

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 April 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

**S/0393/11 - SHEPRETH
Extension at 12, Station Road
for Mr R Mungovan**

Recommendation: Delegated Refusal

Date for Determination: 22 April 2011

This application has been reported to Planning Committee for determination as it has been submitted by a Member of staff of the District Council's Planning and New Communities Service.

Site and Proposal

1. The site lies within the designated Shepreth village framework, which is located along the rear boundary of the garden. The Shepreth Conservation Area is adjacent to the site, although the application site is not included within it. The existing dwelling is a two-storey semi-detached property. It currently has a flat roof element to the rear, with a shared pitched roof extension along the boundary with 14 Station Road.
2. The full application, received on 25th February 2011, seeks the erection of a two-storey rear extension to the property. This would extend back 3.5m, the same depth as the existing flat roof element. The extension would also extend above the shared element with 14 Station Road, which extends 5.8m from the existing two-storey element. The proposal would be hard against the boundary with 14 Station Road.

Planning History

3. There is no planning history relating to the site that is relevant to the determination of this application. An application was approved at 18 Station Road for a two-storey extension through application **S/0190/00/F**, which the applicant refers to in his accompanying Planning Statement. This brings the extension against the boundary with the neighbouring property of 16 Station Road.
4. Members should also be aware that both 8 and 10 Station Road have rear two-storey elements, although these are set off the boundary with each other to create separation between the extensions.

Policies

5. **Local Development Framework Development Control Policies (LDF DCP) 2007: DP2** Design of New Development, **DP/3** Development Criteria and **CH/5** Conservation Areas.
6. **District Design Guide SPD** – adopted March 2010
7. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultations

8. No comments have been received at the time of writing the report. Members will be updated on any consultation responses received.

Representations

9. No comments have been received at the time of writing the report. Members will be updated on any consultation responses received.

Planning Comments

10. The key considerations for the determination of this application are the impact upon the occupiers of the neighbouring property and the impact upon the adjacent Conservation Area.

Impact upon the Occupiers of the Neighbouring Property

11. The proposal would bring a two-storey element to the boundary between the application site and 14 Station Road. This property has a bedroom window in its rear elevation, the centre point of which is located approximately 1.7m from the shared boundary. The proposal would extend 3.5m from the main two-storey element of the existing dwelling. The side elevation of the proposal would therefore be easily visible and be located very close to this bedroom window.
12. The District Design Guide SPD provides a rule of thumb for extensions to the rear of properties. Whilst it relates to daylight and sunlight impacts, it also refers to the blocking out of views, and is therefore relevant to this application. The Design Guide states “buildings will not normally be allowed to protrude beyond a 45-degree line drawn horizontally from the nearest window of a neighbouring property”. If this is applied to the proposal from the bedroom window of the neighbouring property, then the application fails the 45-degree rule of thumb. To comply, a rear extension on the boundary should only extend by 2m. The proximity of the proposal to the shared boundary would therefore be viewed as overbearing when viewed from the bedroom window of 14 Station Road.
13. It is noted there is a similar two-storey rear extension to the rear of 18 Station Road, which does create a similar relationship with 16 Station Road.

However, this does not set a precedent for works that would create new harm to occupiers of another dwelling in the locality.

Impact upon the adjacent Conservation Area

14. The boundary of the Shepreth Conservation Area runs to the front of the application site. The proposed extension is to the rear of the building, and there would be some views from between nos. 12 and 10 Station Road. However, a number of the dwellings in the locality have similar extensions, and the views would be minimal. As a result, no significant harm would be caused to the setting of the adjacent Conservation Area. There would also be no significant impact upon the street scene.

Recommendation

15. Delegated refusal subject to any other material planning considerations being raised during the consultation period that expires on 12th April 2011, on the following grounds

The proposed extension would be located at first floor level on the shared boundary with 14 Station Road. This neighbouring property has a bedroom window in its rear elevation, the middle point of which is located approximately 1.7m from the shared boundary. Given the length of the extension and proximity to the boundary, the proposal would be viewed as overbearing from this bedroom window, and would therefore seriously impact upon the amenity of the occupiers of this property.

The proposal is therefore contrary to Policy DP/3 of the Local Development Framework Development Control Policies 2007, which states planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity; and paragraph 6.65 of the District Design Guide Supplementary Planning Document March 2010, which states buildings where possible should not block views of a neighbouring property's window, and buildings would not normally be allowed to protrude beyond a 45-degree line drawn horizontally from the nearest window of a neighbouring property.

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