

| | | |
|----------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Parish: | Holme next the Sea | |
| Proposal: | VARIATION OF CONDITION 2 OF PLANNING CONSENT 21/01394/F: Extensions and alterations to dwelling (Retrospective) | |
| Location: | Terns 49 Peddars Way Holme next The Sea Norfolk | |
| Applicant: | Mr And Mrs Howitt | |
| Case No: | 22/02113/F (Full Application) | |
| Case Officer: | Mrs Jade Calton | Date for Determination: 19 January 2023 Extension of Time Expiry Date: 12 June 2023 |

Reason for Referral to Planning Committee – Called in by Cllr Lawton

Neighbourhood Plan: Yes

Members update

Members may recall that this application was deferred from the 3rd April 2023 Planning Committee in order to investigate irregularities with the plans.

Following a further site visit to measure the extension, it can be confirmed that the development within the red line is correctly depicted on the submitted plans. However, the neighbouring dwelling to the south, No.51, appears to be incorrectly plotted on the plan, which has been extracted from OS Maps.

The extension, as measured on site, is located 1m from the shared boundary fence, which accords with the submitted plans. The neighbouring dwelling, however, is sited approx. 0.85m from the shared boundary, as opposed to 1.6m as shown on the plans.

For ease of reference amendments to the April report (inclusive of previous Late Correspondence) are presented in emboldened text.

Case Summary

The application site comprises a detached bungalow situated on the eastern side of Peddars Way (south), Holme-Next-The-Sea.

Retrospective consent is sought to vary the approved plans condition of planning permission 21/01394/F to include an additional single storey rear-side extension to the dwelling to provide a bedroom.

Holme is classified as a Smaller Village and Hamlet under the Local Development Plan.

Key Issues

- * Principle of Development
- * History
- * Form and Character
- * Neighbour Amenity
- * Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a detached bungalow situated on the eastern side of Peddars Way (south), Holme-Next-The-Sea.

Terns, No.49 is one of a row of five dwellings fronting the eastern side of Peddars Way. Bungalows are sited directly to the north and south of the site and two storey dwellings further south.

The site is located on the edge of the village and is therefore rural in character with paddock land further to the south and open countryside on the opposite side of the road.

Retrospective consent is sought to vary the approved plans condition of planning permission 21/01394/F to include an additional single storey rear-side extension to the dwelling to provide a third bedroom.

The single storey extension comprises a flat roof, measuring approx. 2.8m in total height. The footprint measures 3.2m x 2.3m, which gives a floor area of 7.36 msq.

The extension has been rendered off-white to match the rest of the dwelling.

Whilst the extension is constructed to the rear of the existing attached garage, it is also located on the side elevation of the dwelling, which does not constitute permitted development within the AONB.

The extension is approx. 1m from the southern boundary of the site and the neighbouring bungalow is a further **0.85m** from the shared boundary.

The site is bounded by a 1.5m close boarded timber fence to the north and south along with some semi-mature garden trees to both boundaries.

Following the submission of the late correspondence, set out below, further investigation has been carried out on site and it can be confirmed that the extension has been measured and plotted on the submitted plans accurately. Thereby meaning that the extension is correctly shown to be sited 1m away from the shared boundary with the neighbouring property to the south.

However, it has become apparent that there is a discrepancy between the plan and the measurements on site in so far as the neighbouring dwelling to the south (No. 51) is concerned. The plan shows the neighbouring dwelling sited 1.6m away from the shared boundary, whereas in reality, it is approx. 0.85m away (as measured on site by the planning officer).

This is a discrepancy with the OS mapping of the neighbouring dwelling and the applicant / agent is not obligated to check off-site measurements and precisely depict any buildings outside of the red line. Providing the property and the proposed development are plotted correctly within the red line on the submitted plans the application is valid and can be properly assessed.

SUPPORTING CASE

A Design and Access Statement accompanies the application and offers the following conclusion: -

'This proposal would provide a small variation to the original scheme approved in December 2021. The small amendment fits well with the original scheme and together is considered to be less than the 40% increase in footprint of the original dwelling thereby complying with the Policy on the matter.

It is not believed there will be any overlooking of the neighbours dwelling or garden and there would be no loss of neighbour amenity.

