

Application No: 11/1180M

Location: LYNTON, JARMAN ROAD, SUTTON, SK11 0HJ

Proposal: Single Storey Rear Extension to Replace Existing Lean to and Pitched Roof to Existing Flat Roof Areas (Retrospective)

Applicant: Mr & Mrs H Marshall

Expiry Date: 18-May-2011

SUMMARY RECOMMENDATION

Approve, subject to conditions

MAIN ISSUES

Impact of the development on:-

- Neighbouring Amenity
- Character of the Area

REASON FOR REFERRAL

This application is to be determined by the Northern Area Planning Committee because it has been called in by Councillor H Gaddum on the following grounds:

- 1 For Members to decide on the materials, specifically for the roof.
- 2 In view of the concerns expressed by Sutton Parish Council.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached bungalow (probably built around the 1950's) situated within a modest rectilinear curtilage, located on Jarman Road in Sutton. The site lies within the Green Belt, however, it is noted that the site lies within an area where limited infilling may be allowed. Fields lie opposite the site and a housing estate lies to the rear.

DETAILS OF PROPOSAL

All the proposed works are to the rear of the bungalow. The proposals relate to the replacement of a sun lounge at the rear and the replacement of a flat roof (above a garage, utility room and bedroom) with a pitched roof. The replacement of the roof above the garage has already been implemented and therefore, this part of the application is retrospective. In addition, a rear extension has been removed (permission was not required for this aspect of the works).

RELEVANT HISTORY

None

POLICIES

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Macclesfield Borough Local Plan 2004.

The relevant development plan policies are:

Regional Spatial Strategy

DP1 (Spatial principles)

DP7 (Criteria to promote environmental quality)

Local Plan Policy

BE1 Design Guidance

GC12 Alterations and Extensions to Houses in the Green Belt

DC1 Design

DC2 Design- Extensions

DC3 Amenity

DC38 Space Light and Privacy

H13 Protecting residential areas

Other Material Considerations

Planning Policy Statement 1 (Delivering Sustainable Development)

CONSULTATIONS (External to Planning)

None consulted

VIEWS OF THE PARISH COUNCIL

Sutton PC objects to the proposal on the following grounds: -

- a) That the roof tile design is not in keeping with the general character of the existing roof tiles.
- b) That the colour of the roof tiles is not in keeping with the general character of the existing roof tiles or those of surrounding properties.

OTHER REPRESENTATIONS:

The neighbour at 20 Fitzwilliam Avenue has made comments in relation to this application. The neighbour considers the pitched roof with its tiling to be an improvement on the previous flat roof. The writer of this letter does not have concerns in relation to the rear patio doors, and to secure their privacy the letter writer let the end part of their hedge grow higher by about one foot. No objections are raised to this application.

The neighbour at no 22 Fitzwilliam Avenue raises no objections to the planning application, the proposed works will be an improvement to the property.

The neighbour at 18 Fitzwilliam Avenue objects to the application. The writer states that the planning application does not provide sufficient information for an officer to make an informed view or decision. The writer questions what roof tiles are to be used for the rear extension as section 3 of the application form simply states “as chosen”.

The applicant cites that the proposed tiles are as agreed, and this is a breach of process, particularly when no tiles are provided.

The drawings are inadequate as they do not show the extent of the proposed re-tiling.

The shading on the drawings indicates that the rear walls of the property are the same “before” and “after” the works. This must therefore be exposed brick. This fails to deal with the rear wall (following partial demolition) which now appears partly painted, which is not in keeping with the rest of the rear of the property.

The writer considers that officers may have acted ultra vires, by giving an indication of approval, prior to hearing the views of others and impartiality has therefore, been compromised.

The officers are ignoring the requirements of the Building Regulations that tiles should be “the same or similar”. The writer is concerned that if Officers were to grant permission for the use of the tile (which does not match the original), then this could lead to a situation where the officer responsible for the breach would be encouraging a breach of the building regulations.

The writer is concerned about the precedent which may be set.

The writer considers that his property will be harmed by a “carbuncle” which should be refused. The writer is not objecting to the good principle of replacing the flat roof, merely the type of tiling being used.

An additional letter was submitted by the objector above. The comment relates to an application at no 24 Fitzwilliam Avenue, which had a condition attached which stated that the materials on the extension should match those of the existing building. In addition, the officers report stated that “extensions to reflect the existing architecture of the building to be extended”. The two policies should be consistently applied and the roof tiles should be rejected.

APPLICANT’S SUPPORTING INFORMATION

None received

OFFICER APPRAISAL

Principle of Development

The site lies within the Green Belt, where alterations and extensions to existing houses may be granted for up to 30% of the original floor spaces, providing the scale and appearance of the house is not significantly altered, and the proposal does not adversely affect the character and appearance of the countryside. Exceptions to the policy may be permitted where the proposal lies within a group of houses of ribbon of development and the extension would not be prominent. In this case the dwelling lies within a group, and due to the works being to the rear of the property, the proposals are not prominent. The addition of the pitched roof does not provide any additional floor area, and the single storey rear extension (which replaces the existing sunlounge) does not represent a disproportionate addition. The development is considered to be acceptable with regard to its impact on the Green Belt.

