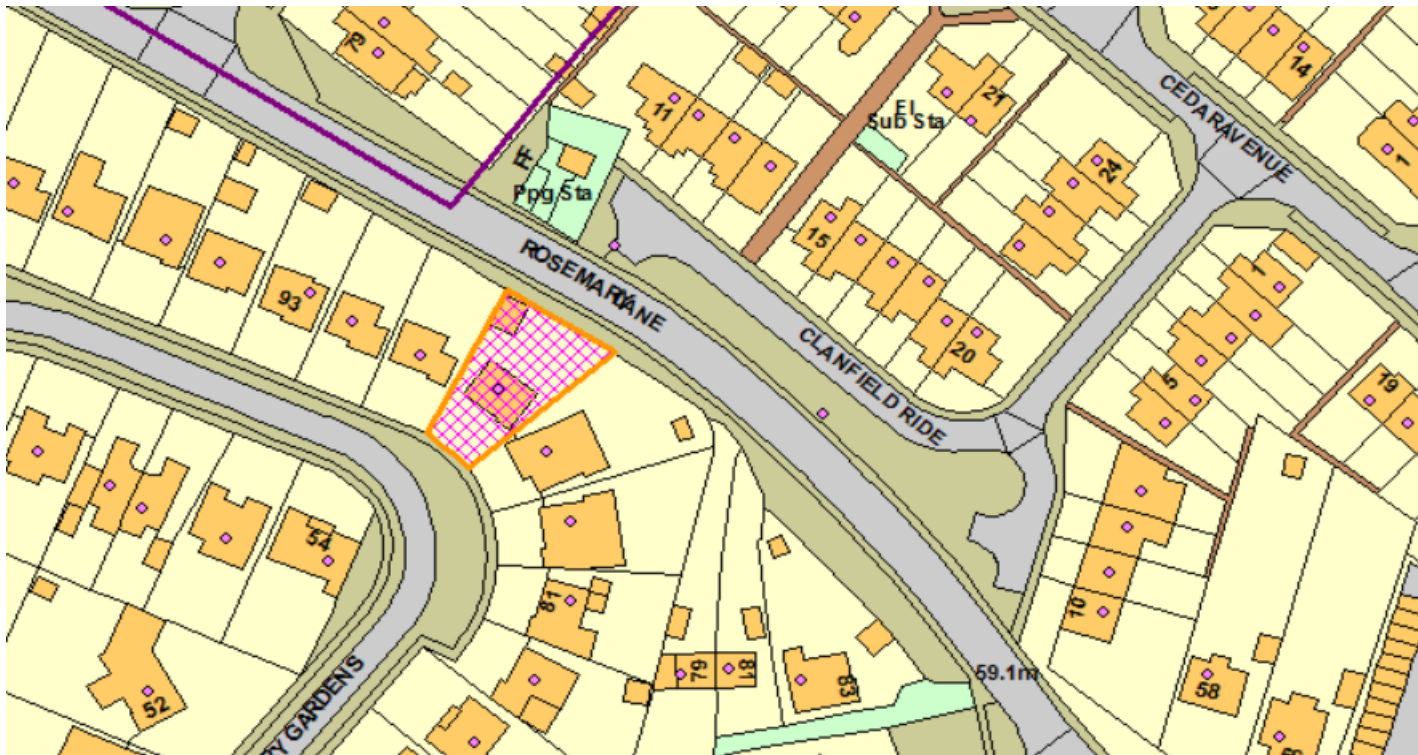


## COMMITTEE REPORT ITEM NUMBER 8:

APPLICATION NO.	22/00197/HOU
LOCATION	87 Rosemary Gardens Blackwater Camberley GU17 0NJ
PROPOSAL	Erection of a first floor front, part single part two storey rear extension, replacement of garage flat roof with pitched roof, insertion of skylight into main roof and insertion of doors and windows into side elevation.
APPLICANT	Mr Keith Baker
CONSULTATIONS EXPIRY	1 March 2022
APPLICATION EXPIRY	4 April 2022
WARD	Blackwater
RECOMMENDATION	<b>Grant</b>

### Location Plan



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**Note: Map is not to scale**

## **Background**

The application is being presented at the Planning Committee as there have been five objections from members of the public and an objection from Blackwater and Hawley Parish Council.

## **The Site**

87 Rosemary Gardens is a detached dwelling with an attached garage. The property is located on the eastern side of Rosemary Gardens.

There is a mix of dwelling types in the vicinity of the application property, ranging from detached and semi-detached bungalows to detached and semi-detached two storey dwellings. Although, the designs of the properties vary, they are of similar character and period as the application property.

There is a change in the application site ground levels and the land slopes downwards in an easterly direction. The application property and the adjoining properties, Nos. 85 and 89 Rosemary Gardens, are more or less at the same level, as their rear garden areas slope downwards towards Rosemary Lane, the change in levels is quite noticeable and the dwellings are set approximately one metre higher than their rear gardens.

The plot is irregular in shape, essentially a 'wedge' shape and the rear garden at its widest point has a width of approximately 21 metres.