The nature of the design and use of materials would complement that which was agreed in the original scheme and the plans submitted with this application confirm that. There is no harm to the neighbours or any interests of acknowledged importance'.

PLANNING HISTORY

22/01213/LDP: Not Lawful: 17/10/22 - Extension to rear of existing garage

21/01394/F: Application Permitted (Delegated): 03/12/21 - Extensions and alterations to dwelling

RESPONSE TO CONSULTATION

Parish Council: OBJECT –

- Planning history
- The proposed works have already been carried out.
- No prior opportunity for consultation.
- Unconsented development is close to the neighbouring property to the south.
- Negative impact on neighbour amenity.
- Loss of daylight
- Impact on health and well-being.
- The submitted plans are confused.
- Trying to present the proposal as a minor, inconsequential change.
- Views from Terns over the replaced, lower fence
- Impact on privacy
- Poor design

Planning Committee
5 June 2023

- Enclosed environment
- The changes have introduced a more urban character to this rural village setting.
- Contrary to para. 130 of the NPPF – development should function well and add to the overall quality of the area.
- Para. 130 states that development should promote health and well-being, with a high standard of amenity – the proposal does not satisfy this criteria.
- Contrary to para. 132 of the NPPF – early discussions between applicants, the LPA and community are encouraged.
- Para. 135 states that the LPA should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme – This is not the case.
- Contrary to SADMP Policy DM15 – adds weight to national policy noting that development must protect and enhance the amenity of the wider environment.
- Contrary to SADMP Policy DM15 - proposals will be assessed against their impact on neighbouring uses and their occupants highlighting the importance of considerations.
- DM15 is clear that development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.
- Contrary to Neighbourhood Plan Policy HNTS11 - ensure that the existing amenity of residents is not adversely affected by new development including extensions, alterations, replacement of existing buildings or redevelopment of sites.

The Parish Council urges the Borough to refuse this application. If despite the strong policy arguments in favour of refusal the BC is minded to recommend approval, we request that a condition is applied to restrict any future, remaining Permitted Development Rights.

The Parish Council submitted late correspondence and were registered to speak at the 3rd April committee. They raised the following additional comments: -

- **Incorrect drawings.**
- **Inaccuracies in the officer report.**
- **Latest set of drawings posted one month after the consultation responses had been made.**
- **Trying to present as minor inconsequential alterations.**
- **Considerable significance to the neighbouring property to the south.**
- **Sets out history of applications on the site.**
- **The gap has been re-measured on site by the neighbour and Parish and is 1.8m not 2.6m as per the plans and report.**
- **Impact on amenity and well-being.**
- **Inaccurate representation of the eaves and guttering.**
- **Does not pass the BRE 25 degree test for light impact.**
- **Why was the separation distance not checked?**
- **How was BRE applied without entering the neighbour's property?**
- **On what basis has a judgement been reached about the impact on outlook and light levels in the Neighbours' rooms if the property hasn't been visited?**
- **How can the Officers Report reasonably reach the conclusion that a snug and a study are not 'main living spaces' in the home of a retired couple?**

REPRESENTATIONS

TWO representations received from third parties **OBJECTING** to the proposal on the following grounds: -

- Neighbouring bungalow is directly adj. to the southern boundary of Terns, No.49 Peddars Way.
- Two north facing windows that look directly onto the southern aspect of the variation.
- Impact on visual aspect
- Deprivation of light
- Already built
- Planning history
- Close proximity
- There is approx. 1m between the extension and boundary fence.
- The height of the new extension is approx. 42cm above the new garage roof.
- Overbearing
- Mass
- Incorrectly stated that the extension cannot be seen from the road.
- Incorrect plans
- Information within the application shows historic planting which is no longer there.
- None of the other 1960's bungalows have been extended by 40%
- The Neighbourhood Plan aims to retain smaller dwellings.
- Neither the side extension nor the garage extension were included in the original application.
- Not just a small variation.
- Accuracy of the GIA calculations regarding the porch.
- The additional GIA is referred to as 7% and at other times as 7sqm.

