

Planning Committee



Application Address	27 Wickfield Avenue Christchurch BH23 1JB
Proposal	Raise roof to create two storey dwelling, ground floor extension to the rear and side along with an enlarged driveway.
Application Number	8/21/0111/HOU
Applicant	Mr & Mrs Comiskey
Agent	Mr Matt Stevens
Ward and Ward Member(s)	Christchurch Town Councillor Peter Hall Councillor Mike Cox
Report status	Public
Meeting date	
Summary of Recommendation	Grant in accordance with the details set out below
Reason for Referral to Planning Committee	Call in request from Councillor Peter Hall.
Case Officer	Greg Lester

EXECUTIVE SUMMARY

Summary of Key Issues

The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Representations received

Objections were received from 7 individual addresses objecting to the proposal. A summary of the objections have been provided within the consultation section of the report.

Principle of Development

The proposal is for a householder development to allow for the extension of the existing dwelling, along with raising the ridge height to allow for habitable accommodation within the roof space. The property is located within an urban area and is not located within any designated areas. Overall, there is no principle objection to the development.

Design, Scale and Appearance

The proposal would see the ridge height of the existing property raised by 300mm and a slightly raised eaves, and would result in a chalet style bungalow with dormer windows to both sides and gable ends to the front and rear. A number of properties which have created habitable accommodation within the roofspace are visible in the vicinity. The rear gable will be moved further from the boundary with the neighbour to the rear as a result in the shortening of the roof depth. A single storey extension with a width of 3 metres is proposed to the side of the property.

The eaves line of the proposal is broadly similar to the neighbours on either side, with the host dwelling maintaining the appearance of a bungalow with rooms within the roof space rather than a two-storey dwelling.

It is not considered the proposals would adversely impact on the character and appearance of the area.

Impact on Residential Amenity

The single storey extensions would allow for sufficient separation distances with neighbouring properties surrounding the rear of the application site. The loft conversion, would introduce an additional dormer and replace the existing. High level windows are proposed in both dormer. No overlooking is anticipated from these windows.

The proposed shortening of the roof depth would result in the rear gable being approximately 14 metres from the rear boundary with the neighbouring property. The property benefits from permitted development rights, and this forms a material consideration in determining the current proposals.

Due to the limited height increase, whilst the length of the ridge would increase, it is considered unlikely there would be any adverse impact by way of overbearing impact.

In addition, whilst the proposal would result in a new point of overlooking from the windows in the rear gable, these would be approximately 14 metres from the boundary with No. 31A Wickfield Lane. The proposed gable windows would face an area in the neighbouring properties garden set out as a seating area, and given the distance between the boundary and windows, it is considered overlooking of this area would occur.

As a result it is necessary to consider the permitted development fall-back position. The property could benefit from either a rear hip to gable conversion or a rear facing

dormer window, with either option resulting in a window in closer proximity to the boundary than the proposed scheme.

On this basis it is not considered the harm to the neighbouring occupier's amenity would be so severe that the scheme should be recommended for refusal.

Transport Considerations

No impact is anticipated as adequate parking provision is retained, and the site is in close proximity to the Town Centre.

Flood Risk and Drainage

The site is located in Flood Zones 2 and 3. The submitted Householder Flood Risk Assessment states that floor levels will be no lower than existing and that flood resilience measures will be utilised where appropriate. This is considered acceptable.

Description of Proposal

1. Full planning permission is sought for the remodel of an existing bungalow to provide an extension to the side and rear along with raising of the roof to provide additional habitable accommodation following the removal of an existing garage and rear extension/shed. Two no. dormer windows are proposed to the side elevations along with a gable to the front and a reduction in the roof depth to the rear with the addition of a gable with inset windows. A larger driveway is also proposed utilising the existing access.

Description of Site and Surroundings

2. No. 23 Wick Lane is located to the west of the town centre on the north side of Wickfield Avenue.
3. Wickfield Avenue comprises a variety of built form, including bungalows, chalets and two storey dwellings, with evidence of recent conversions to bungalows, including the property opposite the application site.
4. The host dwelling occupies a relatively compact plot which is rectangular and abuts the rear garden of no. 31A Wickfield Avenue, which is located at right angles to the plot. The depth of the garden of the host dwelling measures 9.3 metres from the rear wall of the original dwelling.
5. The rear garden of the host dwelling is predominantly laid to lawn with a small patio. An existing flat roof rear extension is located to the northeast boundary of the site.

Relevant Planning History

6. None.

Public Sector Equalities Duty

7. 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.

Other relevant duties

8. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.

