

Application Number	21/00654/HP
Site Address	31 Georgina Avenue, WORCESTER, WR2 4LP
Description of Development	Proposed erection of a ground and first floor side and rear wrap-around extension with pitched roofs to match existing.
Expiry Date	6 September 2021. An extension of time has been sought.
Applicant	Mr and Mrs Neil Bourhill
Agent	Herlig Marles Ltd
Case Officer	Laura Williamson
	laura.williamson@worcester.gov.uk
Ward Member(s)	Bedwardine Ward
Reason for Referral to Committee	Ward Member referral
Key Issues	The principle of development and whether the proposal would be sustainable form of development having regard to the 3 dimensions of sustainable development in terms of its economic role, social role and environmental role.
Web link to application	https://plan.worcester.gov.uk/Planning/Display/21/00654/HP
Recommendation	The Corporate Director - Planning and Governance recommends that the Planning Committee grants planning permission, subject to the conditions set out in section 9 of this report.

1. Background

- 1.1 The application was registered on 12 July 2021 and was due for a decision on 6 September 2021. An extension of time for the determination of the application has been sought.
- 1.2 The application has been referred to the Planning Committee at the request of Councillor Alan Amos.

2. The site and surrounding area

- 2.1 The site is located within an established residential area of the Bedwardine Ward. The property is of brick construction with a tiled pitched roof. The property is of a similar age, size, design and construction to neighbouring properties within the street scene.

The property is not in a conservation area and it does not adjoin any listed buildings.

