of almost 6 metres next to my property, which will consist of an exceptionally long brick wall, two stories high, and a new tiled roof that will run as high as the existing roofline. I am not aware of any other houses within the Thistledown Drive area which have a 2 story rear extension across the width of the rear. Another extension I have seen has a joint 2 story/1 story extension but is not effected by the staggered positioning of the respective neighbours house. This application if successful, would create a precedent which could see other properties in the area significantly expand and produce an inconsistent line of housing with further light and amenity issues which is against Local Plan policy as detailed above under*

DM2.

Further, DM24 states that any extensions must 'respect the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in overdevelopment of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties'. I would strongly suggest this proposed extension fails this test.

- e) *Parking/Highways - as part of DM46 (Parking Standards) and the Borough Council policy to reduce over reliance on cars, we are concerned that an increase in house size of this magnitude, will further exacerbate highway safety. The current occupants of no 29 regularly utilise 4 vehicles but have space on their driveway for two. Their garage is not used to park a car, in keeping with most occupants in Thistledown Drive. Although the number of bedrooms will not be increasing, it follows that the property will be much bigger and therefore could accommodate more occupants. Subsequent owners may well have more occupants and the precedent this application creates will encourage others to similarly extend their properties and cause parking/safety issue. There are already large properties on the left side as you enter Thistledown Drive with several occupants where additional cars are routinely parked on the roadside/pavement before the first right hand bend. The*

twisting nature of Thistledown Drive does not lend itself to a surplus of cars parking on the road/pavement where vision is obscured, and potentially will contribute to highways issues.

- f) *Boundary Trees - the planning application may have a negative impact on the council owned trees to the rear boundary of the property and associated wildlife. The extension will reduce the light to the trees, potentially effect the root system, and could cause decline to these large trees which may result in their future removal for health and safety reasons. These trees were initially planted to improve the aesthetics of the residential area for all residents to enjoy, and provide a noise barrier against the A1088 which runs directly behind the houses. I would be grateful if this could be considered by the relevant environmental/tree specialist.*

10th December; Further to recent correspondence, this email is my formal OBJECTION to the 'amended' application submitted by the agent in respect of 29 Thistledown Drive which I received on 7th December. All of the reasons in my original objection letter remain unsatisfied. From examination of the revised plans, which appears to have been generated by an email on the 5th December 2017 (noted in the amended plans) the revision consists of a side wall which has moved in by the width of a brick, and the roof line also appears to have dropped by a minimal amount... perhaps 5 centimetres, or the thickness of a roof tile. In your email of 7th December 2017 at 12:54 hours, you stated that this amended plan is as a result of an 'officer request' and that it demonstrates the following;

- 1) 'instils an element of subservience'*
- 2) 'reduces the overall massing'*
- 3) 'improves upon relationship with neighbouring properties'.*

Personally, I find these suggestions very difficult to comprehend. The effect on the amenity of my property, the overshadowing mass, over development of the plot, light, enjoyment of my garden and rear facing rooms etc., is almost exactly the same as the original plan and the amendment almost seems pointless. If one whole floor had been removed, and the roof angle reduced considerably, then I would consider my position, but not when the amendments are so ridiculously small. To suggest that such minimal amendments justifies the above statements from the Planning Office, is in my opinion inaccurate and misleading.

7. Parish Council:

The Parish Council object on the following grounds;

Loss of light to the adjacent property - The large two storey extension will cause loss of daylight to the adjoining property due to the size and structure of the extension.

Overshadowing of Adjacent Property - An extension of this size would cause extensive overshadowing of 27 Thistledown Drive due to the nature of the way the properties are built. The rows of houses do not sit in a row next to each other but are set almost in a diagonal line so this extension will overshadow 27 Thistledown Drive considerably.

Over Development of the Site - not in Keeping with the Estate - A large extension is not in keeping with the style of the estate. The appearance of this extension could adversely effect of aesthetics of the estate.

8. Policy:

- 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
- Core Strategy Policy CS3 - Design and Local Distinctiveness

Other Planning Policy:

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

Officer Comment:

10. The main considerations in determining this application are:

- Impacts on residential amenity
- Impacts on street scene/character of the area
- Design and Form
- Permitted Development

11. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.

12. In the case of this application, the dwelling is located within a curtilage which is able to accommodate the scale of the extension without over-development occurring.

13. No materially adverse impact is considered to arise as a result of the proposal given the small scale of the development. No significant overbearing impact is considered to arise upon the adjacent neighbours no. 27 Thistledown Drive and no. 31 Thistledown Drive as these properties are afforded a 4.5m and 3m separation from the closest point of the proposed extension. In addition there is a stagger between the properties with no. 27 further forward in the streetscene and no. 31 further back. The stagger facilitates as no. 27 will view the extension in the context of the existing massing of the property and the extension will 'in-fill' the existing gap between no. 29 and no. 31 Thistledown Drive. The arrangement between the properties is considered acceptable and routine in respect of housing estates within Ixworth and the wider borough.

There are no immediate properties at the rear of the site that would otherwise be affected.

14. The proposal will not have a significant impact upon the street scene or character of the area as views of the proposed extension from Thistledown Drive will be limited or even non-existent.

15. The proposed development is considered to be of an appropriate scale and design so as to respect the host dwelling.

16. Other matters raised in representation by no. 27 include loss of light, the 45 degree rule, amenity, parking and trees. Loss of light is not considered, in this instance, to be a significant issue as the rear gardens in question are north facing and given the stagger between properties, intervening boundary treatment and separation afforded any loss of light would be minimal and restricted to the first part of the day, if at all, before the sun moves from east through to west. The amenity effects of the proposal have already been assessed above and, on balance, the effect is considered both acceptable and otherwise unremarkable in the context of a housing estate with uniform separation between properties. The proposal does not increase the number of bedrooms, simply the size of the bedrooms to the rear of the property. Accordingly, under County Highways parking standards there is no requirement for addition parking. With regards the Trees to the rear of site these are not within the ownership of the applicant nor are they proximate enough (in excess of 8.5m) to give rise to impacts upon the root system that would cause this authority concern.

17. Of note also is the fall-back position which the applicant has in respect of their homeowner Permitted Development Rights, with the relevant section of the GPDO shown below:

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

18. The extension extends to the rear of the property by 3m and is afforded a stand-off of 8.5m to the rear boundary with no dwellinghouse behind.

19. The proposed application is 1.9m from the boundary with no. 27 Thistledown Drive and 1.7m from the shared boundary with no. 31 Thistledown Drive. Whilst the proposed eaves height is 4.7m, if the application was brought in by a further 10cm (relative to No. 27) and 30cm (relative to No. 31) respectively in would otherwise not require planning permission.

20. Accordingly, the proposal accords with criteria h i and ii of the GPDO and is just beneath the required boundary separation of criteria i. The overall scale of development which could be progressed without the need for permission presents a notable fall-back position when considering this proposal. The agent has confirmed that the applicant would exercise this fall-back position in the event that the planning application was not successful. Proposed materials are shown on the submitted drawings, and are otherwise acceptable.

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 planning permission be **APPROVED** subject to the following conditions:

1. 01A Time Limit Detailed
2. 14FP Approved Plans

Informatives:

- 1 When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case pulled the extension in/ lowered ridge.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OYC5IOPDK3S00>