Consultations

9. **Christchurch Town Council** - None received
10. **Wessex Water** – Wessex Water has no objections to this application
11. **BCP Highways - Minor Dev** – No objections subject to condition to secure access

Representations

12. 7 letters of objection have been received in relation to the proposals, raising the following points:
- Overdevelopment of the plot
 - Out of keeping with character of area
 - Loss of privacy through overlooking
 - Loss of light and overshadowing
 - Loss of parking space (Officer note: Revised plans have been submitted omitting a new additional access)

Key Issue(s)

13. The key issue(s) involved with this proposal are:
- Impact on the character and appearance of the site and wider area
 - Impact on neighbouring amenities and privacy
 - Parking provisions and highway safety
 - Impact on flood risk
14. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

15. Local documents:

KS1	Presumption in favour of sustainable development
KS12	Parking Provision
KS11	Transport and Development
HE2	Design of new development
H12	Residential Infill
ME6	Flood Management, Mitigation and Defence

16. National Planning Policy Framework (“NPPF”/“Framework”)

Section 2 – Achieving Sustainable Development

17. **Supplementary Planning Documents:**

BCP Parking Standards – SPD (2021)

18. **The National Planning Policy Framework (2021)**

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies 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 in this Framework taken as a whole.

19. The following chapters of the NPPF are also relevant to this proposal:

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places

Planning Assessment

Impact on the character and appearance of the site and wider area

21. The proposal would see the height of the property increased by approximately 300mm over the existing ridge height to accommodate increased accommodation within the roof space. Two dormer windows are proposed, with one being on either side of the proposed gabled roof. The proposed north

east facing dormer would have two high level windows (cill level 1700mm above floor level) serving a bedroom and landing. The south west dormer features a single high level window serving a bedroom.

22. In addition, the roof of the property will be reduced in depth at first floor level with both the front and rear elevations being converted to gables with windows set in the gable ends. The separation distance to the boundary at the rear will be increased to approximately 14.2 metres from the proposed gable windows as a result.
23. A single storey side extension is also proposed with a width of 3 metres, which would be sited on an area previously occupied by the garage, and would project no further forward than the existing garage, along with a single storey rear extension.
24. The existing property of 27 Wickfield Avenue is located between a bungalow and a dormer bungalow. The proposals would result in the existing property being modestly increased in height, along with the addition of gables to both the front and rear elevations set with windows. The eaves line of the host dwelling is similar to those on the neighbouring properties and will still maintain the appearance of a bungalow with accommodation in the roof, rather than a two-storey dwelling.
25. There is evidence of conversions to bungalows within the street scene, with the property opposite the site having been converted in recent years. Whilst the proposal would result in a gable fronting the highway, rather than a roof set with gables, given the orientation of the property being narrower to the frontage it considered the approach taken is appropriate and would not be detrimental to the character of the area.
26. Similarly, the details of materials proposed are similar to those utilised elsewhere in the street scene, namely white render, grey window frames under a slate roof, and are generally considered appropriate. The gable to the front appears to comprise weather boarding which could be regarded as appropriate, although no details have been provided. It is therefore considered samples of any proposed weatherboarding be required by planning condition.
27. Given the relatively limited increase in height, the reduction in roof depth and addition of one additional dormer over the present situation, it is not considered the proposals would represent an unduly bulky form of development and would be of an appropriate scale given the nature of the locality.
28. The proposal would respect the character and appearance of the dwellinghouse and the street scene of Wick Lane, therefore it is considered to be acceptable and in accordance with Policy HE2 of the Core Strategy.

Impact on neighbouring amenities and privacy

29. During the course of the application, significant concerns were raised in received representations regarding the impacts the proposed development could have on neighbouring occupier's amenities through both overbearing impact/loss of light, and also loss of privacy from the proposed rear facing windows.
30. It should be noted that permitted development rights could be utilised on the host dwelling to make a number of alterations to the roof, to include a rear hip to gable conversion and a side dormer window, or a dormer window to the rear in place of the gable conversion. These permitted development rights form a material consideration in the decision making process.
31. The proposed increase to the ridge height has the potential to create an overbearing impact on the neighbouring occupiers to either side, and also the rear, of the site. However, the proposals would raise the roof by a maximum of approximately 300mm and whilst the roof would be gabled, the depth of the roof is being reduced from 12.6 metres at eaves level to 9.7 metres. The length of the ridge would increase from 4.2 metres to 9.7 metres. Whilst this would increase the bulk of the roof, this is mitigated through the reduction in the overall depth of the roof and limited height increase. It is not considered that the properties to either side would experience such significant adverse effects from the additional height by way of an overbearing impact that the proposal should be recommended for refusal. Similarly, it is considered unlikely the proposals would result in any significant overbearing impact on the property to the rear.
32. The proposed fenestration layout to the rear at first floor level has the potential to overlook the properties to the rear of the site, most notably no. 31A Wickfield Avenue.
33. Whilst oblique overlooking of properties to either side of a property in either an urban or suburban location is generally accepted, direct overlooking of properties to the rear has the potential to cause significant harm to privacy.
34. In this case, the amendments proposed would bring the windows located within the rear gable to within approximately 14.2 metres of the boundary. Given the absence of any windows at first floor level in the host dwellings rear elevation, it is considered the proposals would result in the introduction of a point of new overlooking of properties to the rear.
35. It is not considered the proposals would result in any significant harmful overlooking of properties on Sopers Lane, as the properties to the rear have longer rear gardens. The back to back separation between the nearest property on Sopers Lane and the rear of the host dwelling, as existing, would exceed 46 metres. Whilst spaces towards the rear boundaries on Sopers Lane would experience a degree of overlooking, it is not considered there would be

harmful overlooking of the garden spaces to the rear of the properties given this separation distance.

