

Proposal: Householder application for the proposed erection of two-storey side extension raising the roof to create habitable accommodation following the demolition of the existing double garage.

Applicant: Mr N Rainer and Mrs T How

The Committee considered a report about this application, set out in agenda pages 107 to 140.

The Committee were advised that there were no updates contained within the Supplementary Planning Agenda.

Robert Kelly, resident, spoke in objection to the application. Robert stated that policy CP11 mandated that in the case of residential extensions, they should not result in inappropriate increases in the scale or form, whilst the Borough Design Guide stated that alterations and extensions should be clearly subservient to the form of the original building. Robert felt that this was not the case with this application, as the raising of the roof would not be subservient to the original dwelling. Robert added that the two-storey dwellings referred to in the report on Limerhill Road were on significantly larger plots than Cherry Trees shared with its sister bungalow, being far closer to its rear boundary edge than these other properties. Robert stated that the original planning application on this plot proposed a house, which was refused and dismissed on appeal. Robert felt that this showed that the Planning Authority had already deemed that it was wrong to have a two-storey dwelling on this plot. Robert stated that whilst a 23.5m separation distance to the properties on Dorset Way exceeded the minimum of 22m for new developments, this was not a new development and the guidelines stated that this may not be appropriate in relation to existing properties where character and privacy needed to be considered. Robert stated that there was a requirement to provide a greater distance or incorporate additional design features where upstairs living was proposed. Robert added that CP3 mandated that there be no detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life. Robert commented that the Dorset Way properties had always enjoyed excellent levels of rear garden privacy, with no direct line of site between 51 Dorset Way and Cherry Trees. Whilst the report referenced being able to see from rear facing rear window of 53 Dorset Way to 51 Dorset Way, this would require you to physically lean out of the window, which was not the same as a rear facing window which would overlook the entirety of rear gardens on Dorset Way. Robert felt that the proposal was more akin to a two and a half storey dwelling than a two-storey dwelling due to the existing elevation of the building. Robert was of the opinion that the submission tried to apply the rules of new developments and did not account for the provisions of existing properties, running counter to the balance that guidelines required, whilst providing no overarching public good and attracting objections from four of the five impacted properties. Robert urged the Committee to refuse the application.

Heather Paxton, agent, spoke in support of the application. Heather stated that Limerhill Road was a secluded road comprised mainly of properties which were two-storey houses. The bungalows in question were the only properties that had not been developed, and as such pre-application advice had been sought in 2021 to ensure proposals were in accordance with local and national planning policies. The

application before the Committee was based on this advice, whilst to the agent's and applicant's knowledge there were no restrictions as to development on this site. Heather stated that the designs were sympathetic and would only raise the roof by 1.7m, which was minimal compared to a traditional two-storey extension with internal ceiling heights of 2.4m. Heather stated that the only part of the property which was proposed to be raised was over the garage and adjoining area which would accommodate a staircase. Heather noted that the Borough Design Guide allowed for exceptions in specific circumstances in terms of scale, form and subserviency. Heather felt it important that the policy compliant separation distances were acknowledged, whilst an independent event had resulted in a hedgerow being removed between 51 Dorset Way and Cherry Trees which had subsequently increased the visual line of site. This action was separate to this planning application, and was carried out in consultation with residents behind the application property. Heather stated that there was a plan to 'pleach' trees on the boundary where the hedgerow used to sit, which would branch the trees together up to 3m in height, encouraging wildlife and improving privacy. Heather concluded that by stating that privacy concerns were already present, and the proposal was policy compliant in principle.

Adrian Mather, Ward Member, spoke in objection to the application. Adrian stated that he was supporting the residents of Dorset Way. Adrian added that it was very difficult to understand the elevation of the site from maps or pictures, whilst the bungalow currently sat above the two-storey houses on Dorset Way due to the elevation of the site. Adrian stated that this meant that the single-storey bungalow already dominated the skyline, and the proposal to add a second storey was very distressing for residents. Adrian added that residents found the proposals to inappropriately increase the scale, form, and footprint of the existing structure. Adrian felt that if the additional height of Cherry Trees was considered, the minimum separation distance of 22m would not be met. Adrian was of the opinion that the conversion of this bungalow would set a bad precedent with an aging population, and strongly encouraged the applicant to return with a proposal for a ground floor extension.

Stephen Conway queried whether the elevation of the site would in any way counter the compliance with regards to separation distances. Tariq Bailey-Biggs, case officer, stated that there was an approximate 1.5m height differential between Cherry Trees and the properties on Dorset Way, whilst first floor bedroom windows would be situated 23.5m from the furthest protruding section 51 Dorset Way which would accommodate for the additional 1.5m in height. Tariq stated that the 1.5m height differential was considered modest, and the property was considered a two-storey dwelling.

Stephen Conway queried the relative height of the proposed windows in comparison to the ridge height of neighbouring properties, in order to ascertain how prevalent the issue of overlooking into neighbouring gardens might be. Brian Conlon, Operational Lead – Development Management, stated that the area of garden closest to the application site with the most prevalent view from Cherry Trees was the end of the garden, with residents more likely to use the portion of the garden nearest their property. Newer housing along Limerhill Road frequently had separation distances of less than 22m, and the proposals and potential impacts before the Committee were

no more significant that could be found in the immediate area. Stephen Conway commented that an existing relationship between properties would be very different to the relationship between new dwellings.

David Cornish commented that the officer report stated that the application stood on its own merits in response to a neighbour comment regarding precedent, whilst in a following paragraph noting the precedent of properties in the vicinity with lower separation distances. David was of the opinion that the report should not both dismiss and use precedent in alternate ways. David queried what a technical departure was in relation to separation distances from standards within the Borough Design Guide, and felt that it was not up to the Council to determine which portion of a garden was most useable. Tariq Bailey-Biggs stated that the Borough Design Guide required a minimum depth of 11m, whilst the proposal would provide 9.8m of garden depth with a 1.2m shortfall. As the overall separation distance was 23.5m, on balance the scheme was considered to be acceptable. Brian Conlon stated that the Borough Design Guide was only a guide, and whilst it was good practice to seek to achieve guidelines where relevant, it was not always possible or practical and the individual circumstances of each application needed to be carefully considered. The properties on Limmerhill Road gave an established context, and departure from this established context would need to be justified.

Andrew Mickleburgh stated that one of the proposed unobscured windows appeared to be large, and queried if this was a material consideration. Brian Conlon stated that back-to-back relationships, front-to front-relationships, the topography of the land and the size of windows were all considerations when assessing planning applications however none were overriding. The upstairs bedroom windows of the majority of dwellings in this area would have some visibility to neighbouring back gardens, and it was not felt reasonable to condition for these new windows to be obscure glazed.

David Cornish was of the opinion that the back garden of 51 Dorset Way would be entirely overlooked based on the diagrams appended to the Committee report.

Wayne Smith was of the opinion that a site visit would allow the Committee to ascertain a fuller picture of the relationship between the different dwellings, including height differentials and issues surrounding overlooking.

Wayne Smith proposed that the application be deferred to allow for a site visit to be undertaken to aid the Committee in understanding the relationship between the different dwellings, including height differentials and issues surrounding overlooking. This was seconded by Rebecca Margetts.

RESOLVED That application number 222516 be deferred, to allow for a site visit to be undertaken to aid the Committee in understanding the relationship between the different dwellings, including height differentials and issues surrounding overlooking.

This page is intentionally left blank