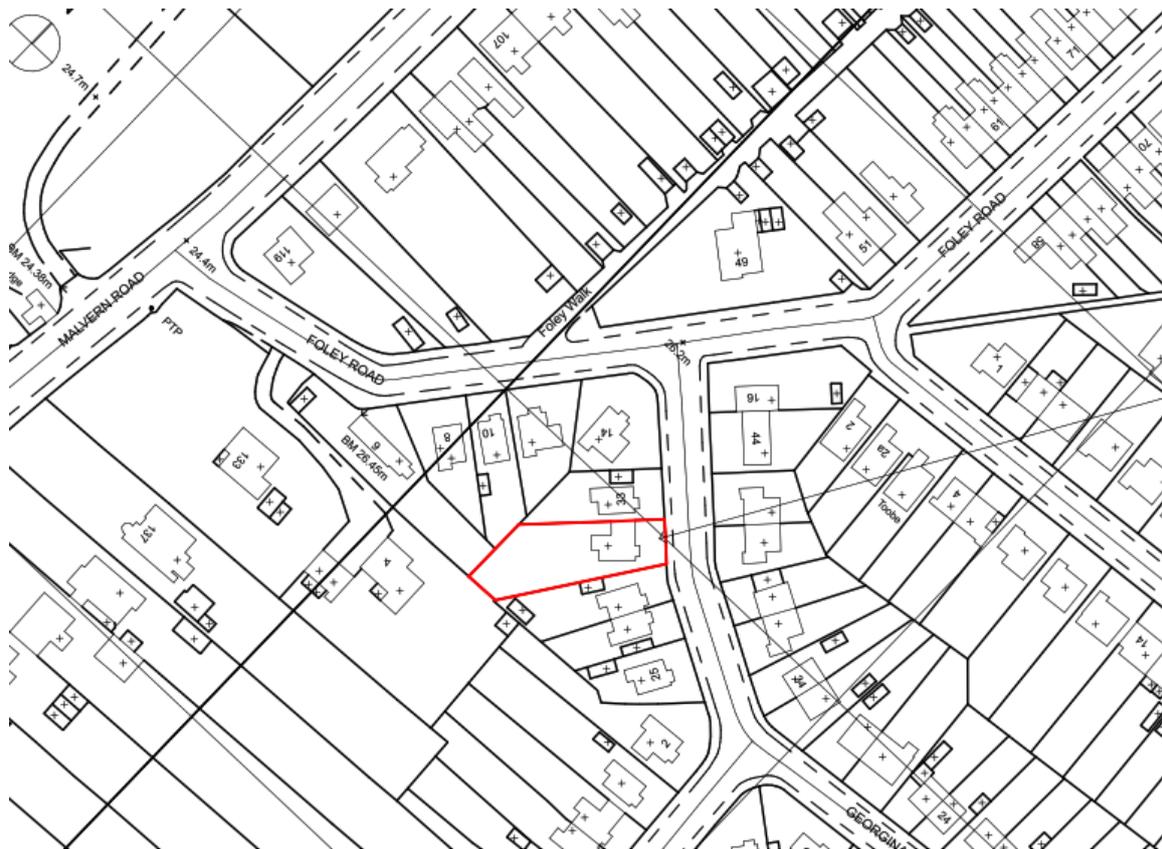


Figure 1: Site Location Plan

3. **The proposals**

- 3.1 The submitted proposal is for the erection of a ground and first floor side and rear wrap-around extension with pitched roofs to match existing.

There is an existing single storey side/ rear extension at the property on the western elevation that this proposal seeks to replace, there is also an existing rear conservatory and single storey lean to extension on the eastern elevation that this proposal seeks to replace.

The proposed rear extension element is designed to ensure that there is not a breach of the 45-degree code from No. 33 Georgina Avenue.

- 3.2 The application is accompanied by a full set of plans together with supporting documents that include:

- AI 00 (a) Site Location Plan & proposed block plan
- AI 01 (b) Existing Ground Floor Plan
- AI 02 (a) Existing First Floor Plan
- AI 03 (a) Existing Roof Plan
- AI 05 (b) Proposed First Floor Plan
- AI 04 (b) Proposed Ground Floor Plan
- AI 06 (c) Proposed Roof Plan
- AI 07 (c) Existing Elevations
- AI 08 (c) Proposed Elevations
- AI 09 (a) Existing and Proposed Section Aa
- AI 10 (c) Proposed Section Bb
- AI 50 (c) Proposed Ground Floor Plan 50
- AI 51 (c) Proposed First Floor Plan 50
- AI 52 (a) Proposed Second Floor Plan 50

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- 3.3 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council's website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

4. **Planning Policy**

- 4.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.

- 4.2 The Development Plan for Worcester now comprises:

- The South Worcestershire Development Plan (SWDP) which was adopted February 2016, and;
- The Worcestershire Waste Core Strategy, which was adopted on December 2012.

South Worcestershire Development Plan

- 4.3 The following policies of the SWDP are considered to be relevant to the proposal:

SWDP 21 Design
SWDP 4 Moving Around South Worcestershire
SWDP 29 Sustainable Drainage Systems

The Waste Core Strategy for Worcestershire - Adopted Waste Local Plan 2012-2027

- 4.4 The Waste Local Plan was adopted by Worcestershire County Council on 15 November 2012 and is a plan outlining how to manage all the waste produced in Worcestershire up to 2027. The following policies are relevant to this application:

WCS1 (Presumption in favour of sustainable development)
WCS3 (Re-use and recycle)
WCS17 (Making provision for waste in new development)

Material Considerations

1. National Planning Policy Framework

- 4.5 The latest version of the National Planning Policy Framework (NPPF) was published and came into effect in July 2021. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a material planning consideration in determining planning applications.

- 4.6 The NPPF outlines a series of considerations against which delivering sustainable development should be assessed. Paragraph 10 of the NPPF encourages Local Planning Authorities to approach decision taking in a positive way and to foster the delivery of sustainable development. LPAs are advised at paragraph 9 of the NPPF to look for solutions rather than problems and decision-takers are asked to approve applications for sustainable development where possible.
- 4.7 The Government believes that sustainable development can play three critical roles in England: an economic role, contributing to a strong, responsive, competitive economy; a social role, supporting vibrant and healthy communities; and an environmental role, protecting and enhancing our natural, built and historic environment.

2. National Planning Practice Guidance

- 4.8 On 6th March 2014 the Government also published National Planning Practice Guidance (NPPG) that has been updated in the meantime and comprises, amongst other matters: Design, Determining a planning application and Use of Planning Conditions.

3. Supplementary Planning Documents

- 4.9 The following Supplementary Planning Documents (SPD) are relevant to the application proposals:-
- South Worcestershire Design SPD

The South Worcestershire Design SPD was adopted on 5th March 2018 and replaces the previous Supplementary Planning Guidance Note 3: Design (SPG3). Both documents encourage high standards of design for development proposals in accordance with the aims and interests that the NPPF seeks to protect and promote in this regard. The Design Quality SPD is consistent with the planning policies in the SWDP.