TWO representations received under late correspondence from Third Parties in response to the officer's report. One of the third parties was registered to speak at the 3rd April meeting. The following OBJECTIONS were raised: -

- **Inaccuracies within the officer report.**
- **No.51 is 0.83m away from the shared boundary and NOT 1.6m.**
- **The correct distance between the extension and neighbouring flank elevation is 1.83m and NOT the reported 2.6m.**
- **The eaves and gutters are approx.. 35cm therefore enclosing the gap further still.**
- **The neighbour's side windows are considered to serve main living areas as they are used all the time, for ready, recreation, crafts and home working.**
- **These activities require good natural light levels.**
- **The original garage had no impact on the outlook from the neighbour's north facing windows as it did not extend as far as those windows.**
- **The smaller original garage (4.65m deep) was knocked down and replaced with the extension.**
- **This was replaced with a smaller garage (just over 3m in depth and 2.1m in height).**
- **A larger extension was built behind the garage (over 5m in depth and 2.8m in height).**
- **Dominating and oppressive impact on neighbour's outlook given its size and closeness to the boundary.**
- **The gable of No.49 is some 3.75m away and therefore has no effect on loss of daylight.**
- **Neighbour's could see the open sky above the old garage and above the roof of the front bedroom at No.49.**
- **The open sky is no longer visible because of the extension.**
- **We understand that the impact on daylight from a development is based on accurate measurements being taken between the neighbouring properties, the centre of the habitable window affected and the height of the extension.**

- We have indicated in earlier correspondence that these measurements have been shown to be inaccurate.
- Therefore, the determination of 'no significant loss of daylight' is incorrect and should be recalculated before such a statement is made.
- The extension has resulted in loss of light.
- Its close proximity has had a dominating and overbearing impact on our two north facing rooms.
- It most definitely has had a significant detrimental impact on our neighbour amenities, contrary to the officer report.
- Multitude of drawings different, confusing and misleading.
- Do not have the benefit of a sophisticated measuring tool to assess the accuracy of the drawings.
- We would have hoped or even expected, the Architects, Agents or Planning Department to have checked these for accuracy before drawing conclusions about the application.
- The final confirmed drawing was submitted after the consultation process was completed.
- The fact that the applicants chose not to incorporate this extension into their original application 21/01394/F even though the plans were apparently created on the same day – 28.07.2021 (some 21 months ago), but decided to build this extension under permitted development, denied us the opportunity of being consulted.
- They were aware that it would have a huge impact on our home.
- The fact that this extension was then judged to be 'unlawful', necessitated this variation to be submitted.
- It is vital, that at the very least, recommendations made to the Planning Committee are factually correct.
- We welcome the conditions the Planning Officer is recommending, regarding any future developments at Terns No 49
- However we are mystified why the obscure glazing condition has been recommended for the rooflight as the new extension obliterates any view of this rooflight.
- We believe this demonstrates how the Planning Officer appears to have failed to appreciate the impact this development has had on our amenity.
- Demolition of the existing garage and construction of the new garage was not included on the original application.
- Therefore no neighbour consultation on this element.
- Suggested alternatives to provide additional accommodation.
- Quotes from the Neighbourhood Plan in regard to neighbour amenity.
- Homeworking is increasing therefore the study should be considered to be a main living space.
- The previous extension offered a feeling of spaciousness and better light levels.
- Overbearing.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

Planning Committee
5 June 2023

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy HNTS11: Street Scene, Character and Residential Environment

Policy HNTS17: Extensions, Annexes and Outbuildings

Policy HNTS20: AONB Landscape Quality

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are as follows: -

- Principle of Development
- History
- Form and Character
- Impact on Neighbour Amenity
- Other Material Considerations

Principle of Development:

The application site comprises a residential property, thereby the principle of an extension to the dwelling is acceptable in accordance with the Development Plan.

This application has been submitted retrospectively, which is not contrary to planning law, and the section 73a process is designed to regularise any such development that has been 'carried out without complying with some condition subject to which planning permission was granted' (namely 21/01394/F).

History:

The original application (21/01394/F) granted consent for single storey extensions and alterations to the dwelling, including a small extension to the existing front porch and a kitchen / diner extension to the rear.

The application also included rendering the external surface of the dwelling and the installation of a small area of Cedar boarding to the apex of the front gable.

The original scheme was negotiated to reduce the scale and mass of the proposed extensions in order to improve the design and to comply with Neighbourhood Plan policies, in particular HNTS 17 (Extensions, Annexes and Outbuildings).

