

Application Number	24/00176/HP
Site Address	61 Spetchley Road, WORCESTER, WR5 2LR
Description of Development	Proposed first floor side extension and single storey rear extension.
Expiry Date	25 June 2024
Applicant	Mr C. Magnet
Agent	Mr Stephen Haskey
Case Officer	Rebecca Marshall
	rebecca.marshall@worcester.gov.uk
Ward	Nunnery Ward
Reason for Referral to Committee	Councillor "Call In" request.
Web link to application	https://plan.worcester.gov.uk/Planning/Display/24/00176/HP
Recommendation	The Corporate Director - Planning and Governance recommends that the Planning Committee grants planning permission subject to conditions set out in section 9 of this report

1. Background

- 1.1 The application was registered on 12 March 2024 and was due for a decision on 7 May 2024. An extension of time for the determination of the application has been agreed until 25 June 2024 to allow determination by the Planning Committee.
- 1.2 The application has been referred to the Planning Committee following a "call in" request from Councillor Agar highlighting the issues of overdevelopment, affecting enjoyment of amenity of a neighbouring property.

2. The site and surrounding area

- 2.1 The site contains a two storey detached property located on the northern side of Spetchley Road, close to the junction of the driveway access to Nunnery Wood High School (which is situated to the rear of the site). The property is in use as a single dwellinghouse. The site is not within a conservation area and does not contain any listed buildings. The property backs on to Greenspace and is linked via the rear garden open corridor to Nunnery Wood and the open countryside beyond.

The surrounding area is predominantly residential. Officer site visit photos of the front and rear of the property are included below.

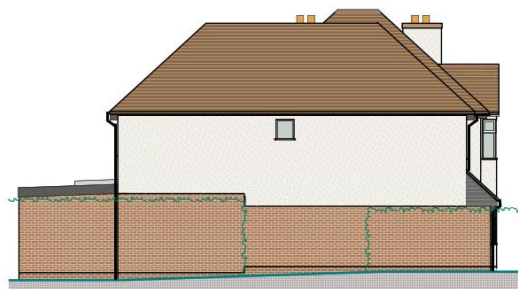


3. The proposals

3.1 Planning permission is sought for a proposed first floor side extension and single storey rear extension. Proposed elevation drawings are shown below:



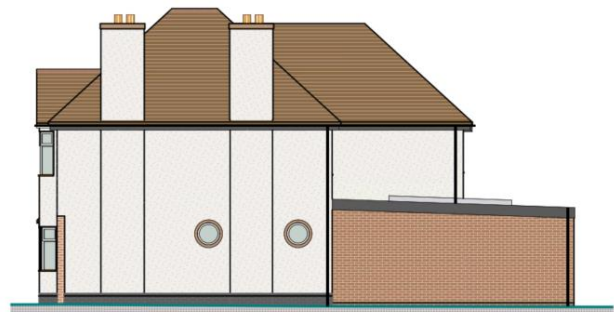
FRONT (SOUTH) ELEVATION
SCALE 1:100



LEFT (WEST) ELEVATION
SCALE 1:100



REAR (NORTH) ELEVATION
SCALE 1:100



RIGHT (EAST) ELEVATION
SCALE 1:100

3.2 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

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

SWDP 21 Design

SWDP 29 Sustainable Drainage Systems

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

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)

Material Considerations

1. National Planning Policy Framework (2023)
2. National Planning Practice Guidance
3. Supplementary Planning Documents

4.3 The following Supplementary Planning Documents (SPD) are relevant to the application proposals: -

- South Worcestershire Design SPD

Other material considerations are;

4.4 The following documents are relevant to the application proposals.

Worcestershire County Council Streetscape Design Guide (2020)

5. Planning History

- 5.1 The site has been the subject of the following planning applications:
- 5.2 72/1385 - The erection of a lounge/kitchen/garage extension. Approved 3 November 1972.

