

Item No 03:-

19/01916/FUL

**84 Watermoor Road
Cirencester
Gloucestershire
GL7 1LF**

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Two storey rear extension and addition of dormer window at 84 Watermoor Road Cirencester Gloucestershire GL7 1LF

Full Application 19/01916/FUL	
Applicant:	Ms Sian Jones
Agent:	
Case Officer:	Harrison Bowley
Ward Member(s):	Councillor Gary Selwyn
Committee Date:	13th April 2022
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Design and Impact on Cirencester South Conservation Area
- (b) Impact on Residential Amenity

2. Reasons for Referral:

2.1 The application is recommended for refusal. The Ward Member, Councillor Gary Selwyn, has referred the application to the Planning & Licensing Committee on the grounds of considering the balance of harm to the neighbour against the benefits of future proofing the terraced dwelling and improving the housing stock through the accommodation of reasonable attempts at enlargement of the building.

3. Site Description:

3.1 The application site consists of a two-storey, mid-terrace dwelling located along Watermoor Road within the Cirencester Development Boundary. The property is of a historic nature, constructed in the late 19th century, present on maps dated 1891 - 1912. The building has a simple formal frontage, uniform with neighbouring dwellings and constructed of red brick. The property has a generous linear, south facing garden which backs onto an industrial building.

3.2 The site lies within the Cirencester South Conservation Area.

4. Relevant Planning History:

4.1 N/A

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- DS1 Development Strategy
- DS2 Dev within Development Boundaries

- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas

6. Observations of Consultees:

6.1 None.

7. View of Town/Parish Council:

7.1 "Object to the proposed two storey rear extension. The works appear to be intrusive and not in keeping with the surrounding properties and would have an adverse affect on neighbouring properties."

8. Other Representations:

8.1 The application has received five letters objection from two neighbours; one letter of support and one general comments.

Summary of objection comments:

- i. Loss of light/overshadowing;
- ii. Out of keeping with scale and character of street;
- iii. Materials are out of keeping with traditional property.

8.2 Summary of support comments:

- i. Development will enhance community and encourage families.

8.3 Summary of general comments:

- i. Impact on guttering/drainage requiring party wall agreement;
- ii. Impact of foundations on neighbouring property.

9. Applicant's Supporting Information:

- Design and Access Statement (including shadow survey), Proposed Elevations.

10. Officer's Assessment:

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

10.2 The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.

10.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

Background and Proposed Development

10.4 The application proposes the construction of a two-storey and single-storey rear extension and the construction of a flat roof dormer window. The scheme has been through various iterations during the course of the application, with a final scheme having been submitted on 01/02/2022.

10.5 The proposed extension would project a total of 4.6m at ground floor, spanning the full 4.3m width of the plot. The first floor element would project 3.3m, spanning a width of 3.1m, set 1.2m from the western boundary. The extension would have a total ridge height of 5.7m and eaves of 4.6m, with the addition taking the form of a shallow mono-pitch roof. The single-storey aspect would incorporate a similar mono-pitched design, with a ridge of 3.3m and eaves of 2.3m. The proposed dormer window would project 2.1m from the existing roof slope, spanning a width of 3.2m and a height of 1.8m, in a flat roof design. The extension would incorporate a mix of matching render and contemporary zinc and timber cladding.

(a) Impact on the Cirencester South Conservation Area

10.6 The site lies within the Cirencester South Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.7 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

10.8 Local Plan Policy EN11 states that development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they preserve and where appropriate, enhance the special character and appearance of the conservation area in terms of siting, scale, form, proportion, design, materials and the retention of positive features. Development in conservation areas will not result in loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the conservation area.

10.9 NPPF Section 12 requires good design, providing sustainable development and creating better place to live and work in. Paragraph 130 states decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which are sympathetic to local character and history maintaining a strong sense of place.

10.10 Section 16 of the NPPF (2018) seeks to conserve and enhance the historic environment and is consistent with Policies EN10 and EN11.

10.11 The existing dwelling is of a relatively historic form, incorporating a simple and traditional design which is continued within the wider street. The rear elevation is not visible from within the wider street scene, with only limited views available from private rear gardens.

10.12 The rear elevations of Watermoor Road have been subject to some alterations, with examples of both two-storey and single-storey additions. First floor additions are generally limited to half width, often connected to an adjoining neighbour. An example of a full width, two-storey extension is noted at No. 80 Watermoor Road, this addition was added in the early-mid 2000's and the building constitutes an end-of-terrace dwelling, thus allowing for more variation in design as the terrace is 'squared off'. It is also noted that a number of dormer windows are present on the rear elevations of dwellings along the terraced row. Whilst these contain a mix of forms, it is noted that a number are unauthorised, with a single permission having been granted in 2015 for two pitched roof dormers on the adjoining property.