Planning Committee
5 June 2023

Following the submission of the amended plans, the scheme was considered to comply with Policy HNTS 17, in terms of the proposed extensions being within the allowed 40% increase in gross internal floor area (GIA) of the original dwelling.

The GIA of the original dwelling measured approx. 116m² and the proposed extensions measured approx. 39m², creating a total GIA of 155m². The approved scheme therefore amounted to an increase in GIA of 33% of the original dwelling.

Subsequently, the applicant pursued utilising the remainder of their 40% allowance to make the standard of their home meet their requirements. A Lawful Development Certificate (22/01213/LDP) was submitted in presumption that the small 7% extension to the rear of the existing attached garage would benefit from Permitted Development (PD) Rights under Part 1, Class A of the General Permitted Development Order 1995 (GPDO).

During the course of the LDP application the small extension was constructed as it was believed to have complied with the relevant criteria under the GPDO.

Whilst the proposed extension extended beyond the rear wall of the existing garage (which is part of the original dwelling), it also extended to the side of the dwelling, thus infilling the area between a side elevation and rear wall. The GPDO clearly states that side extensions are not permitted within Article 2(3) land (AONB).

Tighter restrictions are placed on PD Rights for dwellinghouses sited within the AONB.

The applicant's agent challenged this line of reasoning and after some research it was evident that there has been a number of appeal cases (under other authorities) where the Planning Inspector had considered the issue of proposed development which extends beyond a rear wall and a side wall of a dwellinghouse under Class A.2 of the GPDO.

An Inspector stated that regard must be had to the provisions of the 2015 Order (GPDO) and the ordinary meaning of the language used, and for the Householder PD Technical Guidance which provides assistance in the interpretation of Class A of the 2015 Order. The technical guidance states: -

'Where an extension fills the area between a side elevation and a rear wall, then the restrictions on extensions beyond rear walls and side walls will both apply'.

As such the proposal was not considered to comply with the GPDO and planning permission was required.

Accordingly, the current application was submitted in order to regularise the development.

Form and Character:

The established development along the eastern side of Peddars Way [South] is limited, with only five dwellings in a loose ribbon form, set back from the road with verdant frontages.

Whilst the directly adjoining neighbouring properties to the north and south are also bungalows, they take a different form to the dwelling subject of this application. Furthermore, the last two dwellings in the row are of two storey construction, thereby the street scene has a varied appearance.

The rear-side extension is barely seen from the public domain as it is set behind the existing garage. The only limited visible element is part of the flat roof due to it being approx. 450mm taller than the garage flat roof.

There is an established hedgerow to the site's frontage along with some semi-mature garden trees to the northern and southern front boundaries, which partially screen the site and softens the built form.

Whilst the site lies within the AONB, it is not within a Conservation Area and the development is barely visible from the road, therefore cannot be said to cause any visual harm to the street scene.

Notwithstanding the 40% restriction in GIA under the Neighbourhood Plan (NP) Policy (to which the proposal complies), it is considered that the small extension to the rear will have no impact on the form, character or appearance of the area, which is fundamentally what the NP has set out to achieve. The application site is more than capable of accommodating the minor extension in addition to the previously approved extensions, whilst causing no harm to the wider AONB landscape character.

As such, it is considered that the proposed variation accords with Local Plan Policies CS06, CS08 and DM15; NP Policies HNTS 11, HNTS 17 and HNTS 20; and the general provisions of the NPPF, but specifically sections 12 and 15.

Neighbour Amenity:

The extension subject of this application is located to the southern side elevation of the dwelling and will therefore have an impact on the neighbouring property at No.51. However, the impact will be limited due to its small scale and flat roof design.

The extension is approx. 2.8m in height and is approx. **1.85m** away from the neighbouring flank elevation. The neighbour has raised objections regarding loss of light and overbearing impact on their north facing windows which are directly adjacent to the extension.

The existing garage extension, which formed part of the original dwelling, is already in relatively close proximity of the neighbouring boundary and has a degree of impact on the neighbour's outlook from their north facing windows, albeit not significant. The extension is reasonably modest, measuring approx. 3.2m in depth, and whilst slightly taller than the existing garage by 500mm, it is not excessive in height.

The existing gable of Terns No.49 sits behind the extension, thereby already obstructing some of the open sky visible from the neighbouring side windows. Whilst the extension brings the built form closer to the neighbouring window and will be visible, it is of a low level single storey flat roof construction and the impact will therefore not cause a significant loss of daylight to those habitable rooms. For these reasons, it is also not considered that the small scale extension would cause a material overbearing impact on those residents.