6. Consultations

- 6.1 Formal consultation, including neighbour notification letters, 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:

3 objections were received in relation to the application, summarised as follows:

- The scale of the first floor extension is not in keeping with neighbouring houses on either side of Spetchley Road and is not subservient to the host building
- The additional scale, mass and bulk on the west side of the property at first floor level will overshadow the adjoining owners land and interrupt the enjoyment of the property
- The proposed first floor extension would detrimentally affect the amenity of nearby properties, for example the present open view from my kitchen of predominantly sky and greenery would be replaced by a view of predominantly building mass.
- Concerned that the west end roof, guttering and two downpipes will overhang the boundary to neighbouring property
- The plans contain a series of errors and omissions, including omitting/misrepresenting 6 trees/bushes
- The proposed development at first floor level would be an overdevelopment for a plot its size
- From the neighbouring patio and garden there would be a 11m wide, 2 storey towering wall directly on the boundary line with the ground floor extension protruding beyond that
- The extension would be overbearing and would lead to blocking of light to the neighbouring property directly where they have plants and small trees in addition to overlooking of garden
- The development would not be consistent with the character of the area. At first floor level all the other properties in this section of Spetchley Road protrude the same distance to the north, and end of a line running parallel with Spetchley Road. This would be the first property with any development at first floor level beyond that line.
- Concerned about drainage arrangements, in particular drainage being diverted to neighbouring property
- Concerned about risk to trees/hedges in the vicinity of the development. The development would severely overshadow an apple tree and risks causing root damage to other trees in this area.

Worcester City Council Landscape and Biodiversity Adviser:

The property backs on to Greenspace and is linked via the rear garden open corridor to Nunnery Wood and the open countryside beyond. Substantial roof works are involved so a bat assessment is required.

South Worcestershire Land Drainage Partnership:

I have no objection in principle to the proposals with respect to flood risk, but the Applicant should consider safe access as a risk and ensure that appropriate measures are in place, such as setting the proposed minimum finished floor level no lower than the existing floor level in the detailed design.

- 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.

