

Planning Committee



Application Address	46 Winston Avenue, Poole, BH12 1PF
Proposal	Single storey side extension and alterations. Front porch and front dormer.
Application Number	APP/23/00185/F
Applicant	Karen Rampton
Agent	Tip Top Plans LLP
Ward and Ward Member(s)	Alderney and Bourne Valley Cllr Chapmanlaw, Cllr Maidment and Cllr Trent
Report status	Public Report
Meeting date	15 June 2023
Summary of Recommendation	Grant subject to conditions
Reason for Referral to Planning Committee	Applicant is an elected Member
Case Officer	Camila Bastidas

Description of Proposal

1. The proposed scheme is for a single storey side extension, demolishing an existing garage on the site. In addition, a dormer window is proposed to the front elevation along with a porch extension.
2. The application comes to the Planning Committee under the Constitution as the applicant is an elected member.

Description of Site and Surroundings

3. The application site is situated on the southern side of Winston Avenue and is occupied by a two-storey, detached dwelling. The application site is located within 400 metres of Bourne Valley Nature Reserve, SSSI, SNCI, part of the Ramsar and SPA a designated heathland.
4. There is a 1 metre wall enclosing the front boundary of the site with a vehicular access off Winston Avenue located at the western and eastern side of the site frontage. The vehicular access off Winston Avenue provides access to an area of hardstanding that occupies the entire area of the front garden of the site and that provides space for the

parking of multiple vehicles, as well as providing access to an integral garage. The site is enclosed by a wall on the east boundary and a fence to the west and rear boundary.

5. The existing dwelling is finished in brick and white render and it has a hipped plain clay tile roof. There is a garage to the eastern side of the existing dwelling and a large conservatory to the rear.
6. The character of the area is residential, with the dwellings along Winston Avenue comprising of primarily detached, two-storey dwellings. The majority of properties on the southern side of Winston Avenue occupy a broadly consistent frontage position in relation to the road. However, no. 48 to the east sits much further south into its plot with detached garage to the front adjoining the existing garage on the application site.

Relevant Planning History

7. **2016** - Planning permission granted to erect conservatory at rear **Ref: APP/16/00493/F**
8. **2015** - General permitted development granted for rear Conservatory with tiled roof, which would extend beyond the rear wall of the original semi-detached dwelling house by 4m, for which the maximum height would be 3.69m and for which the height at the eaves would be 2.30m. **Ref: GPDO/15/00023/GPD**

Constraints

9. The application site is located within 400 metres of Bourne Valley Nature Reserve, SSSI, SNCI, part of the Ramsar and SPA, and a designated heathland.
10. Hazardous Consultation Zone, Environmental Health Officer advised no concerns found.

Public Sector Equalities Duty

11. 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

12. For the purposes of this application in accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitat Regulations) appropriate regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.
13. 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.

14. With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.

Consultations

15. Biodiversity Officer – No objections, subject to informative.
16. Environmental Health (Contaminated Land) – No concerns raised.
17. Highways Authority – No objections.

Representations

18. In addition to letters to neighbouring properties a site notice was posted outside the site on 10 March 2023 with an expiry date for consultation of 03 April 2023.

1 Letter of concern was received regarding the retention of the boundary wall of No.48 Winston Avenue.
19. Amended plans have been received on the 13 March 2023 to show the retention of the boundary wall between the application site and No.48 Winston Avenue.

Key Issue(s)

20. The key issue(s) involved with this proposal are:
 - Impact on the character and appearance of the area
 - Impact on the neighbouring living conditions
 - Parking and highway safety

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

Policy Context

21. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises:

Poole Local Plan (2018)

Policy PP01 Presumption in favour of sustainable development

Policy PP27 Design

Policy PP32 Poole's nationally, European and internationally important sites

Policy PP33 Biodiversity and geodiversity

Policy PP35 A safe, connected and accessible transport network

Supplementary Planning Documents

BCP Parking Standards SPD (adopted January 2021)

National Guidance

National Planning Policy Framework ("NPPF"/"Framework")

- The policies in the Framework are material considerations which should be taken into account in dealing with applications.

Planning Assessment

Impact on the character and appearance of the area:

22. The existing property is an inter war dwelling with a hipped roof. There is a variety of ages, types and designs of residential properties surrounding the site. Whilst extended to the rear, the property appears largely unaltered from the front. The existing garage to the eastern side lies at a higher level to the ground floor of the dwelling.
23. The proposed side extension would be readily visible in the street scene due to its siting to the side elevation of the existing dwelling. Due to its single storey nature and size of its footprint, the proposed side extension would represent a relatively modest enlargement of the existing property, subservient to the main dwelling and respecting its appearance by way of its design and matching finishing materials. Therefore it would successfully integrate with the existing property.
24. The proposed side extension would reduce the separation distance between the application site and the neighbouring dwelling at No.48 Winston Avenue, as it would sit on a larger footprint than the existing garage. However, due to the extension's single storey scale and as No.48 is set further back into the site (18m from the highway) against the application site (9m), the spaciousness of the area would be retained.
25. Given the single storey nature of the side extension and its siting to the east side of the existing dwelling and its design which successfully addresses the change in levels, it would not appear harmful to the street scene of Winston Avenue and the wider surrounding area.
26. The proposed front porch would respect the appearance of the existing dwelling and the street scene, due to its design and matching finishing materials. Dormers are not a common feature to front elevations on the immediately surrounding properties, however the proposed dormer is a modest feature, well designed with a matching hipped roof, ridge capping and tiles and would also respect the appearance of the dwelling. Consequently its impact on the street scene is considered acceptable.
27. Having regard to the above considerations, the proposals would not appear out of keeping in the street scene of Winston Avenue. As such, it is considered that the proposal would be in accordance with the provisions of Policy PP27 of the Poole Local Plan (Adopted November 2018).

