

31/13/0021

MR P KIDDELL

CONSTRUCTION OF FIRST FLOOR WITH RAISING OF ROOF AND ERECTION OF REAR EXTENSION AT TIROHANGA RA, RUISHTON LANE, RUISHTON

Location: TIROHANGA RA, RUISHTON LANE, RUISHTON, TAUNTON, TA3
5JR

Grid Reference: 326227.124989

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) Site Plan

(A4) Location Plan

(A1) DrNo 1630/2 Proposed Plans and Elevations

(A1) DrNo 1630/1 Existing Plans and Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All existing trees on site shall be protected in accordance with BS5837:2005 Trees in relation to construction.

Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Policy EN8.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy

Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission.

2. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over the adjoining property.

PROPOSAL

The proposal is to erect extensions to the bungalow to form 3 bedrooms in the new roof space and a large family room and kitchen on the ground floor. The works increase the ridge height by 1.2m and provide two front dormers, one at the rear and a rear gable that projects 2.5m.

SITE DESCRIPTION AND HISTORY

The site consists of an existing brick and rendered bungalow with a garden that is set above and backs onto Ruishton Lane. Access is via an access lane that serves 6 bungalows and is of limited width.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

RUISHTON & THORNFALCON PARISH COUNCIL - The Parish Council have concerns with regard to this application and support the objections from neighbours voicing concerns regarding height of the building, lack of light and privacy.

Representations

5 letters of OBJECTION on grounds of

- overlooking,
- loss of privacy,
- concern over tree impact,
- loss of light to new windows
- concern over right to peaceful enjoyment of home in Article 1 of the HRA and right to privacy and family life under Article 8.
- extension close to boundary and will require scaffolding that will impact the neighbour and require a temporary electric supply,
- extension will impact on daylight and sun to the rear garden and conservatory causing loss of amenity,
- access road is private with no parking for trade vehicles and access must be maintained,
- lack of additional parking,

- a structural survey should be ensure the foundations can take the extra loading and remedial work could affect the health of the tree.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
H17 - TDBCLP - Extensions to Dwellings,
NPPF - National Planning Policy Framework,

LOCAL FINANCE CONSIDERATIONS

The development of this site would not result in payment to the Council of the New Homes Bonus.

DETERMINING ISSUES AND CONSIDERATIONS

The issues with the proposed extension are the impact on the character of building and area and any impact on amenity and privacy of neighbours and policy compliance.

The proposal increases the ridge height by 1.2m and this increase is not considered to adversely impact on the two neighbouring bungalows. While it will make the ridge higher there are properties to the south and east that have higher ridge levels. The increase in ridge level is modest and will allow for pitch roof dormers to the new roof. This is considered a better design solution than the neighbour at Braemar which has flat roof dormers front and rear.

The side elevations of the neighbouring bungalows are blank and there would be no significant loss of light to either property from the extension proposed. One neighbour has a conservatory which is on the eastern side of their property set away from the application site boundary and there is not considered to be an adverse amenity impact on this. The new rear windows will look towards the garden and road and it is not considered that this will cause any significant adverse impact on neighbours' privacy and amenity as there is 47m to the wall of the property across the road at the rear and 28m at the front with around a 3m high hedge in between. It is not considered that the impact on privacy and overlooking from bedrooms at such a distance, particularly to Woodland Drive properties at the front with an intervening hedge, is sufficient grounds to object to the scheme and does not breach relevant Articles under the Human Rights Act. It also has to be borne in mind that a flat roofed dormer facing the Woodland Drive properties could be erected to the existing property without planning permission.

The policy in respect of extensions is H17 and this seeks to prevent harm to residential amenity, the amenities, parking and turning of the existing dwelling and the form and character of the dwelling and are subservient in design. The proposed extension will create rooms in the roof space, however as indicated above it is not considered that this causes such an adverse impact on amenity of neighbours to warrant an objection. The works marginally increase the footprint of the building by 17.5sqm and this extension at the rear does not impact on the existing garage and

parking space at the front of the property with turning into the lane. The design does change the height of the bungalow which is not subservient, however it also attempts to keep the character with pitch roofed dormer windows and the scale and design is considered an acceptable alteration to the dwelling and better than the alternative provision of flat roofed dormers within the existing roof.

The neighbour to one side has raised issue with the new extension crossing the boundary, however this is not considered to be the case and the issue is a civil one in any case, as would the need for scaffolding erection during construction. The width of the private access and impact of construction traffic is not a reason to refuse the proposal and it is a matter for the applicant and contractor to arrange a safe means of construction. The tree within the site has already affected the wall of the building and is not protected. The Tree Officer considers the proposed works for the extension would not impact on the tree and suggests protective fencing during construction.

In light of the above considerations the extension is not considered to harm neighbouring amenity or the character of the building to such an extent to warrant an objection and the proposal is recommended for approval.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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