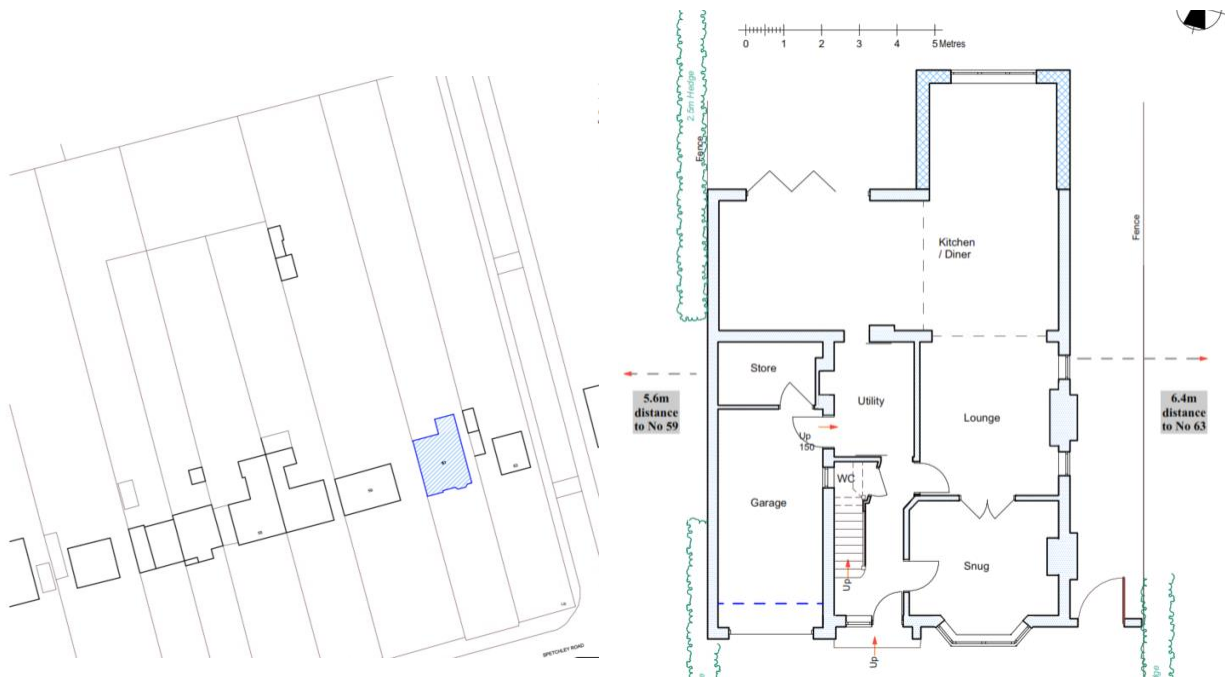
7. Planning Assessment

- 7.1 Policy SWDP1 of the South Worcestershire Development Plan sets out overarching sustainable development principles and these are consistent with the Framework. The various impacts of the development have to be assessed and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development.

Design and Character of the Area

- 7.2 Policy SWDP 21 of the Development Plan states that the siting and layout of a development should reflect the given characteristics of the site in terms of its appearance and function. Further the policy advises that development proposals must complement the character of the area. In particular, development should respond to surrounding buildings and the distinctive features or qualities that contribute to the visual and heritage interest of the townscape, frontages, streets and landscape quality of the local area. On scale, height and massing, Policy SWDP 21 states that the scale, height and massing of development must be appropriate to the setting of the site and the surrounding landscape character and townscape, including existing urban grain and density. The Council's Design Guide SPD has also been given careful consideration, in particular Section 8 which supports Policy SWDP 21 in providing guidance for house extensions.
- 7.3 This proposal is for a first floor side extension, which measures approximately 44 sqm, and single storey rear extension which measures approximately 12 sqm.
- 7.4 The proposed first floor side and rear extension element would be erected over an existing single storey extension to the side and rear of the property incorporating a garage to the front and living accommodation to the rear. The first floor extension is designed with a dual pitched roof to adjoin the existing roof in matching materials, including a render finish to the walls and the proposed windows that would match those existing in the property. The first floor element has been appropriately designed to be in keeping with the character and appearance of the host property. The size, scale and mass of the extension is considered appropriate in the context of the site. The host property is a detached property with reasonable separation distance to neighbours of 5.6m to no.59 and 6.4m to no.62, and visually it can take further extension without having adverse impact on the character of the surrounding area.
- 7.5 With regard to the proposed single storey rear extension, this is proposed to the eastern side of the rear elevation of the property and spans less than half the width of the property.

It would extend 3m from the rear of the existing extension and again has been designed in materials to match the existing property, in brickwork to match the existing ground floor finish with rear elevation windows and flat roof that incorporates a rooflight of a suitable size and design. The proposed block plan and ground floor plan are below.



- 7.6 The proposed first floor side extension would be visible to the front of the property. However, the property is set back approximately 30m from the highway with a long private front garden and driveway separating the property from public vantage points, resulting in the proposed extension being not highly visible. There are a variety of detached dwellinghouses next to and close to the site on both sides of Spetchley Road, which vary in size and design. The addition of the first floor side extension would not be out of character with surrounding properties within the street and the extension is considered acceptable in the context of the site.
- 7.7 The proposals would complement the character and appearance of the host property and surrounding area. The proposed development accords with the expectations of South Worcestershire Development Plan Policy 21 and is acceptable with regard to design considerations.

Impact on neighbouring amenity

- 7.8 The site lies adjacent to residential properties located within Spetchley Road. Policy SWDP 21 requires that new development does not have a significant adverse effect on neighbouring amenity. This is consistent with paragraph 135 of the NPPF that requires planning policies and decisions, amongst other matters, to ensure a high standard of amenity for existing and future users of land and buildings.
- 7.9 The first floor side and rear extension would be situated to the western side of the property, closest to 59 Spetchley Road. Although the proposed extension comes up to the boundary of no.59 above the existing single storey element to the property, the neighbouring property is 5.6m away from the proposed extension and does not have any side elevation windows. There would be no unacceptable impact on daylight and sunlight to the neighbouring property brought about by the proposed first floor extension.

