



Planning Committee

Application Address	63 Merriefield Avenue, Broadstone, BH18 8DB
Proposal	Proposed alterations to the existing roof structure to create further bedroom accommodation, with the formation of a gable extension, half hipped extension, installation of roof lights and new north facing dormer. Minor fenestration alterations to the ground floor with a new flat roofed entrance canopy, new windows and doors to the south, west, and east elevations and internal alterations.
Application Number	APP/21/00686/F
Applicant	Mr and Mrs Carton
Agent	Mr Gareth Bristow - Bristow+Associates
Date Application Valid	4 May 2021
Decision Due Date	29 June 2021
Extension of Time Date	13 October 2021
Ward	Broadstone
Report status	Public
Meeting date	6 October 2021
Recommendation	Grant with conditions
Reason for Referral to Planning Committee	Referral by Cllr Michael Brooke noting the application potentially has an impact on a number of properties on Greensleeves Avenue. There is concern amongst the residents that the differences in height of the properties that there will be overlooking and loss of privacy.
Case Officer	Rebecca Murunga

Description of Proposal

1. This application seeks planning permission for (i) alterations to the existing roof structure to create further bedroom accommodation, with the formation of a gable extension, half hipped extension, installation of roof lights and new north facing dormer, and (ii) Minor fenestration alterations to the ground floor with a new flat roofed entrance canopy, new windows, and doors to the south, west, and east elevations and internal alterations.

Description of Site and Surroundings

2. The application relates to a detached property in a cul-de-sac of Merriefield Avenue. The site is in a residential area with houses of mix style, scale, height, and appearance. There is significant site level change; the ground level is decreasing from the south to north of the site. There are tall trees and mature shrub planting northwest of the site and 1.8m close boarded fencing north of the site which create the rear boundary treatment.
3. Beyond the north boundary treatment is public green space with trees and a footpath. This separates the site by 12 meters from the rear garden boundary of properties No. 34A and No. 34 Greensleeves Avenue.

Relevant Planning History:

4. APP/20/00335/F – Granted: 11/05/2020 – Erect a single storey side extension with lantern rooflights and partial garage conversion to create habitable living accommodation, add rooflights to existing roof on South, North and East elevations
5. APP/20/00830/F – Refused: 21/08/2020 – Non-material amendment following approval of APP/20/00335/F for: Minor fenestration alterations & change the external finish of the proposed extension from brick to a light coloured render.
6. APP/20/00954/F – Granted: 12/01/2021 – Erect a single storey side extension with lantern rooflights and partial garage conversion to create habitable living accommodation, add rooflights to existing roof on South, North and East elevations. (Revised application to APP/20/00335/F - fenestration and external finish alterations).

Constraints

7. None.

Public Sector Equalities Duty

8. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
 - eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Consultations

9. None.

Representations

10. In addition to letters to neighbouring properties a site notice was posted outside the site on 26th May 2021 with an expiry date for consultation of 19th June 2021. The letters to neighbouring properties and site notices were posted on Merriemfield Avenue only as there were no other adjoining sites, the rear of the site is greenspace with footpath access.

11. **3 objecting** representations have been received. The objection comments are summarised below;

- Loss of privacy for neighbours north of the site
- Proposed dormer windows will cause overlooking issues
- Juliet balcony result to overlooking on properties along Greensleeves Avenue
- Juliet balcony is out of character with other immediate properties
- Raising of the roof height
- Mature hedging on the north boundary removed

12. **3 supporting** representations have been received. The support comments are summarised below;

- Proposed are improvements to an ageing designed abode
- Property in a cul-de-sac no harm to the area
- In keeping with the property and local area
- Increases space inside the property without increase building footprint
- Dormer overlooks area of natural green public land
- Maintains garden amenity
- Increases property value

Key Issues

13. The key issue(s) involved with this proposal are:

- Impact on the character and visual appearance of the area
- Impact on neighbouring amenities and privacy

14. These issues will be considered along with other matters relevant to this proposal below.

Policy context

15. The following planning policies are relevant:

Poole Local Plan (Adopted 2018)

PP01: Presumption in favour of sustainable development

PP27: Design

Broadstone Neighbourhood Plan (2018) Policy

BP8: Well-designed Extensions

A. Extensions, including loft/roof space conversions, or alterations to existing buildings will be supported where they:

- (i) Complement the architecture of the existing building or group of buildings within the street scene
- (ii) Use materials that are sympathetic to and integrate with the existing building
- (iii) Reflect the prevailing pattern of development, scale and rhythm when viewed from the street retaining important gaps in between dwellings that currently exist
- (iv) Preserve neighbouring amenities including light, outlook and privacy.

The National Planning Policy Framework (2021)

Section 2 – Achieving Sustainable Development

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and decisions should apply a presumption in favour of sustainable development.

For **decision-taking** this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.