10.13 The current proposal is for a two-storey catslide-style rear extension. The addition would cover a large portion of the rear elevation, however, would be stepped at first floor back from the shared boundary. Whilst generous in scale, the addition would appear proportionate to the rear elevation and would not dominate the existing property. The design approach appears somewhat awkward in its relationship to the host dwelling, however, would achieve a lower ridge line that could otherwise be achieved through a pitched design. The use of render would appear sympathetic subject to an appropriate sample being provided and the use of zinc, whilst not strictly in keeping, would, when viewed in the context of the host and rendered walls, not appear incongruous.

10.14 The proposed dormer would be set within the established roof slope, adjoining a neighbouring dormer window. The proposed plans show a large dormer window to No. 82 Watermoor Road, which it is noted has not been constructed in accordance with plans permitted in 2015, which approved two modest pitched roof additions. The proposed plans also include a flat roof addition to the other neighbour at No. 86. The roof slope of No. 86 does not contain a dormer, however, whilst No. 88 does contain an addition of a similar scale to that shown. This feature similarly appears to be unauthorised having been added between 2006 and 2014 without the benefit of planning permission.

10.15 The current proposed addition of a flat-roof dormer window would be generous in scale and would appear as a dominant and disproportionate addition to the existing roof slope. The design would be flat-roof with a somewhat contemporary approach. The Cotswold Design Code outlines that dormers should be in-keeping with the host building in their placement, scale and design and should not be excessive in bulk; and extensions should respect the scale and proportions of the building to which they are added. The current proposal, by virtue of its scale and large flat roof design, would result in a bulky and disproportionate form of development that would fail to respond sensitively to the simple uniform design of the host dwelling. Whilst the use of zinc is not in and of itself, unreasonable; it would exacerbate the disproportionate appearance of the dormer, leading to an incongruous and prominent addition within the rear roof slope. Whilst the addition would not be prominent within wider public views, it would nevertheless fail to comply with the requirements of the Cotswold Design Code and would appear out of keeping with the character of the host dwelling.

10.16 Overall, whilst the proposed extension is not considered to result in any harm with regard to its design, the proposed dormer window would, by virtue of the design, form, scale, siting and use of inappropriate materials, harm the character and appearance of the host dwelling. Moreover, the dormer addition would fail to accord with the requirements of the Cotswold Design Code and would therefore be contrary to Local Planning Policy EN2.

(b) Impact on Residential Amenity

10.17 Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users. The Cotswold Design Code outlines that *"To avoid undue loss of daylight, when considering planning applications, the Council will take into account the advice contained in the Building Research Establishment publication IP 23/12 - Site Layout Planning for Daylight."*

10.18 The neighbouring dwelling, No. 82 Watermoor Road, has a single-storey rear extension containing a kitchen that runs parallel to the boundary of the property. The kitchen contains a single east-facing window which faces the application site and is the sole window serving the primary room within the dwelling. The window is set around 2m from the shared property boundary. The proposed development would intersect the 25 degree line taken from the central point of the window facing the extension, and would intersect the 45 degree line in plan form. The neighbouring dwelling also contains a dining room within the original dwelling, which contains a single south-facing window serving the primary room. The proposed extension would intersect the 45-degree line taken from the central point of the window in both elevation and plan form.

10.19 The BRE document, referenced above, outlines that where a proposed development would intersect an angle to the horizontal greater than 25 degrees, it is likely to lead to a substantial impact on the diffuse daylighting of the existing building. The document goes on to outline that for non-facing windows, a diagonally drawn line is to be taken at an angle of 45 degrees from the central point of the window. Where the line intersects with the extension in both plan and elevation form, then the extension may well cause a significant reduction in daylight received by the window.

10.20 As has been noted, the extension would intersect the angles drawn, both in terms of the facing kitchen and dining room windows. The development therefore fails to accord with the guidance of the Cotswold Design Code. Evidence has been provided demonstrating the impact of overshadowing on the property. Whilst the evidence does indicate that there is an existing mutual level of overshadowing, officers are not in agreement with the conclusion that the development would have a limited impact when compared with the existing context. Moreover, it is noted that the evidence solely addresses the impacts from overshadowing and not loss of daylight or diffuse daylight to the rooms of the dwelling. The shadow survey indicates that there will be an increase in overshadowing on the kitchen and dining room windows, most notably at midday January, morning April and Morning July where both windows will be entirely, or almost entirely, overshadowed. It is noted that no evidence has been submitted in the form of loss of daylight/sunlight calculations, and compliance with the guidance within the design code has not been evidenced as part of the application.

