

Application No: 12/1780N

Location: ROSE HALL, DAIRY LANE, ASTON JUXTA MONDRUM, NANTWICH, CW5 6DS

Proposal: Two Storey Extension to form residential annex

Applicant: Mrs A McAlpine

Expiry Date: 03-Jul-2012

**SUMMARY RECOMMENDATION: Approve with Conditions**

**MAIN ISSUES**

- Principle of development
- Design and impact on the open countryside
- Amenity impact on neighbouring property
- Access and Parking

**REFERRAL**

This type of application is usually dealt with under delegated powers, however this application has been called into planning committee by Councillor Michael Jones for the following reasons,

*'This was originally an application which was refused due to not providing the minimum space. This should come to committee so that they can ensure that the minimum spaces are maintained and that this is not simply a re-run of the former application.'*

**DESCRIPTION OF SITE AND CONTEXT**

The proposal site is a three storey former farmhouse property sited on Dairy Lane, Aston Juxta Mondrum. The proposal site is situated within the open countryside with a recent barn conversion surrounding the site to the north and east. The existing dwelling has a several single storey additions at the rear (west) of the dwelling which is surrounded by a 2m high wall.

A previous application on this site was refused for the following reason by the Southern Planning Committee,

*'The proposed development is considered to be unacceptable by means of its height and the position of the two principal windows on the rear elevation of the extension. It is considered that the proposal would have a significantly detrimental impact on the amenity of the adjacent neighbours by means of overlooking as the minimum separation distance between principal windows noted within the Extension and Householder Development SPD is not achieved. It is therefore considered that the proposal is contrary to Policy BE.1 (Amenity) of the Crewe and Nantwich Replacement Local Plan 2011 and the adopted Extension and the Council's Householder Development Supplementary Planning Document.'*

## **DETAILS OF PROPOSAL**

The applicant is seeking permission for a two storey extension to the rear of the property which is to be used as a residential annex for the applicant's housekeeper. The proposed extension to the property will be largely constructed on the existing footprint of the single storey extensions. The annex will have a kitchen, sitting room and WC at ground floor level and two bedrooms and a bathroom at first floor level. The extension will have a length of 9.5m, a width of 5m and a maximum height of 6m. There appears to be an alteration to the roof of the existing single storey rear projection which will contain the kitchen.

## **RELEVANT HISTORY**

2012 12/0234 – Two storey extension to form residential annex – Refused 30<sup>th</sup> March

## **POLICIES**

The policies from the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP) are:

### **Local Plan Policy**

BE.1 (Amenity)

BE.2 (Design Standards)

RES.11 (Improvements and Alterations to existing Dwelling)

NE.2 (Open Countryside)

### **Other Material Considerations**

National Planning Policy Framework

Extensions and Householder Development SPD

**CONSIDERATIONS (External to Planning):** None received at time of writing this report.

**VIEWS OF THE PARISH / TOWN COUNCIL:** None received at time of writing this report.

## **OTHER REPRESENTATIONS**

Objections have been received from the occupiers of Little Rose Barn (No.1), 2 Rose Farm, and Court House, Dairy Lane. The main issues raised are;

- Original application was refused on height, this has not been changed,
- The height is excessive,
- Changing the position means that the development is even more overbearing and overshadowing to the rear properties,
- The proposal will now be closer to Little Rose Barn,
- Loss of sunlight,
- Reduction in visual and residential amenity,
- Overlooking and loss of privacy,
- An extension has already been constructed on site to the rear of the dwelling which is not shown on the plans,
- The proposal is for a separate dwelling not an extension this is misleading
- Nothing stopping the annex being sold off separately in the future,
- Would be happy with a single storey extension,
- Overdevelopment of the rear yard area site,
- Proposal will be out of character with the surrounding barns

**APPLICANT'S SUPPORTING INFORMATION** – None received

## **OFFICER APPRAISAL**

### **Procedural Matter**

The original description of development stated that the application was for a two storey extension. With the agreement of the applicant this has been altered to state 'two storey extension to form residential annex', in line with the previous application and the actual development proposed.

### **Principal of Development**

The principal of householder development within the open countryside is considered acceptable provided that the proposed extension appears subordinate to the original dwellinghouse and the original dwelling remains the dominant element. The proposal must also accord with Local Plan policies BE.1 (Amenity), BE.2 (Design Standards) and RES.11 (Improvements and Alterations to existing Dwellings).

### **Design and Impact on the open countryside**

The existing dwellinghouse has a collection of single storey extensions and outbuildings to the rear of the property. The proposed development seeks to remove these outbuildings and replace them with a single storey outshout and a two storey residential annex. The proposed site plan shows that the footprint of the development is fairly similar to that which already exists on site. As noted above this application seeks to address the reason for refusal from the recent application.

Policy RES.11 states that, 'in the open countryside the original dwelling must remain as the dominant element with the extension subordinate to it'. The reasoning for the policy then goes on to explain that '...the extension must not result in the creation of a dwelling that is double or more than double the size of the original dwelling.' The proposed extension will be significantly less than double the volume of the existing dwelling and therefore from a numeric aspect the proposed extensions are acceptable.