There is a crossover, grass verge and footpath between the application property and the highway. There is a mature tree planted within the grass verge.

The frontage is open and laid to lawn and of hardstanding with adequate parking for two/three vehicles. It is set within a causal flood zone in the urban settlement of Blackwater and Hawley, but it is not in a Conservation Area, nor subject to any Article 4 Direction.

## **Planning History**

Single storey rear extension and two-storey rear and side extensions all with pitched roofs and rooflights. 18/01032/HOU Refused 13.09.2018

Erection of a first-floor front, part ground floor part first floor side and two storey rear extension, insertion of doors and windows into side elevation and replacement of front door, garage door and ground floor front window. 21/00148/HOU Refused 18.03.2021

## **The Proposal**

Erection of a first-floor front, part single part two-storey rear extension, replacement of garage flat roof with pitched roof, insertion of skylight into main roof and insertion of doors and windows into side elevation.

The proposed rear extension measures approximately 4.0 metres in length, 10.2 metres in width and 6.5 metres in height. The proposed alteration to the roof form would be an increase of 1.7 metres in height.

## **Planning Policy**

The Development Plan locates the application site within the settlement policy boundary of Blackwater and Hawley.

### National Planning Policy Framework (NPPF) (July 2021)

Section 12 (Achieving well-designed places)

Section 15 (Conserving and enhancing the natural environment).

### Hart Local Plan (Strategy and Sites) 2016-2032

NBE4 (Biodiversity)

Policy NBE9 (Design)

Policy INF3 (Transport)

### Hart District Local Plan (Replacement) 1996-2006 Saved Policies

GEN1 (General policy for development);

### Other Guidance

Planning Practice Guidance

Parking Provision Interim Guidance (2008)

BRE Report - Site layout planning for daylight and sunlight: a guide to good practice (2011)

## **Consultee Responses**

### **Blackwater and Hawley Parish Council**

#### **OBJECTION**

Councillors note the similarity to application 21/00148/HOU and reiterate Planning Officers reasons for its refusal as follows:

By virtue of its siting, design and scale, the proposed side/rear two-storey extension would be dominant to adjacent properties leading to light loss to the side windows of 85 Rosemary Gardens. The proposal would therefore be detrimental to amenities of occupants of this neighbouring property. As such, the proposal is contrary to Policy NBE9

(Design) of the Hart Local Plan: Strategy and Sites 2016-2032, saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 (and First Alterations) and Section 12 of the National Planning Policy Framework (2019).

The proposed development, by virtue of its scale, massing and bulk would form a discordant development that would fail to integrate into the established modest dwelling and would not sustain or improve the urban design qualities of the area or respect the character of the surrounding built environment. As such, the proposal would be contrary to the National Planning Policy Framework 2019, Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies, Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2032.

## **Neighbour Comments**

Five objections have been received from members of the public raising the following issues:

Overlooking and Loss of Privacy.

Design not in keeping with the look of the road.

Impact on water and sewage facilities.

Parking impact and additional traffic generation causing more noise and disturbance to neighbouring property.

Risk to tree being lost.

Visual impact.

Concern the property will accommodate multi rentals.

Size, Layout and density of buildings.

## **Assessment**

### **Principle of Development**

The site is located within the urban settlement boundary of Blackwater and Hawley; it is therefore considered that the principle of development is acceptable, subject to compliance with development plan policies and other material planning considerations.

### **Design and Visual Impacts**

Local Plan Policy NBE9 and saved policy GEN1 state that development should be permitted where the proposal is well designed, is in keeping with the local area and sympathetic to the existing dwelling.

This proposal although similar to that refused 21/00148/HOU on 18.03.2021, has removed the first-floor extension above the garage removing the concern of a terracing effect.

Revised Plans were submitted and accepted on the 27.6.22 altering the east side elevation of the proposal.

The proposed two storey rear extension would be in keeping with the host property and of a scale that is sympathetic to the existing dwelling. The extension would be viewed in context with the existing dwelling and given the application site is located within an urban area, wherein there is a variation of dwelling types and sizes within the vicinity the resultant dwelling would not appear incongruous within the street scene.

The two-storey front extension gable frontage is set down in height from the existing ridge and would not result in an incongruous addition, nor would it be unacceptable such as to warrant its refusal.

The alteration of roof form to the garage would result in a subservient relationship with the host dwelling. The porch extension is a modest and acceptable addition.

The installation of windows to the first-floor elevations would serve en-suites and a bathroom and would be obscured glazed. The installation of windows and door to side elevation and rooflights within the rear roofslope would be considered a modest and acceptable alteration.

Although the proposal adds bulk to the host dwelling and involves a change to the dwelling's appearance; it would satisfactorily integrate with its surroundings. It would not give rise to any unacceptable impacts on the overall character and appearance of the area and would not look out of place. The design would be in keeping with the appearance of the main dwellinghouse.

The proposed development overall would increase the footprint of the dwelling but would not be unduly excessive. The dwelling has the benefit of a moderate size rear garden area and as such the extension would not result in overdevelopment of the site or an unacceptable loss of green amenity space.