Whilst inaccurate measurements of the neighbouring dwelling were taken from the submitted plans and quoted in the original offer report, the development had been fully assessed based on the existing situation on the site.

As mentioned by the third party, there is a 'rule of thumb' referred to as the 25° test under the BRE (Building Research Establishment) guidance, to assess the impact on daylight and sunlight where a development is opposite a neighbouring window.

The centre of the lowest habitable room window should be used as the reference point and if the whole of the proposed development falls beneath a line drawn at 25° from the horizontal, then there is unlikely to be a substantial effect on daylight and sunlight. This was deemed to be the case when the proposal was assessed on the inaccurate measurements from the site plan.

However, the guidance states that 'if the proposed development goes above the 25° line, it does not automatically follow that daylight and sunlight levels will be below standard'. Nevertheless, it does mean that further checks on daylight and sunlight are required. The further checks can be undertaken using the detailed BRE daylight and sunlight.

Based on the officer's assessment of the correct siting of the neighbouring dwelling, being approx. 0.85m from the shared boundary, the extension goes above the 25 degree line very slightly (the top 300mm). Therefore further assessment is required.

These additional detailed tests are set out in BRE guidelines which provide the principal measures of daylight for assessing the impact on properties neighbouring a site, namely Vertical Sky Component (VSC), Daylight Distribution / No-Sky Line (NSL) and Daylight provision.

In terms of sunlight, BRE advise using the Annual Probable Sunlight Hours (APSH) and Exposure to Sunlight guidance.

Given the scale of the proposed development and the limited breach over the 25 degree line, together with the site assessment, it is considered that it would be unreasonable to insist that the applicant instructs a 'right to light' consultant to prepare a daylight and sunlight study to support the application.

Furthermore, the BRE guidelines are not mandatory and should not be used as an instrument of planning policy. Although local planning authorities and planning inspectors can consider the suitability of a proposed scheme for a site within the context of BRE guidance, consideration will be given to the context within which a scheme is located, and the daylight and sunlight will be one of several planning considerations which the local authority will weigh.

The Local Authority does not have an adopted policy which specifically guides the assessment of daylight and sunlight and any impact on neighbour amenity from development. The officer's professional judgement was used having made two site visits and having assessed the development appropriately.

On the basis of the above, it is considered that the limited reduction in light and minor impact on outlook from the neighbouring windows, do not result in a significant impact on their amenity to warrant refusal of the application.

Any outlook from the window in the extension towards the neighbouring property would be too acute to cause any significant loss of privacy. Furthermore, the 1.5m close board fence adequately screens the windows on the extensions and will therefore cause no material overlooking.

It is also relevant to note that the subject extension would be permitted development if the site was not located within the AONB.

Summary:

Following further site investigations, whilst it has become apparent that the plans taken from the OS map are not entirely accurate in regard to the siting of the neighbouring dwelling, this will not prejudice any decision. The application site and the development has been plotted correctly on the submitted plans and the impact of the development has been assessed on site. As such, it remains the officer's opinion that whilst the neighbouring residents will see the extension from their north facing windows, any impact would not be so significant to warrant refusal of the application.

Furthermore, notwithstanding the above BRE guidelines, it is still often possible to achieve adequate daylight and sunlight (even with larger than 25 degree obstruction angles). The affected windows are north facing and as such already receive limited light as a result of the existing gable obstructing the view of the sky. As the majority of the extension is located in front of the gable-end, the increase in new built form is not significant and as such the affected windows do not have a completely obstructed view of the sky. Whilst there is some limited impact from the development, it is not considered that the diffuse daylight is adversely affected over and above what would have been the case prior to the extension having been built.

It is considered therefore that the development complies with Neighbourhood Plan Policies HNTS 11; Local Plan Policies CS08 and DM15; and the general provisions of the NPPF.

Other Material Considerations:

The Parish Council and third-party comments have been taken into consideration in reaching a recommendation for this application, most of which have been addressed above in the report.

It has been questioned whether the development can be deemed to be a minor material amendment under section 73a of the Planning Act. There is no statutory definition of 'minor material amendment', it is dependant on the context of the overall scheme and at the discretion of the LPA as to whether or not it is considered to amount to a fundamentally different planning permission.