Section 12 Achieving well-designed places

Planning Assessment

Impact on the character and visual appearance of the area

1. This planning application proposes alterations to the existing roof structure to create further bedroom accommodation, this would not result to an increase in ridge height to the existing house. There would be a formation of a gable extension, half hipped extension, installation of roof lights and new north facing dormer. The proposal would maintain the existing ridge height of the property. The proposed roof alterations by virtue of its scale, design, and height would not harm the character and appearance of the existing house.
2. The application site is not readily visible to the street scene of Merriefield Avenue being accessed via a private drive at the end of a turning head. There are houses of diverse height, scale, design, and appearance neighbouring the site and some with large dormers. Consequently, the proposals would preserve the character and appearance of the area. The proposed developments would maintain the ongoing local patterns of development and neighbouring buildings; therefore, the proposal is in accordance with Policy PP27 of the adopted Poole Local Plan (2018).
3. The proposed dormer on the north elevation is of an acceptable scale, size, and design which would integrate with the existing dwelling. Due to the elevation of the site, the proposed dormer would be visible from the rear gardens of the properties at Greensleeves Avenue. Although due to 12m open space distance between the rear site boundaries, the proposals would not have adverse impact on the character and appearance to the streetscene of Greensleeves Avenue.
4. It's to be noted with a 16m³ reduction the proposed dormer and gabled roof would be permitted development (PD) under Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995. The creation of a Juliet balcony, on the west elevation due to its size and scale would be acceptable under PD rights.
5. The proposed changes to the roof design from pitched to half hipped roof is of acceptable design and scale. The material and finishes would match the existing, allowing the proposed development to acceptably integrate into the existing property and the wider area. The proposal is considered to comply with Policy BP8 of the Broadstone Neighbourhood Plan (2018).
6. The removal of the tiled roof over the entrance and replaced with a new flat roofed canopy and proposed external alterations which include new half hipped roof, new gable end roof, chimney removal, new flat roof over the lounge and new door on the east elevation would not any undue impact on the character and appearance of the dwelling.
7. Therefore, in relation to design and preserving the character of the area, the proposal is in accordance with Policy PP27 of the adopted Poole Local Plan (2018) and Policy BP8 of the Broadstone Neighbourhood Plan (2018).

Impact on neighbouring amenities and privacy

8. The proposal to alter the roof structure does not seek to increase the existing ridge height and alterations would be within the existing dwelling's footprint, preserving the amenities of neighbouring properties in terms of outlook, daylight, shading and would not be overbearing.
9. The proposed Juliet balcony on the west elevation is of a small scale and would be facing the larger garden space that is screened by tall trees and shrubs along the north boundary treatment. Additionally, the proposed balcony would not have a platform for external access, therefore would not give rise to overlooking or loss of privacy for neighbouring dwellings along Greensleeves Avenue, which is in accordance with Policy PP27 of the adopted Poole Local Plan (2018) and Policy BP8 of the Broadstone Neighbourhood Plan (2018).
10. The proposed north facing dormer would have three windows, as illustrated on the submitted plans (Drawing No. 726-006 Rev A), two windows would be obscure glazed. These do not serve habitable rooms (dressing room, en-suite) and due to the window-to-window distance to the nearest property to the north (noted below), there is no planning reason to require these openings to be obscured.
11. Bedroom 2 window on the dormer may give rise to overlooking beyond the site boundary treatment. Assessing the distance between the site and properties on Greensleeves Avenue, there would be up to 28 meters in between the habitable rooms. The views from bedroom 2 would not be detrimental to the privacy of properties on Greensleeves Avenue at such a substantial distance. Furthermore, as discussed in paragraph 11 above the proposed dormer and gable end roof alterations would be acceptable under PD rights if they would be reduced by 16m³, and no control could be exercised over the glazing in a rear-facing dormer.
12. The four proposed roof lights on the south elevation, would preserve the privacy of neighbouring properties. Should the proposed north facing bedroom window be removed, the proposed rooflight above bedroom 2 would not provide sufficient sun/daylight into half of the room space, this would be detrimental to the future occupant of the bedroom, therefore would be contrary to Policy PP27 of the adopted Poole Local Plan (2018).
13. Amended plans indicate two new trees to be planted on the north boundary treatment (see drawing No. 726-003 Rev A). Although the trees would cause potential shading and loss of sunlight into the north elevation windows of the application property, the trees would provide in time provide some screening between the new bedroom window on the dormer and the properties on Greensleeves Avenue. The trees would filter any views towards neighbouring properties. However, they are not essential to make the scheme acceptable as the window-to-window distances comfortably exceed that required to maintain privacy to dwellings to the north and any potential views towards gardens would be a common residential relationship seen across the surrounding area.

Consequently, a condition to require their planting & retention would not pass the legal tests for imposing a planning condition.

14. Overall, the proposal would not have any detrimental impact upon the privacy and amenities of the neighbouring properties. Therefore, the proposal is in accordance with Policy PP27 of the adopted Poole Local Plan (2018) and Policy BP8 of the Broadstone Neighbourhood Plan (2018).

Summary

16. The proposal would preserve and respect the character and appearance of the dwellinghouse and wider area.
17. The proposal would have acceptable impacts on the living conditions of neighbouring properties.

Planning Balance

18. The proposed development is considered to have no material impact on the character and appearance of the surrounding area. The proposal is considered to respect residential amenities and seeks to preserve the privacy of neighbouring properties. It is considered the elevation of the application site, due to changes in levels, may result in a minor change in the relationship with nearby properties but no harm has been identified to warrant refusal of the proposal.
19. Therefore, having considered the appropriate development plan policies and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring residents. The Development Plan Policies considered in reaching this decision are set out above. Subject to conditions the proposal is acceptable, and according to NPPF paragraph 11(c) development should be approved without delay.

Recommendation

20. GRANT permission subject to the following conditions:

1. Time expiry 3 Years

The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason -

This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. Plans Listing

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

Location Plan (Drg No. 726-001): received 04/05/2021

Block and Site Plans (Drg No. 726-003 Rev A): received 27/07/2021

Proposed Floor Plans (Drg No. 726-006 Rev A): received 27/07/2021

Proposed South and West Elevations; Sections (Drg No. 726-007): received 04/05/2021

Proposed North and East Elevations (Drg No. 726-008 Rev A): received 27/07/2021

Reason -

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

3. Material to match existing building

The materials and finishes to be employed on the external faces of the development hereby permitted shall match in every respect those of the existing building.

Reason -

To ensure a satisfactory visual relationship of the new development and that existing and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Informative

1. In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.

A/so:

- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified

Background Documents

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

Notes:

This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.