

Application No	S/36429
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Application Type	Full Planning
Proposal & Location	TWO STOREY SIDE EXTENSION WITH A CAR PORT TO THE GROUND LEVEL AT 36 STRADEY PARK AVENUE, LLANELLI, SA15 3EF

Applicant(s)	CARL BROOKS, 36 STRADEY PARK AVENUE, LLANELLI, SA15 3EF
Agent	SAURO ARCHITECTURAL DESIGN LTD - MR MIKE SAURO, 9 ELLISTON TERRACE, CARMARTHEN, SA311HA
Case Officer	Hasnain Ikram
Ward	Elli
Date of validation	14/11/2017

CONSULTATIONS

Llanelli Town Council – Formally object to the application on the following grounds:-

- the scale and massing of the extension is inappropriate and out of character for the area.
- the proposed extension proximity to neighbouring properties will infringe upon the right to light of these homes.
- the likely impact upon car parking in the area.

Local Member – County Councillor J Jenkins requested a site visit on the following grounds:

My grounds for requesting such is that there are two aspects of the application that are highly subjective and I believe that Planning Committee members need to see the site for themselves so that they can make decision on whether the application will result in an over-bearance and loss of light to the immediate neighbour at 38 Stradey Park Avenue and also that the application would result in a change of character to the street scene of Stradey Park Avenue given the infilling of the space to the side of the property would give the appearance of changing the character of the north side of Stradey Park Avenue from a lightly dense street of semi-detached properties into a more dense terraced-effect style of frontage.

Llanelli & District Civic Society – Raised concerns relating to a previous consent for a single rear extension across the entire rear elevation which was approved and implemented. The new extension, alongside the previous extension would result in an increase in floor

area of approximately 75% of the original floor space. Loss of light to the existing breakfast area, and the existing landing window and side bedroom window on the first floor. Constituting a dangerous precedent and permit a loss of uniformity of the unique design.

Neighbours/Public - The application has been publicised by letters being sent out to the adjoining properties. Five responses have been received to date, raising the following matters:-

- appearance of a terraced street instead of a semi-detached avenue, impacting its historical nature;
- sets precedence that could affect the future value of properties as the space associated with a semi-detached house could be lost;
- loss of light to neighbouring properties and loss of light to three side windows;
- not in keeping with the existing character of the street;
- a terracing affect;
- altering the pleasant architectural nature of the street;
- guttering and eaves overhanging into adjoining properties' airspace;
- gap between the two properties would be dark, creating a damp atmosphere;
- no reference or drawings on the plans to indicate the close proximity of the development to the house wall;
- visual impact;
- size of the extension would not be in keeping with the existing street scene.

Further letters of objection have been received from a neighbouring resident who have already raised an objection to the proposal. They have raised the following concerns:

- such a small separation distance from this two storey extension, will mean overshadowing of the whole of the eastern side of our home and completely overwhelm it;
- we feel that the proposal is in breach of Carmarthenshire County Council's planning policy GP6;
- adversely affected in that our amenity of natural light would be reduced to an unacceptable level;
- the deprivation of natural light would have an adverse effect on our health and well-being and enjoyment of our home.

The Local Member of Parliament has raised concerns with regard to the following matters:-

- the disruption on the uniformity of the street;
- change in character which would set a precedent encouraging the change from semi-detached to terraced dwellings; and
- The proposal would come within 3 feet of the external wall of no. 38, resulting in considerable loss of light to the existing windows of no.38.

RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

APPRAISAL

THE SITE

The application site is a semi-detached dwelling located in Stradey Park Avenue, to the north-west of the town centre of Llanelli. The property is orientated with a principal aspect onto Stradey Park Avenue, set back within the curtilage with a front amenity space, access, and driveway leading down the western side of the house to a detached garage to the rear. While the street is predominantly comprised of semi-detached houses, there is a range of design variations along the street.

THE PROPOSAL

The application seeks planning permission for a two storey side extension to the western side elevation incorporating a car port/undercroft route through to the existing garage to the rear.

The ground floor car port will scale 3.06m in width and 8.3m in length, the first floor extension will be based on the same foot print. The approximate height of the proposal is 5.89m to the eaves and 7.46m height to ridge.

The height of the proposal will not exceed the existing height of the property and would be of the same built character as the existing house by using the same building palette, specifically render, UPVC and slate to match the existing.

The block plan shows the location of the proposal, which demonstrates there is no impact on the amenity space for the property. The retention of parking provisions within the curtilage of the property can also be seen.