10.21 Whilst the 'IP 23/12 - Site Layout Planning for Daylight' outlines that the guidance should be applied sensibly and flexibly, it is considered that the proposed development would lead to an unreasonable and detrimental loss of light to two out of three primary rooms of the ground floor of the neighbouring dwelling. This would result in a significant negative impact on the amenity of the property.

10.22 It is considered that the extension would also lead to a level of overbearing impact, leading to the rear courtyard of No. 82 Watermoor Road feeling 'hemmed in' or enclosed. The development would extend up to the boundary of the property, with the two-storey element set just 1.2m from the shared boundary. The addition would therefore lead to an unreasonable level of overbearing impact, which when viewed in conjunction with the identified overshadowing and loss of light to the primary rooms of the dwelling, would exacerbate and enforce the impact on the neighbouring dwelling.

10.23 Overall, it is considered that the proposed extension would lead to an unacceptable and detrimental impact on the amenity of the neighbouring dwelling in terms of loss of light, overshadowing and overbearing impact. The development therefore fails to comply with Local Plan Policy EN2 or the Cotswold Design Code and the guidance contained within 'IP 23/12 - Site Layout Planning for Daylight'.

Other Matters

10.24 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). This is because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

11. Conclusion:

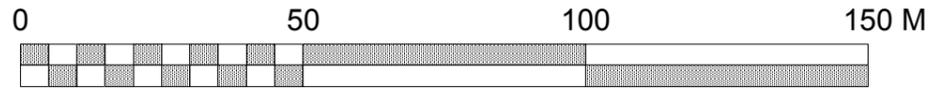
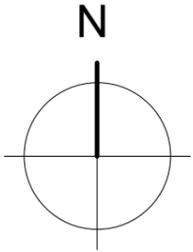
11.1 It is considered that the proposed two-storey rear extension would lead to a harmful loss of light to the sole windows serving primary rooms within the adjoining dwelling and would cause a level of overshadowing and overbearing impact on the building, courtyard and immediate amenity space associated with the dwelling. Additionally, the proposed dormer window would result in a bulky, disproportionate and dominant addition to the roofslope of the existing dwelling, by virtue of the design, form, scale, sitting and use of materials.

11.2 Subsequently, the proposed development is recommended for refusal.

12. Reasons for Refusal:

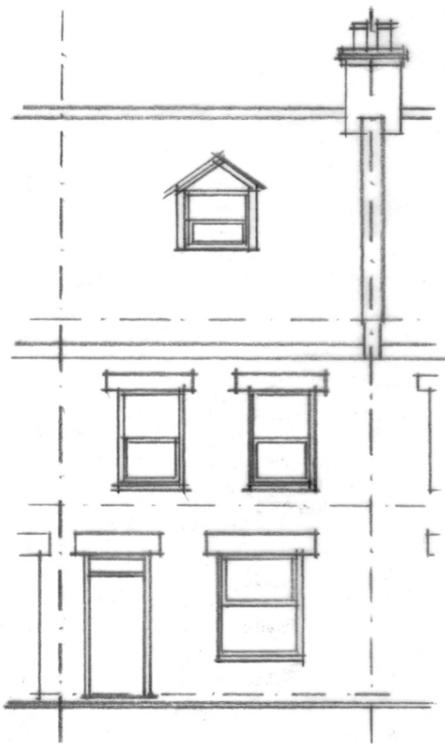
1. The proposed single and two-storey extensions would lead to a harmful loss of light to the sole windows serving primary rooms within the adjoining dwelling and would cause a level of overshadowing and overbearing impact on the building, courtyard and immediate amenity space associated with the dwelling. The proposed extension would therefore result in an unacceptable and detrimental impact on the amenity of the neighbouring dwelling, contrary to Local Plan Policy EN2, and Section 12 of the NPPF.

2. The proposed dormer window extension would result in a bulky and disproportionate addition to the roofslope of the existing dwelling, by virtue of the design, form, scale, sitting and use of materials. The addition would dominate the rear roofslope, causing harm to the character and appearance of the existing dwellinghouse. The proposed development would therefore fail to comply with the requirements of the Cotswold Design Code and will be contrary to Local Plan Policy EN2 and Section 12 of the NPPF.