In weighing the planning balance, the LPA does not consider the proposed change results in a development that is substantially different from the one which was approved.

The concern over the plans being confused has been rectified by way of the submission of up-to-date, more accurate plans.

The concerns raised regarding the impact on the neighbouring resident's health and well-being have been considered and as set out above in the report, any resulting impact from the minor extension is not deemed to be so significant to warrant refusal of the planning application.

Based on the findings set out within the report above, there is no reason why the LPA would consider the development to be contrary to Development Plan Policies DM15 and HNTS11; or paragraphs 130, 132 or 135 of the NPPF as suggested by the Parish Council. The additional extension is barely seen from the road and is single storey with a flat roof, therefore cannot be said to be of a poor design that would impact on the character of the area or have an adverse impact on neighbour amenities.

In regard to the third party comments referring to compliance with NP Policy HNTS17, as stated above, the previously approved extensions amounted to an increase in GIA by 33% of the original dwelling, and with the additional extension being 7%, the development accords with the restrictions of the aforementioned Policy.

Finally, the condition suggested by the Parish Council relating to the removal of PD Rights is considered to be acceptable and reasonable in order to meet the requirements of the Neighbourhood Plan. The relevant condition will be recommended to be attached to the decision if approved.

The additional third party concerns have been taken into full consideration and have been addressed above in the report in bold.

In response to the Parish Council's additional queries, some of which have been addressed above in the report, the LPA can only presume that the submitted plans are correct, as the discrepancy was not clear on site during the initial site visit. Planning officers are not obligated to check measurements on site unless it is absolutely necessary to do so. The neighbour's letter stated that their measurement was an estimation, therefore the plans were relied upon to check. Following the issue having been brought clearly to the attention of the officer, the application was deferred from the April committee and thorough checks have taken place on site.

The initial 25 degree BRE test does not involve entering the property which is being assessed, it clearly states that it can be undertaken from the external elevations. Furthermore, it is not common practice to enter a property to assess neighbour amenity, this can be done adequately on site and from the proposed plans, using the officer's professional judgement.

The officer report considered the affected rooms to be habitable but due to their use, being a study and a snug, they were not considered to be 'main living areas' such as a sitting room, bedroom or kitchen. Notwithstanding the use of the rooms, it is considered that the additional loss of light or outlook does not amount to causing a significant detrimental impact on the living conditions of the neighbouring residents in planning terms.

In regard to the 'misrepresentation of the eaves and guttering' on the extension, these elements are considered to be de minimis, and it is not essential to show them on the submitted plans as they would generally cause no material impact on neighbour amenity.

A recommendation has been reached having considered a number of material matters, all of which, as set out above, formed the overall planning balance.

CONCLUSION

The modest flat roof single storey extension to the rear of the existing garage is deemed to be a minor material amendment to the original approval (21//01394/F) under s.73a of the Planning Act.

By virtue of its small scale and location set behind an existing element of the original dwelling, it is not considered to cause any visual harm to the street scene or impact on the wider landscape character of the AONB.

Notwithstanding the inaccuracy of the submitted plans in relation to the siting of the neighbouring dwelling, in weighing the issues and considering the planning balance, it is not considered to result in a significant detrimental impact on neighbour amenities, in terms of loss of light, overshadowing, overbearing or loss of privacy, due to its low-level height, flat roof design, the separation distance between properties and screening from existing boundary treatment.

The plans demonstrate that the extension accords with NP Policy HNTS 17 as the overall development does not result in an increase in GIA of the original dwelling by more than 40%.

In summary, the development accords with the aims and objectives of NP Policies HNTS 11, HNTS 17 and HNTS 20; Local Plan Policies CS06, CS08, CS12 and DM15; and the general provisions of the NPPF.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development has been determined in accordance with the following approved plans; 571-02 received 18th Jan 2023.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Within 6 weeks of the date of this permission, the rooflight to southern roofslope serving the bathroom shall be obscurely glazed and shall be retained as such thereafter.
- 2 Reason: In the interests of protecting neighbour amenity, in accordance with the provisions of the NPPF.
- 3 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and D of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 3 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 4 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the provision within the curtilage of the dwelling house of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.
- 4 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.