

Parish: NAYLAND

Location: 58 Bear Street

Proposal: Erection of single-storey rear extension (insertion of side window and rear rooflight)

Applicant: Mr and Mrs J Wheeler

Case Officer: Ben Elvin

Date for Determination: 14 April 2009

This application is referred to the Development Committee at the request of the local Member.

THE SITE

1. The property is a modern (2-storey) detached dwelling lying in the Nayland Conservation Area and within the Area of Outstanding Natural Beauty.
2. To the side of the property is an attached garage that gives access to a parking and turning area at the rear.

THE PROPOSAL

3. The proposal provides for the erection of a single-storey rear extension and the insertion of a window in the side elevation and a new rooflight in the rear roof slope.
4. A Design and Access Statement has been submitted with the application which makes the following points;
 - The new accommodation forms and extension to the existing kitchen and is designed as a garden room overlooking the river.
 - Existing eaves and dormer windows are retained, with the new ridge being 3.4metres.
 - The proposed roof has a 17.5° pitch in natural slates.
 - The extension is formed of glazing over a brick plinth.
 - The rear parking area is not used by the applicants, and they park in Parkers Way immediately opposite the site. This has been the arrangement since the occupation of the property in 2002.
 - The new windows have been designed to reflect the character of the Conservation Area and are located to avoid any overlooking of neighbouring gardens.

RELEVANT HISTORY

5. B/01/00470 – Erection of two-storey detached dwelling. Construction of new vehicular access. (Approved by Development Committee).
6. B/00/00009 - Erection of two-storey detached dwelling. Construction of new vehicular access. (Approved by Development Committee)
7. B/99/01109 – Erection of detached two-storey dwelling with integral double garage and construction of new vehicular access (Refused)

NATIONAL GUIDANCE

8. PPS1: Delivering Sustainable Development
9. PPG15: Planning and the Historic Environment

PLANNING POLICIES

10. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

East of England Plan - 2008

- **SS1** (Achieving Sustainable Development)
- **ENV7** (Quality in the Built Environment)

Babergh Local Plan (Alteration No.2) 2006

- **CN01** – Design
- **CN08** – Conservation Areas
- **CR02** – Area of Outstanding Natural Beauty
- **HS33** – Extensions to Residential Dwellings

The relevant documents can be viewed via the internet. Please see Page 4 for details.

CONSULTATIONS

11. PC – Objects to the application, due to the proposed reduction in the area for off road parking to the rear of the property. In the interests of road safety, it is essential that off-road parking exists in this already congested part of the village. Application B/01/00470 for the erection of a 2 storey detached dwelling and the construction of new vehicular access was granted with condition 9 stipulating (in the interests of road safety) that vehicle access was provided in accordance with drawing 1691/P01 (A) and it was to be retained in the approved form.
12. LHA – would prefer the on-site turning to remain, but insist that two off road parking spaces are retained.
13. EA – advises that the application should be subject to their Standing Advice, which would require that a basic flood risk assessment is provided.
14. HoNaBE (Land Contamination) – recommends a condition.

REPRESENTATIONS

15. One letter of support has been received which makes the following comments;
 - Would welcome the loss of the parking area to the rear. The drive through garage arrangement is unsatisfactory and unworkable. It is dangerous to their young children and is very unsightly in the AONB.
 - This is in a Conservation Area and very close to the River Stour.
 - The parking area is near to their bedroom.
 - The existing garage cannot accommodate the 4x4 vehicles that the applicants own.

PLANNING CONSIDERATIONS

16. It is apparent from the responses received from consultations with the local highway authority and the Parish Council that there are concerns as to the loss of the parking and turning area that are provided to the rear of the site. In this respect, and to understand these concerns fully, it is necessary to revisit the permission granted for the dwelling when it was constructed in 2001 and the previous history.
17. Planning permission B/01/00470 was granted by the Development Committee, and this formed a revised proposal from that granted in 2000 under B/00/00009. The 2000 permission provided for a large 5 bedroom dwelling that was set back into the plot and provided parking and turning space to the front of the site. However, this resulted in a form of development that did not mirror the street frontage pattern that exists in Bear Street. Therefore, when considering the 2001 application, it was determined that a more appropriate form of providing the parking and turning space was to allow this to be accommodated to the rear of the site, and a condition was imposed to ensure that this area was made available for use and retained as such. It is therefore apparent that the issue of parking space was considered to be of particular importance at that time of both previous applications.
18. The current proposal would result in the loss of the turning area to the rear of the property, and would leave only the garage space to the side of the property. The local highway authority identifies that a dwelling of this scale would require two parking spaces to be provided and is concerned as to the loss of the parking space. Whilst this may not be used by the current occupiers of the property, to permit the loss of this space to development would result in that turning and parking space being lost in its entirety with no possible other solution available on site to provide additional parking space.
19. Further, the applicant's case makes it clear that their vehicles are parked within the street opposite to the dwelling. It has been identified by the applicants that the existing arrangement for parking and turning at the rear of the property is visible from outside the site and can be considered to be harmful to the character of the Conservation Area. Whilst the consideration of the impact of this arrangement on the Conservation Area and AONB was dealt with and accepted by the development Committee in 2001, it should be noted that PPG15 advises that Conservation Area designation relates to the character of streets and buildings, the historic interest, layout and evolution of the area, the vistas along streets and the spaces around buildings and, importantly in this case, the extent to which traffic impacts on these areas. In this respect, the exacerbation of parking on the street is considered to be more intrusive on the Conservation Area than the situation that currently exists.
20. Policy HS33 provides the relevant criteria by which applications for extensions to dwellings should be considered. The proposed extension is of a simple form and appearance that, in design terms, would not cause any particular detriment to the character of the host dwelling or the Conservation Area. The extension provides additional ground-floor accommodation of a scale that would not give rise to detriment to the amenity of neighbouring properties. However, the policy also identifies that permission will be granted to extend a dwelling if *"a safe vehicular access can be achieved and sufficient space remains available to park vehicles in the curtilage of the dwelling"*. The proposal is therefore contrary to the provisions of policy HS33.
21. The proposed window to the side elevation, and the rooflight in the rear roofslope are considered to be acceptable. There would be no direct overlooking resulting from these elements, and their insertion is not considered to detract from the character of the dwelling or its setting within the Conservation Area and AONB.

RECOMMENDATION

Refuse planning permission for the following reason;

The proposed single-storey rear extension is contrary to the provisions of policies CN08 and HS33 of the Babergh Local Plan Alteration No.2 (2006) which seek, inter alia, to ensure that extensions to residential properties preserve and enhance the character of the Conservation Area and result in sufficient space remaining available to park vehicles in the curtilage of the dwelling. The proposed extension erodes the existing parking and turning area to the rear of the property, thereby resulting in insufficient parking space within the curtilage of the property to serve the extended dwelling. The loss of this parking space would exacerbate the need for on-street parking where there is already significant pressure for such parking provision on the road, to the detriment of the character of the Conservation Area and highway safety.