The proposed extensions and alterations are of design and nature which is in keeping with the traditional design of the proposed dwelling. The proposed two storey addition has been positioned at a 90 degree angle to the previous proposal, which keeps the proposed development all within a more contained area. The proposed two storey extension will appear as a subordinate addition to the dwellinghouse and will tidy up the rear elevation of the dwelling. It is not considered that the proposed development will amount to an over development of the site. To appease the spacing standards the fenestration of the extension does not appear as appropriate as the previous design but will still appear as a suitable addition to the dwellinghouse.

Whilst timber window frames and doors would be preferable to retain the buildings traditional character, the use of UPVC windows and doors is acceptable as this property is not listed and the site is not within a conservation area.

The proposed two storey extension is to be used as ancillary living accommodation for the applicant's housekeeper. Whilst new dwellings within the open countryside are not acceptable the use of an extension for ancillary living accommodation is an acceptable use and with the addition of a condition to ensure the annex is only used as ancillary accommodation for a member of the family or someone who works for the owners of the dwellinghouse it is considered that the proposal is acceptable.

It is therefore considered that the proposed extension will not have a detrimental impact on the open countryside and is of a scale and mass which is acceptable in line with Local Plan policy BE.2 (Design Standards).

### **Amenity**

The proposed extensions will be sited to the rear of the site. The proposed extension will be contained largely to the footprint of the existing buildings; however it will have a first floor addition which does not current exist.

The two storey extension (annex) will be sited to the rear of the site adjacent to the converted barns known as Rose Farm Barns. No.6 – 4 Rose Farm Barns are of a two storey nature and No.1-3 are one and a half storey in height.

The previous reason for refusal stated that the proposed development was unacceptable by means of its height and the position of two principal windows on the rear elevation of the dwelling. It was considered that the proposal would have a significantly detrimental impact on the amenity of the adjacent neighbours by means of overlooking as the minimum separation standards were not achieved.

It is clear that the height of the proposal has not changed and therefore this part of the reason for refusal has not been addressed, however the repositioning of the extension at a 90 degree angle with only an obscure glazed window facing No.3-6 Rose Farm Barns and no windows facing No.1-2 appears to reduce the overall overlooking impact caused by the previous extension.

A separation distance of 24m will be achieved between the rear elevation of the extension and the rear elevations of No's 3-6. The proposed extension will have an obscure glazed window at first floor serving a bathroom and two windows at ground floor level serving a sitting room and kitchen. The Council's Supplementary Planning Document: Extensions and Householder Development states that to protect the privacy and living conditions of neighbouring properties, a distance of 21m should be achieved between any proposed principal window and a directly opposing principal window, unless the window is fitted with obscure glazing. A distance of 13.5m should be maintained between the flank elevation of a two or three storey extension and a principal window in a neighbouring dwelling. It goes on further to explain that a flank elevation is one which does not contain any principal windows or only contains windows fitted with obscure glazing.

As the proposed elevation facing these properties will only have an obscure glazed window within it a distance of 24m is more that suitable and therefore is considered to be acceptable and in accordance with the guidance set out in the SPD.

There is a 13.5m separation distance between the proposed rear elevation of the extension and the rear elevation of the property known as 'Little Rose Barn'. Little Rose Barn has a number of principal windows on the rear elevation and the main reason for refusal on the previous application related to the separation distance between this property and the extension. The proposed extension has no windows in the side elevation facing the dwelling and although it will be sited slightly closer, the width of the extension (5m) will be less than the previous 9m. The proposal meets the required separation distance, between flank elevations and principal elevations and it is therefore considered that the proposed extension will not have a significantly detrimental impact on the amenity of the adjacent neighbours by means of overlooking.

Whilst it is acknowledged that the impact of a two storey extension will have some increased impact on views of the adjacent neighbours, protecting views is not a material planning consideration. However the impact the building may have on loss of light or overbearing impact is. The proposed extension will be 6m in height, and it is considered that the impact of the building will be limited when seen in the context of the three storey dwelling, and the intervening garage. Although the light to the rear elevation of the barns may be reduced slightly due to the south aspect it is unlikely that this would significantly detrimental to substantiate a reason for refusal.

The proposed single storey element of the proposal is to the south of the site and will have a limited impact on the amenity of the adjacent neighbours due to its single storey nature. The proposed development is considered to be of a size and position which is acceptable and in accordance with local plan policy BE.1 (Amenity).

## **Access and Parking**

The proposed extension (annex) will be accessed off the existing driveway to the north of the site; there is sufficient space within the curtilage of the property to park several cars and therefore in the absence of any comments from the Highway Authority it is considered that the proposed development is acceptable and will not have a detrimental impact on highway safety.

Within the objections raised, the issue of the use of a private access to the west of the site is raised. The application site does not include the access to the rear and therefore does not form part of this permission. Furthermore, any issue raised with regards to the potential unauthorised use of the private access is a private civil legal matter and not a material planning consideration.

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

It is considered that the proposed development has been amended sufficiently to address the previous application reason for refusal. The proposed extension is of size and position which is in-keeping with the host dwelling, and the surrounding area. The proposed development will not have a significantly negative impact on the adjacent neighbours and is therefore considered to be acceptable and in accordance with the relevant policies of the Local Plan.

### **Conditions**

- 1. Standard Time**
- 2. Materials to match existing dwelling**
- 3. Obscure glazed window to first floor north elevation**
- 4. Annex to remain ancillary to main dwelling for use of family members, friends or staff only and not used a holiday let, separate dwelling or for a business use**
- 5. Approved plans**

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