Impact on neighbouring living conditions

28. Due to the siting of 48 Winston Avenue, the proposed extension will likely be partially visible from the front elevation of this neighbour, however any impacts will be limited by the separation between the properties and the modest increase in height and footprint from the existing garage. In addition, views towards the extension will be further limited by No.48's garage.

29. The existing boundary wall to the rear of the existing garage, would be retained between the application site and the neighbouring dwelling at No. 48 Winston Avenue. The side extension will have patio doors facing down the garden of the application site. There is already extensive glazing to the rear and side elevation of No.46's conservatory and the proposals are not considered to result in a substantial loss of privacy to No.48. A side facing window serves a utility area and faces towards No.48's garage.
30. Due to the side extension's scale and siting to the west of No.48, it would not give rise to any material loss of outlook or loss of sunlight/daylight to 48 Winston Avenue. and it would not give rise to any harmful shading due to its orientation. The proposed dormer and porch will not impact on this neighbour.
31. The proposed alterations would be sufficiently distanced from all other neighbouring properties that it would not give rise to any material loss of outlook, loss of sunlight/daylight or harmful shading or unacceptable loss of privacy.
32. The side extension and front dormer would have windows to the front, with views over the street. Consequently this would not raise harm in terms of privacy.
33. Having regard to the above considerations, it is considered that the living conditions of neighbouring properties would be preserved and therefore the proposal would be in accordance with the provisions of Policy PP27 of the Poole Local Plan (Adopted November 2018).

Parking and access

34. The Highways Authority has assessed the proposal and advised that the existing parking provision on site would be retained and the access to the site would remain unchanged. The number of habitable rooms would increase. However, the existing level of parking provision would be retained and therefore, it would be in accordance with Parking Standards SPD (Adopted 5 January 2021) and Policy PP35 of the Poole Local Plan (2018).

Other matters

35. The application site is located within 400m of Talbot Heath SSSI, however the scheme does not trigger the need for a bat report under the Council's Validation Checklist on account of the building's location and its pre-existing roof conversion. Notwithstanding this, the Council's Biodiversity Officer has assessed the proposal and advised that an informative should be included as guidance, in the case that bats are found during works, Therefore, the proposal would comply with Policy PP33 of the Poole Local Plan (2018).
36. The application site has a constraint logged under hazardous consultation zone. As a result, the Environmental Officer has been consulted and assessed the proposal and advised that no environmental health concerns have been found. Therefore, the proposal would be in accordance with Policy PP27 in this regard.

Planning Balance/Conclusion

37. The proposal would preserve the character and appearance of the street scene of Winston Avenue and of the existing dwelling. Neighbouring living conditions would be preserved. The proposal would not harm nearby European- protected sites and no contaminated land concerns have been raised. In addition, sufficient on-site parking provision and vehicular access arrangements would be retained for the enlarged dwelling and the proposal would not adversely affect highway and pedestrian safety.

38. The scheme has acceptable economic, social and environmental impacts. It is considered that the scheme accords with the Development Plan as a whole for the reasons given in this report and it is considered that the identified material considerations support granting the proposal. The proposal would also be in accordance with paragraph 11 of the NPPF.
39. Therefore, the scheme is recommended for approval.

Recommendation

GRANT permission subject to the following conditions:

1. 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. The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Floor Plans (Drawing No. 22-RG/782/003 F), received 13 March 2023
Proposed Elevations (Drawing No. 22-RG/782/004 E), received 13 March 2023
Block Plan and Location Plan (Drawing No. 22-RG/782/005), received 09 February 2023

Reason - For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used for the external faces of the development shall be as specified within the application form.

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 Notes

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. Also: in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified.
2. The applicant is advised that bats may be present within the dwelling and surrounding area. All bats are fully protected under the Wildlife and Countryside Act 1981. Section 9 of the Act makes it an offence to intentionally kill, injure or disturb a bat and to damage, destroy or obstruct access to any structure that is used by bats for roosting. In the case that bats are found during works, the work should cease immediately and if possible the part of the structure that was removed and exposed bats should be put back into place. A bat ecologist should be employed to address the situation and Natural England contacted immediately.

3. This permission is granted under Town and Country Planning legislation and does not alter or impinge upon the rights of adjoining landowners under common law or under the Party Wall Act 1996. If any part of the development is physically attached to, or relies for support on, the neighbouring property the consent of the relevant landowners/occupiers will need to be obtained under the provisions of the Party Wall Act 1996.
4. It is noted that the side extension hereby approved closely adjoins your neighbour's land. 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

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.