4. Worcestershire's Local Transport Plan (LTP4) 2018 – 2030

- 4.10 LTP4 set out issues and priorities for investment in transport infrastructure, technology and services, focussed on supporting travel by all modes. In accordance with national and local objectives, a series of local transport-specific objectives are identified in the LTP4:
- "To support Worcestershire's economic competitiveness and growth through delivering a safe, reliable and efficient transport network.
 - To limit the impacts of transport in Worcestershire on the local environment, by supporting enhancements to the natural environment and biodiversity, investing in transport infrastructure to reduce flood risk and other environmental damage, and reducing transport-related emissions of nitrogen dioxide, particulate matter, greenhouse gases and noise pollution. This will support delivery of the desired outcomes of tackling climate change and reducing the impacts of transport on public health.
 - To contribute towards better safety, security, health and longer life expectancy in Worcestershire, by reducing the risk of death, injury or illness arising from transport and promoting healthy modes of travel.
 - To optimise equality of opportunity for all of Worcestershire's citizens with the desired outcome of creating a fairer society.
 - To enhance the quality of life for Worcestershire's residents by promoting a healthy, natural environment, for people, wildlife and habitats, conserving our historic built environment and preserving our heritage assets."

5. Worcestershire County Council Streetscape Design Guide (2018)

- 4.11 The 'Streetscape Design Guide' (SDG) was produced to aid architects, engineers, planners, developers, designers and other professionals in preparing transport infrastructure related to new developments. It is to be considered in conjunction with Manual for Streets 1 and 2, as well as the Design Manual for Roads and Bridges.
- 4.12 Chapter 4 relates to 'Planning for Parking' and seeks to provide an approach as to how car parking in Worcestershire should be provided to support development in a manner which embraces the NPPF. It is considered that if the applicant is the end user that they are well placed to assess operational demands but all sites must be considered against a planning use class to ensure they equally address the needs of future users. Therefore, applications should provide a suitable evidence base to ensure vehicles are not displaced onto the highway to ensure highway safety is not compromised and maintain the free flow of traffic to the benefit of the local economy. This document only reflects a small part of managing vehicle demands and therefore should be read alongside the Local Transport Plan (above) which contains policies to promote sustainable travel through the provision of physical infrastructure and travel planning initiatives.
- 4.13 Car and cycle parking standards are provided within the SDG which replace those contained in WCC's Interim Car Parking Standards (2016). With regard to car parking standards for residential development the SDG states as follows:

'There is no direct relationship between car parking provision and choice of transport mode, so a minimum provision for residential need should be made to ensure suitable in curtilage storage.

The following are the minimum requirements:

1 Bedroom Unit	1 Space, 1 cycle space
2 – 3 Bedroom Units	2 Spaces, 2 cycle spaces
4 – 5 Bedroom Units	3 Spaces*, 2 cycle spaces

* In Rural parishes of Redditch this should be increased to 4 spaces.

These are the minimum requirements. They apply to both Affordable/Social Housing and Market Housing. The requirements apply to flats/apartments and houses. Cycle parking must be sheltered, secure and easily accessible.

5. Planning History

- 5.1 The site has been the subject of the following planning applications:

P06C0106
Proposed single storey side and rear extension to replace existing.
Approved
Apr 13 2006

P95C0051
Erection of a car port, single storey rear kitchen extension and reconstruction of side wall of existing garage.
Approved
Mar 20 1995

21/00095/HP

First floor side extension, single storey replacement side/rear wrap around extension and two storey rear extension.

Withdrawn

Apr 9 2021

21/00403/PA

Two storey side and rear extension

Pre – Application Advice

Jun 24 2021

Pre-application Engagement

Following the concerns expressed with withdrawn application 21/00095/HP, a pre-application enquiry was subsequently submitted. In summary, it was considered that the principle of a residential extension is appropriate and that the site is located within an area where there is evidence of personalisation. It was also advised that it is considered that the proposals are generally sympathetic to the host property, it is also evident from the amended design that the plans have been amended to ensure that 1 metre from the site boundary is maintained to mitigate the terracing effect. With regards to impact on neighbouring amenity, it was noted in the pre application response that the revised proposals had been designed to ensure that the proposals do not breach the 45-degree code. The pre application response also advised that in terms of parking, the proposals would need to comply with the Worcestershire County Council Streetscape Design Guide. In light of the comments of the Landscape Officer in respect of the withdrawn application, regarding bats it was also advised that a bat assessment would need to be submitted with any subsequent application. In addition to this, it was also advised that details of the proposed cladding materials for the proposed dormer window would be required, as well as a Water Management Statement.

6. Consultations

- 6.1 Formal consultation has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees and interested third parties have been received in relation to the original and amended proposals and are summarised as follows:

Neighbours and other third party comments: Objections have been received from the following neighbouring properties:

- 33 Georgina Avenue
- 14 Foley Road
- 10 Foley Road

The general concerns expressed in these objections are summarised as follows:

- Loss of privacy/overlooking to No. 33 Georgina Avenue.
- Loss of light
- Overlooking to neighbours in Foley Road
- Overdevelopment at the site.
- Visual impact on the street scene/ neighbourhood.
- Impact on parking for the nearby school.
- Loss of light to upstairs bedroom window of No. 33 Georgina Avenue.
- Impact/ disruption that may be generated during building works.
- Impact on property values.
- Overdominance
- Overhanging guttering onto the boundary of No. 33 Georgina Avenue.
- Lack of dimensions showing the proposed windows and doors on the plans.

Consultee Comments:

South Worcestershire Land Drainage Partnership:

In summary, South Worcestershire Land Drainage have raised no objections to the proposals in principle and have no requirement for a surface water drainage condition to be applied.

Worcestershire County Council Highways Authority:

In summary, the Highways Authority have no objections to the proposals subject to a condition for cycle parking due to the loss of the garage.

Worcestershire Regulatory Services (Air Quality):

No adverse comments with regards to air quality.

Landscape Officer:

'The bat survey summary is welcomed and acceptable. Consequently an ecologist should remain "on call" during the works, and should any evidence of bats be found, work must stop for advice to be taken. All site workers should be informed on bat issues and building works.'

- 6.2 Members have been given the opportunity to read all representations that have been received in full. At the time of writing this report no other consultation responses have been received. Any additional responses received will be reported to members verbally or in the form of a late paper, subject to the date of receipt.
- 6.3 In assessing the proposal due regard has been given to local residents' comments as material planning considerations. Nevertheless, I am also mindful that decisions should not be made solely on the basis of the number of representations, whether they are for or against a proposal. The Localism Act has not changed this, nor has it changed the advice that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded on valid planning reasons.

7. Comments of the Corporate Director – Planning and Governance

- 7.1 Following a site visit and assessment of the submitted plans, the relevant issues with regard to this application are in my view as follows:
- Principle of development
 - Character and setting of the host property and the street scene.
 - Impact on neighbouring properties
 - Parking and highway safety.
 - Impact on bats

The Principle of Development

- 7.2 An application at the site was submitted earlier this year (Application No: 21/00095/HP), this was subsequently withdrawn. This application was for the erection of a first-floor side extension, single storey replacement side/rear wrap around extension and two storey rear extension.

Concerns were expressed with regards to this application by the Local Planning Authority with regard to the following:

- Scale and massing of the proposed extension
- Overlooking
- Terracing Effect
- Highways/ Parking

7.3 This current application No. 21/00654/HP has been designed to mitigate the concerns expressed with regards to the previous proposals. The main amendments between this application and the withdrawn proposals, include the reduction in depth/ redesign of the proposed rear extension and the redesign and reduction in the two storey side extension element of the proposals.

Character and setting of the host property and the street scene

7.4 Policy SWDP 21 of the South Worcestershire Development Plan 2016 requires all development to achieve a high standard of design, having regard to the character of the area and to harmonise with its environment.

7.5 In order to protect the character and amenity of detached and semi-detached dwellings, the South Worcestershire Design Guide SPD normally requires that side extensions should be set back and be at least 1 metre from the shared boundary at first floor level. As the proposals are set more than one metre from the boundary at first floor level, it is not considered that the proposed extension would cause a terracing effect.

7.6 It is considered that the proposed extensions are visible from the streetscene at both the front and rear of the site, particularly the proposed side roof dormer. Whilst it is considered that the proposals would be to some detriment to the character and design of the host property, it is however not considered that this impact would be to such a detrimental level to warrant refusal of the application.

7.7 On balance, it is therefore considered that the proposal accords with the overall expectations of South Worcestershire Development Plan Policy 21 and will not detract unacceptably from the appearance or setting of the host property.

Impact on neighbouring properties

7.8 Neighbour objections have been received during the course of the application; the general concerns expressed within these comments will be discussed as follows:

- **Loss of privacy/overlooking to No. 33 Georgina Avenue.**

7.9 The concerns relating to overlooking/loss of privacy are noted, in the assessment of this application it is acknowledged that the proposed extension would introduce windows in the rear elevation that are in a closer proximity to No. 33 Georgina Avenue than the existing windows. As well as side facing windows to the ground floor and in the proposed side dormer. The windows within the side of the dwelling are proposed to be obscurely glazed and a condition has been added to ensure this remains in perpetuity to prevent any actual or perceived overlooking. It is however not considered that the proposed windows in the rear elevation would result in a detrimental level of overlooking.

- **Loss of light**

7.10 Concerns regarding loss of light have been raised by neighbouring properties. To

assess the impact of proposed extensions on loss of light to neighbouring properties, a 45 and 25-degree code light assessment is undertaken in accordance with guidance contained within the South Worcestershire Design Guide SPD. The Code aims to provide a fair balance between the wishes of those who want to build and neighbouring residents amenities. The 45° is taken by drawing an imaginary vertical line at an angle of 45° from the mid-point of the nearest habitable (normally excludes bathrooms, halls, landings and garages) room window which would be affected by a proposed extension. The plane connecting the two lines is then tilted to an angle of 25° above the horizontal from the mid-point line of the lowest window, or 1.6 metres from ground level in the case of 'French windows' or patio doors.

As such, based on the guidance contained within the South Worcestershire Design Guide SPD, it is therefore considered that the 45 degree and 25 degree light assessments would usually only be applied in the case of extensions that project beyond a rear/ front wall of the neighbouring property.

In respect of the projecting rear extension included as part of the proposals, it is not considered that there would be a breach of the 45-degree code from the nearest habitable room window in the rear elevation of No. 33 Georgina Avenue

- **Overlooking to neighbours in Foley Road**

7.11 From a Site Visit it is noted that properties in Foley Road are situated in an arch formation so the proposed extensions would be visible from these dwellings. It is however not considered that the current proposed extensions would result in a level of adverse overlooking/ loss of privacy that is substantially worse than the existing arrangement at the site.

- **Overdevelopment at the site.**

7.12 Whilst the concerns relating to overdevelopment at the site have been considered, and it is noted that the proposed extensions are substantial, it is however considered that the host property is sited on a substantial plot and that the scale of development does not result in overdevelopment at the site.

- **Visual impact on the streetscene/ neighbourhood.**

7.13 It is considered that the proposed extensions are visible from the streetscene at both the front and rear of the site, particularly the proposed side roof dormer. Whilst it is considered that the proposals would be to some detriment to the character and design of the host property, it is however not considered that this impact would be to such a detrimental level to warrant refusal of the application.

- **Impact on parking for the nearby school.**

7.14 The concerns regarding parking are noted and the Highways Authority have been consulted in this regard. The Highways Authority have raised no objections to the scheme and as such it is considered that the proposals would not result in a detrimental impact on parking or highways safety.

- **Impact/ disruption that may be generated during building works.**

7.15 I am sympathetic to the concerns regarding the impact of construction works at the site, however such disturbance during construction is to be expected and is not considered as so detrimental as to warrant refusal as it would not be permanent. A condition is recommended governing hours of construction.

- **Impact on property values.**

7.16 I note the concerns relating to property values; however property values are not a material planning consideration so it is also not possible to refuse planning consent in this regard.

- **Overhanging guttering onto the boundary of No. 33 Georgina Avenue.**

7.17 As the proposed side extension is set off the boundary between No. 31 Georgina Avenue and No. 33 Georgina Avenue, it is not considered that the proposed guttering would overhang the boundary.

- **Lack of dimensions showing the proposed windows and doors on the plans.**

7.18 The comments regarding the lack of dimensions are noted; however, the proposed plans are drawn to a scale so dimensions have been provided by the Applicant/ Agent.

The proposals have been considered in context with the adjacent dwellings and have concluded that the proposal has acceptable spatial separation. During this assessment, the proposals have been considered against the South Worcestershire Design Guide SPD.

It is considered that the design, size and siting of the proposed extension is sympathetic to the original property and would not give rise to issues of overlooking or have an over dominant or overbearing effect upon the neighbouring properties.

- **Impact on Parking and Highway Safety**

7.19 In light of the comments of the Highways Authority, it is considered that the proposals would not have a detrimental impact on parking or highway safety. The comments from the Highways Authority requesting a condition for cycle parking. It is however noted from the revised plans that cycle parking has been shown on the Proposed Site Location and Block Plan.

- **Impact on Bats**

7.20 Both a preliminary bat assessment and a bat survey report has been submitted with the proposals and the Landscape Officer has been consulted on the proposals. The preliminary assessment concluded that the property has been assessed as having low potential for roosting bats however advised that due to the strict protection afforded to bats and their roosts further survey work was required to satisfactorily confirm presence/ absence of roosting bats. A bat survey report was subsequently submitted with the proposals and concluded that no further bat surveys are required to support this planning application as the potential for bats to occur and adverse impacts to arise during works is considered to be negligible. It is however advised that a licensed bat worker remains 'on-call' during the development works and that roof materials are removed by hand by roofing contractors. It is also advised that a bat box should be installed on site. This has been added as a condition to the proposals in the event that members decide to approve the application.

8. Conclusion and planning balance

8.1 In the assessment of this application, it is recognised that the decision is finely balanced and that the proposals would be to some visual detriment to the host property. Similarly, it is considered that the proposals may have some impact on neighbouring amenity.

It is however considered that on balance, the impacts of the proposals would not be to such a detrimental level to warrant refusal of the application.

- 8.2 Whilst the assessment is not an exhaustive list of all policies that are potentially applicable to this site, it seeks to address how the proposals respond to the key planning criteria in the planning policy framework against which the planning application will be determined.
- 8.3 The proposals have been considered alongside the South Worcestershire Design Guide SPD, all comments received as part of the consultation process have been acknowledged and it is considered that all material planning issues have been considered including those of the NPPF including economic, environmental and social, as well as diversity, in the determination of this application.
- 8.4 On balance, taking all material issues into consideration, it is considered that there is sufficient merit to warrant granting approval.
- 8.5 All comments received as part of the consultation process have been considered and it is also considered that all material planning issues have been considered in the determination of this application. Having regard to the totality of the policies in the Framework, it is considered that the proposed development is sustainable when looking at its social, economic and environmental credentials in the round. Overall, it is considered that the proposals constitute a sustainable form of development that accords with the Framework and the Development Plan as a whole.

9. Recommended Conditions:

- 9.1 In the event that members resolve to grant planning permission the following conditions are recommended:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out and completed in accordance with the following approved plans and associated documents and the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission

Al 00 (a) Site Location Plan & proposed block plan

Al 01 (b) Existing Ground Floor Plan

Al 02 (a) Existing First Floor Plan

Al 03 (a) Existing Roof Plan

Al 05 (b) Proposed First Floor Plan

Al 04 (b) Proposed Ground Floor Plan

Al 06 (c) Proposed Roof Plan

Al 07 (c) Existing Elevations

Al 08 (c) Proposed Elevations

Al 09 (a) Existing and Proposed Section Aa

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Reason: To ensure compliance with the approved scheme.

3. Prior to the occupation of the development hereby permitted, one bat roosting feature shall be provided within the landownership of 31 Georgina Avenue.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP22 of the South Worcestershire Development Plan.

4. The proposed side facing first floor and dormer windows on the side elevation facing neighbouring property No. 33 Georgina Avenue that are shown on the submitted plans shall be fitted with obscured glazing and shall be permanently retained in that condition in perpetuity.

Reason - To protect the amenities of nearby properties from unacceptable overlooking/loss of privacy in accordance with policy SWDP21 of the South Worcestershire Development Plan.

5. Construction works or deliveries shall take place only between 08:00 and 18:00 hours Monday to Friday and between 09:00 to 16:00 hours on Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason:- To ensure the proposal preserves residential amenity and to prevent unacceptable noise pollution contrary to policy SWDP31 of the South Worcestershire Development Plan.