Taking into account the position of the application property and the separation distances involved it is considered that the first floor extension would not have an unacceptable impact with regard to increase sense of enclosure or loss of outlook to neighbouring properties. It is noted that at present there are hedges and conifer trees along the garden boundary which would obscure neighbouring views of the extension from properties to the west.

- 7.10 The windows to the first floor extension are appropriately located with two windows to the rear, one window to the front and a small high level side elevation window. The side facing window is proposed to serve an en-suite and will be obscurely glazed, which can be secured through an appropriate condition. On the basis of the above considerations, it is concluded that the proposed windows would not result in any unacceptable increase in overlooking or loss of privacy to the neighbouring property.
- 7.11 The proposal is acceptable and in accordance with policy 21 (Design) of the South Worcestershire Development Plan (2016) having regard to impact on neighbouring living conditions.

Biodiversity

- 7.12 The property backs on to Greenspace and is linked via the rear garden open corridor to Nunnery Wood and the open countryside beyond. Given that works to the roof are involved, a Bat Assessment should be provided. This is required by condition prior to the commencement of any works to the roof.
- 7.13 With regard to trees, there are trees and shrubbery along the western boundary including hedge, conifer trees and an apple tree to the neighbouring property. The trees are not subject to a Tree Preservation Order and the site is not in a conservation area. It is not considered that the proposed first floor extension is likely to impact existing trees, given that is to be erected above an existing single storey element to the property. It is noted that some branches of the conifer tree to the neighbouring property are overhanging the boundary slightly. In order to implement the first floor extension, it may be necessary to prune conifer branches which are overhanging the boundary to the site, but this would be within the applicant's rights to prune the tree back to the boundary and would not require permission.

8. Conclusion and planning balance

- 8.1 The NPPF identifies a series of the components that are considered critical to achieving sustainable development. The above assessment of the planning application proposals against the planning policy framework demonstrates that the application responds to, and is in accordance with, the requirements of the adopted planning policy within the development plan and material considerations relevant to the determination of the application.
- 8.2 All comments received as part of the consultation process have been considered, along with all relevant material planning considerations. On balance, the submitted scheme is considered well designed, appropriate to the character of the area and will not result in an adverse impact on neighbouring properties. Considering all material planning issues and having regard to the totality of the policies in the Framework, the proposed development is sustainable when looking at its social, economic and environmental credentials that accords with the Framework and the Development Plan as a whole.

9. Recommended conditions

It is recommended that planning permission is granted, subject to the following conditions:

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 the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission.

Location plan 24-06-00

Existing plans 24-06-02

Existing elevations 24-06-03

Existing elevations 24-06-04

Block plan 24-06-20A

Proposed plans 24-06-22A

Proposed elevations 24-06-23A

Proposed elevations 24-06-24A

Water Management Statement

Reason: To ensure compliance with the approved scheme and policy SWDP21 of the South Worcestershire Development Plan.

3. All new masonry shall be finished externally in materials to match in form, texture and colour those of the existing building.

Reason: To ensure that the new materials are in keeping with the surroundings and/or represent quality design in accordance with policy SWDP21 of the South Worcestershire Development Plan.

4. Prior to the commencement of the first floor side extension and associated works to the roof, a Bat Assessment shall be submitted and approved in writing by the Local Planning Authority. Any recommendations for mitigation or enhancement within the approved report shall be carried out prior to the first occupation of the extensions hereby approved and shall thereafter be retained for the lifetime of the development.

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

5. The first floor window on the western elevation (facing no. 59 Spetchley Road) shall be upon first installation be designed to be top hung and be obscure glazed to a minimum of level 4 obscurity.

The window shall be retained in this form for the lifetime of the development with any replacement being in accordance with the requirements of this condition.

Reason: To ensure the privacy of adjacent properties is preserved in accordance with policy SWDP21 of the South Worcestershire Development Plan.