Access arrangements to the property are not to be affected as access to the garage will be retained through the car port.

PLANNING POLICY

The development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 consists of the Carmarthenshire Local Development Plan (LDP) adopted in December 2014.

In the context of the current development control policy framework the site is within the settlement development limits of Llanelli Town as defined in the Carmarthenshire Local Development Plan (LDP) adopted December 2014.

The LDP policies which the proposal has been assessed against are Sustainability & High Quality Design (GP1), Development Limits (GP2) and Extensions (GP6) which are all deemed relevant to this type of development.

Policy GP1 – Sustainability and High Quality Design

- (a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing.
- (c) Utilises materials appropriate to the area within which it is located.
- (d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community.
- (h) An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality.
- (j) It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water.

The relevant parts of the policy can be seen above. The proposal satisfies the relevant parts of Policy GP1 as it conforms to the existing character as the spatial characteristics of the proposal are in keeping with the existing dwelling and the proposal utilises materials which are to match the existing build palette of the existing house.

The impact on the amenity of adjacent land uses is seen to be minimal, with no significant impact to adjacent land uses, properties or residents. The proposal increases the amount of off-street car parking and does not raise any concerns relating to highway safety.

Policy GP2 – Development Limits

Development Limits are defined for those settlements identified as Growth Areas, Service Centres, Local Service Centres and identified Sustainable Communities within the settlement framework. Proposals within defined Development Limits will be permitted, subject to policies and proposals of this Plan, national policies and other material planning considerations.

The development is within limits and therefore satisfies the requirements of Policy GP2 which are highlighted above.

Policy GP6 Extensions

- a. The scale of the proposed extension is subordinate and compatible to the size, type and character of the existing development and does not result in over development of the site, nor lead to reduced and inadequate areas of parking, utility, vehicle turning, amenity or garden space.

- b. The external appearance of the proposed extension in terms of design is subordinate, and the materials should complement that of the existing development.
- c. There are no adverse effects on the natural environment, landscape/townscape or the setting and integrity of the historic environment.
- d. The local environment and the amenities of neighbouring developments are not adversely affected by the proposed extension.
- e. The use to be made of the proposed extension is compatible with the existing building, structure or land use.

As can be seen from the submitted plans, the proposed extension would be considered compatible and subordinate as there is no impact on the amenity or garden space, there is no impact on the vehicle turning area, and the proposal provides an enhancement to the parking facilities serving the dwelling. As stated previously, the proposed extension will be in keeping with the existing dwelling as subordinate materials and finishes shall be used, meaning both (a) and (b) are satisfied.

The proposal will not be detrimental to the existing character of the property. The potential impact on neighbouring properties has been mitigated by including archways in the side and front elevations. The proposal will not have an adverse impact on the landscape or townscape as it is a householder extension which would not be significant enough to have any detrimental impact. The local environment will see no adverse effect, as the proposal is seen to be compatible with the existing land use and building. The proposal is situated within the curtilage of the dwelling, and is seeking to extend the existing residential use which is in keeping with the existing land use. This satisfies (c), (d) and (e) of the above policy.

THIRD PARTY REPRESENTATIONS

Comments made by third party representations have raised a number of issues relating to the proposal:

- The potential terracing affect that the proposal would have and issues surrounding the impact on the existing street scene, the character of the dwelling and the visual impact for the street.

In regards to the point above, the proposal is being set approximately 2 metres back from the principle elevation – it would mean the concerns relating to a terracing affect would not be an issue as the property would not emulate the characteristics of a terraced property. If it was to create a terracing affect, it would have a significant impact on the principle elevation and have an influence on the overall character of the property. The principle elevation is to remain the same.

- The size and character of the extension not being in keeping with the street scene.

The design of the proposal would not be constituted as 'overdevelopment' as the curtilage of the property would be sufficient to accommodate the proposed scale of the development. A condition will be placed on the application to ensure that the materials used are in accordance with the existing dwelling house, while this, alongside with the siting of the proposal, should alleviate any concerns relating to the visual impact of the proposal.

- The application sets a precedence that could affect the future value of properties as the space associated with a semi-detached house could be lost.

The issue raised relating to precedence would not be afforded any significant weighting as each planning application is determined case by case, and is based on the merits of the application which can be affected by a multitude of issues such as scale, location, design, highway access, amenity space and so forth.