Sufficient space would remain around the application site and as such the proposed development would not result in a cramped appearance, nor an unacceptable loss of amenity space. The materials in the construction of the development have been considered acceptable.

Overall, the proposed development is considered acceptable in scale and design and would not give rise to any demonstrable harm to the character and appearance of the area.

#### Impacts upon Amenity

Policy GEN1 of the HLP06 emphasises that sustainable development should be permitted provided that the proposal does not result in any material loss of amenity to adjoining neighbours, among other considerations.

Given the orientation and size of the plot, the proposal, the siting and the intervening boundary treatments with the adjoining properties, it is considered that the proposed development would not have an unacceptable impact on the residential amenities of neighbouring occupiers by virtue of overbearing impact, overshadowing, loss of light or overlooking. Therefore, the proposal is not considered to detract from the amenities of the neighbouring properties.

The proposed extensions are therefore considered acceptable in terms of neighbouring amenity.

### Highway Safety, Access and Parking

Policy NBE9 of HLP32 requires proposals to provide well-design and sufficient areas for parking and cycle storage together with suitable access. Policy INF3 of the HLP32 requires proposal to provide appropriate parking provision, cycle and bin storage. These are echoed by the policy requirements of Saved Policies GEN 1 and T14 of the HLP06.

The proposed development would result in an increase in the number of bedrooms at the property from three to four. The parking interim guidance requires 3.5 parking spaces to be provided on-site. A parking plan was submitted which shows four parking spaces. However, the garage space dimensions are 2.6 metres x 5.8 metres which falls short of the parking interim guidance internal measurements for a garage which are 3m x 6m. However, the frontage is 10 metres wide x 8 metres deep and could accommodate four cars within the frontage.

The proposal is therefore considered acceptable in terms of parking provision and given existing arrangements is considered unlikely to cause issues relating to highway safety or access.

### Flood Risk and Drainage

Policy NBE5 of the HLP32 outlines that development will be permitted provided it would not increase the risk of flooding on or off-site and within Causal Areas (as defined in the SFRA) all development takes opportunities to reduce the causes and impacts of flooding, amongst other things.

The site is located within a causal flood area. A Flood Risk Assessment was submitted which outlines how the proposal would reduce the impact of flooding.

### Ecology

Local Plan Policy NBE4 states that all developments should protect and enhance biodiversity. The Local Planning Authority has a duty under the Natural Environment and Rural Communities Act 2006 to have full regard to the purpose of conserving biodiversity, which extends to being mindful of the legislation that considers protected species and their habitats and to the impact of the development upon sites designated for their ecological interest.

The property appears to be of a modern (post 1960's) design located within a sub-urban area approximately 290m from the Blackwater River. There are hanging tiles on the front of the property which will be impacted as will the existing roof.

Given the age of the property and its location, a formal bat survey was not required for this application. However, advice via an informative could be provided as if a bat is subsequently discovered, works should stop immediately and Natural England be contacted, as further survey and / or licensing may be required for the works to proceed.

On the above basis, no objection has been raised on biodiversity grounds.\_

### Climate Change and Equality

The proposed development will have no direct or significant impact on issues relating to Climate Change.

In determining this application, the Council, as required, had regard to its obligations under the Equality Act 2010. There has been no indication or evidence (including from consultation on the application) that the protected groups as identified in the Equality Act have, or will have, different needs, experiences, issues and priorities in relation to the particular planning application. Therefore, there would be no significant adverse impacts as a result of the proposed development on protected groups.

## **CONCLUSION AND RECOMMENDATION**

The design and appearance of the proposal is acceptable and there would be no material loss of amenity to the neighbouring properties or harm to the street scene or character of the area. The development proposes drainage enhancements which support the Council's Climate Change targets. The proposal complies with the development plan as a whole which includes the Local Plan and Saved Policies.

The application is therefore recommended for approval subject to the conditions listed below.

## **CONDITIONS**

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

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Location Plan

Block Plan

Revised Combined Plans received 27.6.22

Reason

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

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described in the application form and as annotated on the plans submitted

Reason

To ensure a satisfactory visual relationship of the new development with the existing building and to satisfy Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2016-2032 and Policy GEN1 of the Hart District Local Plan 1996-2006 (Saved Policies).

- 4 The first floor side facing windows (x3) on the side elevation (serving the en-suites / bathroom) shall be installed with obscured-glazing (to a minimum of industry standard level 3 obscurity) and shall be top-hung opening only. The window shall be installed and thereafter retained in this condition.

Reason

In the interests of neighbouring amenity to prevent overlooking and loss of privacy in accordance with Local Plan Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies.

## **INFORMATIVES**

1 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017, bats are a protected species and it is illegal to intentionally or recklessly damage, disturb or destroy a bat or its habitat. If any evidence of bats is found on site, Natural England must be informed and a licence for development obtained from them prior to works continuing. For further information go to [www.naturalengland.org.uk](http://www.naturalengland.org.uk) or contact Natural England (S.E. regional office) on 0238 028 6410.

2 You may require Building Regulations Consent and we advise that you should contact Building Control on 01252 398715.

3 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.



- 4 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance: The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.