The design and amenity policies aim to protect the living conditions of adjoining residential properties from harmful loss of amenity such as loss of privacy, overshadowing, loss of light or overbearing impact. They aim to ensure that the design of any extension, is sympathetic to the existing building on the site, surrounding properties and the wider street scene by virtue of being appropriate in form and scale and utilising sympathetic building materials.

Design and Amenity

The key design issue is in respect of the roofing materials used. Policies DC1 and DC2 of the Local Plan require that materials are normally sympathetic to the street scene, adjoining buildings and the site itself. Proposals to alter and extend building should respect the existing architectural features of the building.

The new roof on the garage measures 4.0m in height (to the ridge) and the roof slopes away from the boundary with the dwelling to the east, known as Brington. The roof is also hipped to the rear. It is noted that Brington has a long thin outbuilding projecting along its western boundary, which helps to reduce the impact of the proposed roof. Given the relationship with surrounding properties and the roofs limited height, it is not considered that the design or scale would cause an amenity issue for neighbours as it should not appear to be overbearing. It is also considered design wise that a pitched roof is an improvement over a flat one.

The sun lounge would be replaced by a similar proportioned single storey rear extension. It is noted that the extension would project approx 0.4m further from the rear elevation than the existing extension, however, it will not be any closer to the boundary with Grune House (to the north west). The eaves height will be approx. 0.3m higher and the ridge height (at 3.7m) would be approx. 0.8m higher than the existing sun lounge. It is not considered that this extension would have any significantly greater impact on the neighbouring property than the existing sun lounge. There is an existing 1.8m high boundary fence between Grune House and Lynton. Grune House has a first floor side window, however, this is of sufficient height not to be impacted by the proposals. It is also noted that an extension similar to that proposed could be built under permitted development rights, subject to the materials being similar to the existing ones on the roof.

An objection has been received from the occupier of the property to the rear at no. 18 Fitzwilliam Avenue. This property lies approx. 18m away from its nearest point, and the physical relationship between the two properties is considered to be acceptable and due to good levels of boundary treatment and the limited ridge height of the proposed roof, an

adequate level of privacy would be maintained between the dwellings. It is considered that the roof should not appear overbearing. The main source for the objection is the use of roof tiles which do not match those of the original roof of the house. The original roof has flat plain roof tiles, whereas the new roof (already built) and rear extension (proposed) incorporate interlocking tiles. In addition, the new roof tiles are red in colour, which are lighter in colour than the original roof tiles which have a weathered appearance. As said above, all the works are to the rear of the property, therefore the roof will have no impact on the street scene. The case officer has viewed the application site from both properties to the rear and has confirmed with the occupiers of both properties what the application entails. Although the proposed roofing material does not match the original, it is considered that insufficient harm would be caused to warrant refusal of planning permission. This is due to the limited impact when viewed from neighbouring properties and the fact that other similar roofing materials are visible on other dwellings nearby when looking out of the rear facing windows from the properties to the rear. There are clearly a variety of roofing materials in the vicinity and not one defining character.

Highway Safety

The extension will not result in a necessity to provide any additional car parking spaces as the additional floor area provided by the rear extension is minimal. It is considered that as the property would retain the existing compliment of off street car parking spaces, the proposals would not have an adverse impact upon highway safety.

Other matters

Although it may have been possible to annotate the submitted drawings more clearly, it is not considered that the drawings misrepresent what is in the proposal. Both existing and proposed floor plans and elevations have been submitted, so the scope of the works is clear. It is also quite clear that the applicant wishes to use the materials which have been used on the pitched roof above the garage and retain them and use these also for the sun lounge extension. The applicant (or applicants' agent) has suggested on the application form that the interlocking concrete roof tiles have been previously agreed. The case officer has explained to the objector that this is not the case and that the Council are judging the application afresh on its merits and that the proposals have not been predetermined. Any comments which may have been expressed prior to the application being submitted are given without prejudice to the Council's formal decision.

The case officer has clarified with Building Control, with regard to the requirement for materials to be "the same or similar" to comply with the Building Regulations, as alleged by the objector to the rear. This is not the case. It is a requirement for roofing materials to be suitable for the pitch of the roof, however, the visual appearance of the tile is not a consideration.

This proposal is considered to be acceptable on its own merits. Therefore, a precedent would not be set for other properties to use materials which do not match the existing. In relation to the example submitted of how materials were considered by a planning officer on a nearby property at no. 24 Fitzwilliam Avenue, one would have to accept that it is normal to condition materials to either match the existing, or be submitted. However, that does not detract from the fact that each case must be assessed independently on its own individual merits. That is

to say, what works in one case may not work in another. In order to refuse a development where the materials do not match, the Council must be able to demonstrate that demonstrable harm is caused. This is not considered the case in this instance.

CONCLUSION AND REASONS FOR DECISION

Despite the objection received the proposals on balance comply with the standards set out in the Macclesfield Borough Local Plan and would not lead to any significant injury to residential amenity. The proposals would preserve the character and appearance of the existing building and the surrounding area. The proposals would not raise concerns for neighbouring amenity or highway safety. The design of the extension is acceptable and the proposal is compliant with all of the relevant policies of the Development Plan listed above.

Application for Householder

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Materials as application