36. Given the layout of the property at 31A Wickfield Avenue, the proposals to add windows to a new rear gable have the potential to result in harmful overlooking of that properties rear garden.
37. The new first floor gable windows would both serve bedrooms and are shown to be clear glazed. Following the proposed alterations to the roof, the new gable would be sited at a distance of approximately 14.2 metres from the boundary. The garden area of 31A Wickfield Avenue extends across the rear of both the application site and also 29 Wickfield Avenue, which features a number of dormer windows facing the rear.
38. The rear of no. 29 Wickfield Avenue is located approximately 17.5 metres from the rear boundary, whereas the proposal would create new windows in closer proximity. Whilst the overlooking from the new windows would be towards the end of the garden of 31A Wickfield Avenue, this is clearly set out as an area for seating. Given the proximity of the proposed windows it is considered likely overlooking of this space would occur.
39. Notwithstanding the above, it is necessary to consider the fall-back position which could be delivered by permitted development which, as stated above, forms a material consideration in the determination of the current scheme.
40. Given the layout of the existing property, either a hip-to-gable conversion or the addition of a rear facing dormer window would result in a window being in closer proximity than the proposed. It is considered this would be more harmful than that which is proposed as part of the current scheme. As no controls would apply to the glazing installed on a rear dormer undertaken with permitted development, whilst it is considered some harm would occur by way of overlooking as a result of the proposals, this would be of a lesser degree than that which could otherwise occur. Therefore, considering the fall-back position, on balance it is considered the proposal would not result in such significant adverse impacts on neighbouring occupiers amenities that the application should be recommended for refusal.
41. Therefore, it is considered the proposal would preserve the amenity and privacy of the neighbouring properties and it is therefore acceptable in accordance with Policy HE2 of the Core Strategy.

Parking provision and highway safety

42. The proposals would see the existing access utilised and an increased area of driveway provided, such that parking for at least two cars would be provided off-road. The Highway Authority have raised no objections to the proposal following the submission of revised plans which removed an additional

driveway access. The proposal is therefore considered to be in accordance with Policy KS11 and KS12 of the Core Strategy.

Impact on flood risk

43. The site is located within flood zones 2 and 3, and as such the proposal is accompanied by a Householder Flood Risk Assessment (FRA). The submitted FRA states that the floor levels of the proposed additions will be set no lower than the existing and that flood resilience measures will be incorporated where appropriate.
44. A Sequential Test is not required in this instance as the proposal represents 'minor development' as it relates to extensions to an existing dwelling house.
45. The proposal is considered to comply with Policy ME6 of the Core Strategy.

Summary

46. The proposal would respect and preserve the character and appearance of the surrounding area. Neighbouring amenity and privacy would be preserved; no harmful increase in overlooking is anticipated over previously considered permitted development fall-back positions and the proposals would not have any adverse impact on parking provisions and highway safety.

Planning Balance/Conclusion

47. 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 proposed extensions would lead to an element of shading and loss of daylight to nearby properties, although no harm has been identified to warrant refusal of the proposal.
48. 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 and would retain adequate parking provisions. 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

Grant, subject to the following:

Conditions

1. The development to which this permission relates must 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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: ASP.20.035.00, ASP.20.035.002 Revision A, ASP.20.035.100 Revision A, ASP.20.035.200 Revision A, ASP.20.035.102 Revision A, ASP.20.035.300 Revision A, ASP.20.035.103.

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

3. No development above DPC (damp proof course) shall take place until details and samples of all external facing and roofing materials have been provided on site, and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved, unless otherwise agreed in writing with the LPA.

Reason: This information is required prior to above ground work commencing to ensure satisfactory visual relationship of the new development to the existing.

4. The only vehicle access to the site shall be the "Existing dropped kerb driveway" vehicle access as annotated on Proposed Site Plan ASP.20.035.002 Revision A and no other vehicle accesses shall be created at any time.

Reason: To ensure sufficient on-street parking facilities remain on Wickfield Avenue in the interests of highway safety.

Informatives

1. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.
2. This planning permission does not convey the right to enter land or to carry out works affecting or crossing the boundary with land which is not within your control without your neighbour's consent. This is, however, a civil matter and this planning consent is granted without prejudice to this.

Background Documents:

Case file: 8/21/0111/HOU

Case Officer Report Completed:

Officer: Greg Lester

Date:

Agreed by: Artemis Christophi

Date: 04/01/22

Comment: