

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

11 November 2015

Item: 3

Application No.:	15/02657/FULL
Location:	70 Wolf Lane Windsor SL4 4YZ
Proposal:	Construction of a two storey rear extension and first floor front extension
Applicant:	Mr Elgendy
Agent:	Mr P N Robson
Parish/Ward:	Park Ward

If you have a question about this report, please contact: David Johnson on 01628 685692 or at david.johnson@rbwm.gov.uk

1. SUMMARY

- 1.1 The application is for the construction of a two storey rear extension and a first floor front extension. The proposal is considered to be acceptable in all respects including impact on the street scene, character of the area and the amenities of neighbouring dwellings.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Airey who thinks the application should be discussed at panel before being decided if recommended for approval as a matter of public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is a two storey detached dwelling located at the end of a residential cul – de – sac which forms part of Wolf Lane. The design and size of dwellings on this part of Wolf Lane vary with no uniform design predominant. The application site itself appears to be unaltered whereas other dwellings within this part of Wolf Lane and more widely have extended in one form or another. The site is adjacent to a wooded area with a pedestrian footpath linking this part of Wolf Lane with the adjacent cul – de – sac further along Wolf Lane.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 There are two main elements to the proposal. The first is a two storey rear extension measuring 3.9m in depth, 9m in width and 6.5m in height with a pitched roof. Secondly, a first floor front extension above the existing garage with a depth of approximately 2.7m, width of 4.1m and would have a height of 5.6m with a pitched roof (including the existing ground floor garage).
- 4.2 The council has no relevant planning history for this site.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

- 5.1 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Sufficient Parking	Protected Trees
	✓	✓	✓
Local Plan	DG1, H14	P4	N6

5.2 Strategies or publications relevant to the proposal are:

- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view using link at paragraph 5.2

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Impact on the character and appearance of the area.
- ii Impact on the amenity of neighbouring properties; and
- iii Impact on parking and pedestrian safety.

Impact on the character and appearance of the area

6.2 The National Planning Policy Framework (NPPF) was published in March 2012 and is a material planning consideration in the determination of planning decisions. One of the core planning principles contained within the NPPF seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 59 of the NPPF concentrates on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new buildings in relation to neighbouring buildings and the local area more generally. Local Plan Policy H14 states that extensions should not have any adverse effect upon the character or appearance of the original property or any neighbouring properties, nor adversely affect the street scene in general. As this property is at the end of the row it has a prominent siting in the street scene, as such it is important that the extensions are in keeping with the character of the area.

6.3 The design of the proposed extensions are considered to be in keeping with the original dwelling, the first floor front extension has a very shallow roof pitch and is approximately 4.1m wide. The proposed two storey rear extension at less than 4m in depth is considered to be in keeping with the original dwelling in terms of design it is also considered that the extension when viewed from public view points would not have a detrimental impact on the character or appearance of the street scene.

6.4 There are a variety of house designs in the area and whilst there are no extensions exactly like the current proposal in the immediate vicinity of the site, this is not a reason to refuse the application. Overall the proposed changes are considered to be of an acceptable design and are not considered to have a significant negative impact on the character of the original property, neighbouring properties or the street scene.

Impact on the amenity of neighbouring properties

6.5 The National Planning Policy Framework (NPPF) was published in March 2012 and is a material planning consideration in the determination of planning decisions. One of the core planning principles contained within the NPPF seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy H14 requires that extensions should not result in an unacceptable loss of light or privacy to neighbouring properties or significantly affect their amenities by being visually intrusive or overbearing. Light guidelines

are provided in Appendix 12 of the Local Plan to assist with assessing whether a proposed extension would result in a loss of light to the neighbouring properties.

- 6.6 Being at the end of the row of properties No. 70 has only one immediate neighbour (No. 68). The rear gardens of properties on this side of Wolf Lane are north facing. The light angles have been checked in accordance with Appendix 12 of the Local Plan and the rear extension would comply with the 45 degree light angle. It should also be noted that No. 68 has been extended to the rear with a ground floor extension. Similarly, it is not considered that the first floor front extension would have a detrimental impact on neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.
- 6.7 There would be one additional high level window in the east facing elevation of the original dwelling, facing the flank wall of no.68) which would serve the bathroom. A condition is attached requiring this window to be fitted with obscure glazing.
- 6.8 There is an Area Tree Preservation order on trees in the area; however, there are no substantial trees in the rear garden of the application site. It is not considered that the proposed development would have a detrimental impact on these trees.
- 6.9 The existing three bedroom house has a garage, which is below our size standard of 3x6m at 2.4x5.7m to count as a garage parking space and two spaces on the driveway. The proposed four bedroom house would have the existing substandard garage and two driveway spaces. The Councils maximum car parking standard is 3 spaces for a four bedroom house. It is considered that sufficient space would remain on the site to accommodate the car parking for the resulting dwelling in compliance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

5 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 07.09.2015.

3 letters were received in response to the application, summarised as:

Comment	Officer response
1.	A number of residents in the cul – de – sac are elderly and the impact of the disruption, noise due to the building work will have a major impact on us. There are ambulances that come frequently and assurance is required that the building works will NOT disrupt this at any cost. Mr. Elgendy himself is out of the country often or indeed the residence and assurance is needed that the neighbours are NOT left dealing with his workmen in his absence especially if they cause a nuisance or act disrespectfully. (2)
2.	The drive in question for the above property is narrow and the housing of skips and building vans will be a hindrance to residents coming in and out of their houses during the day, not
	As with all building works a certain level of noise can be expected, ultimately planning applications can not be decided on the basis of how much noise results during construction. However, noise nuisance can be investigated and if necessary action taken under separate Environmental Protection legislation. There are double yellow lines along this part of Wolf Lane and therefore parking is prohibited. However, this again is something controlled by other legislation. The behaviour of the builder is not a planning matter and should be discussed with the applicant.
	It is recommended that a condition is attached to ensure that before the development starts a construction management plan is submitted and

	mentioning the dust and noise which will have an impact on the health of the residents, and cause untold stress. (3)	approved.
3.	No other house on the Sunley estate extends to the frontage as this plan proposes, which makes it an ugly site, plus not in keeping with the rest of the estate. The frontage will definitely lose the balance with the other houses in the cul – de – sac and indeed the estate. (3)	Other properties on Wolf Lane have been extended to the front. Wolf Lane is a mixture of differing house designs. It is considered that the proposal is in keeping with the original dwelling and the street scene. Indeed there are dwellings close to the site which extend out from the front elevation.
4.	The house in question will be used as a residential property and not rented out to various families or random people , which in turn increases the traffic and parking within the cul – de – sac, not to mention the noise and disturbance arising from the proposal (A similar house in the neighbourhood was rented out to six random people , causing parking issues as they had 4 cars between them, and the house caught fire and was totally gutted) This was brought to the attention of Mr. Phil Bicknell our councillor from the RBWM offices (3)	The application is to extend a C3 dwelling house and it is on this basis that the application should be determined. Any future change of use of the house may require planning permission.
5.	That the building work will not start before 9.00am and finish by 5.00pm at the very latest.	An informative will be added to any permission advising the applicant of the hours builders are allowed to work.
6.	That the public pathway between our houses will not be blocked with building works and vehicles causing a health and safety hazard/issues	This is not a planning matter and would be dealt with by the Public Rights of Way Team if this was to occur.
7.	The first floor front extension and two storey rear extension are fairly substantial and I have a single storey rear extension. I would like you to consider the impact on loss of light to my side windows.	Para. 6.8 – 6.9

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing and Proposed Plans

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 Prior to the substantial completion of the development a water butt of at least 120L internal capacity shall be installed to intercept rainwater draining from the roof of the building. It shall subsequently be retained.
Reason: To reduce the risk of flooding and demand for water, increase the level of sustainability of the development and to comply with Requirement 4 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.
- 4 Any hard surfaces shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Requirement 5 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.
- 5 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 6 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

- 1 The RBWM Sustainable Design & Construction Supplementary Planning Document can be read at:http://www.rbwm.gov.uk/web/pp_sustainable_design_and_construction_spd.htm
- 2 The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
- 3 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 4 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 5 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.