The space 'lost' would be discretionary to the household owner, if they desire to further their residential floor space and there are no significant planning constraints, then there would be no issue. Ultimately this is the decision of the householder and any loss of space would be within their own curtilage, not their neighbouring properties. The impact on property prices is not a material planning concern.

- A loss of light to the neighbouring property (no. 38) has also been highlighted as a concern.

Having visited the neighbouring property, it can be seen that there would be some impact on light to three side windows of the property. Although there is a 'right to light' implemented through the Prescription Act (1832), it is not specifically covered under planning legislation and therefore has limited bearing on the determination of this application.

Following a site visit and assessment of the relationship with the nearest neighbouring property at no. 38, it was noted that two of the rooms, whereby there is a loss of light from the side, are already benefitting from rear windows allowing natural light in via the rear elevation of the property.

The loss of light therefore in the kitchen & bedroom would not be considered significant as there are other means of natural light into both rooms. The other window whereby there is a loss of light is the corridor window, however as this is not 'habitable' space, it would not be afforded any weighting as stated in accepted guidelines. Photos have been attached to show the existing windows serving the rooms within no. 38.

- The guttering and eaves will be overhanging into adjoining properties' airspace.

Amended plans have been requested from the agent in order to show the guttering to be within the air space of no. 34 as they have not been provided on plan. The eaves will not overhang into the adjoining properties' airspace, as shown by the 1:50, 1:100 Scale Proposed Floor Plans and Elevations (02).

- Gap between the two properties would be dark, creating a damp atmosphere.

This is a concern which is not a material planning consideration but a civil matter – this is something that can be alleviated through a Party Wall Act which would be entered prior to the undertaking of any works.

- There is no reference or drawings on the plans to indicate the close proximity of the development to the house wall.

The boundary wall is clearly indicated on the plan, and shows the proximity to the existing wall. There is sufficient information to assess the development as block and location plans show the proximity of the development to the neighbouring property.

- A previous consent for a single rear extension across the entire rear elevation which was approved and implemented. The new extension, alongside the previous extension would result in an increase in floor area of approximately 75% of the original floor space.

No previous consents have been granted at the property, works may have been undertaken previously under Permitted Development Rights, however there is no history for planning applications. The assumed, 75% increase in floor size therefore is an assumption which is not informed by any measurements.

- The disruption on the uniformity of the street, change in character setting precedent encouraging the change from semi-detached to terraced dwellings and a considerable loss of light to no. 38.

Having visited the site, it is clear that there is a mix of property types and building palettes used. To the entrance of the street there is a care facility, adjacent to this there is a bungalow, and throughout the street there is a wide range of materials used, including red brick, render, UPVC & the use of timber to the principle elevations.

A condition will be placed on the application to ensure that the materials used are to be in accordance with the existing dwelling house and to be retained in perpetuity in order to ensure it remains in keeping with the existing character. Points raised on precedent and the loss of light have already been addressed via the above third party representations.

CONCLUSION

The site is within the settlement limits of Llanelli Town so the principle of development is acceptable provided all other material considerations can be met. There has been no previous applications on the site to date.

The issues raised have been addressed and any outstanding material matters can be covered by conditions to be imposed on the recommendation to grant planning permission. On balance, the application submission has demonstrated that the concerns raised are, in certain instances, non-material concerns which do not fall under the remit of planning. The concerns relating to the development which are considered to be planning related have been identified and addressed accordingly.

The development will have not be detrimental to the existing street scene or the character of the street, therefore the application is recommended for approval with the conditions stated to be implemented.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

- 2 The development shall be carried out strictly in accordance with the following approved amended plans received on 18th October, 2017:-
- 1:50, 1:100 scale Existing Floor Plans and Elevations (01);
 - 1:50, 1:100 scale Proposed Floor Plans and Elevations (02);
 - 1:500 and 1:1250 scale Site, Block and Location Plan (LP01).
- 3 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2+3 In the interest of visual amenity.

REASONS FOR GRANTING PLANNING PERMISSION

In accordance with Article 3 of the Town and Country Planning (General Development Procedure) (Wales) (Amendment) Order 2004, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan (comprising the Carmarthenshire Unitary Development Plan 2006) and material considerations do not indicate otherwise. The policies, which refer, are as follows:

- The proposed development accords with Policy GP1, GP2 & GP6 of the LDP in that the extension represents an acceptable form of development which is appropriate to the character and appearance of the host building and surrounding area and will not have an unacceptable impact upon the residential amenity of nearby properties.

NOTES

- 1 Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this permission will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).