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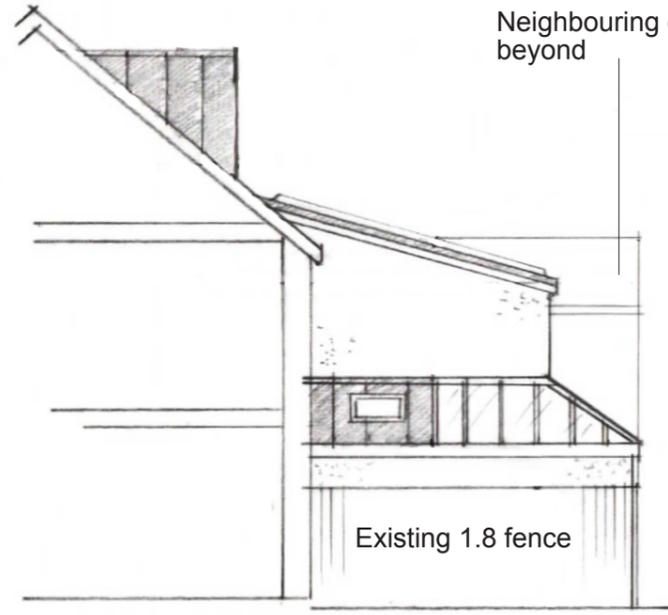
Site Location Plan
scale 1:1250 @ A3



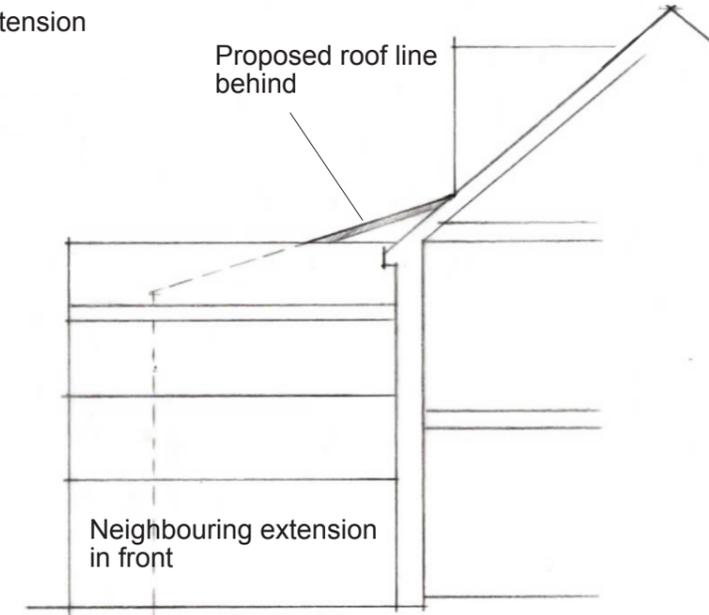
FRONT ELEVATION - AS PROPOSED (UNCHANGED)



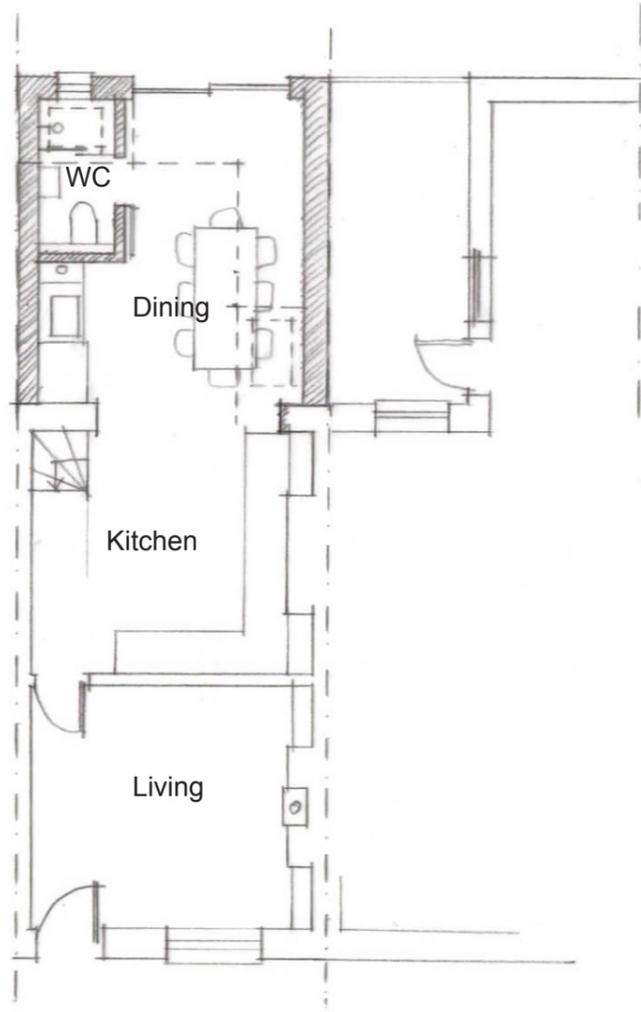
REAR ELEVATION - AS PROPOSED



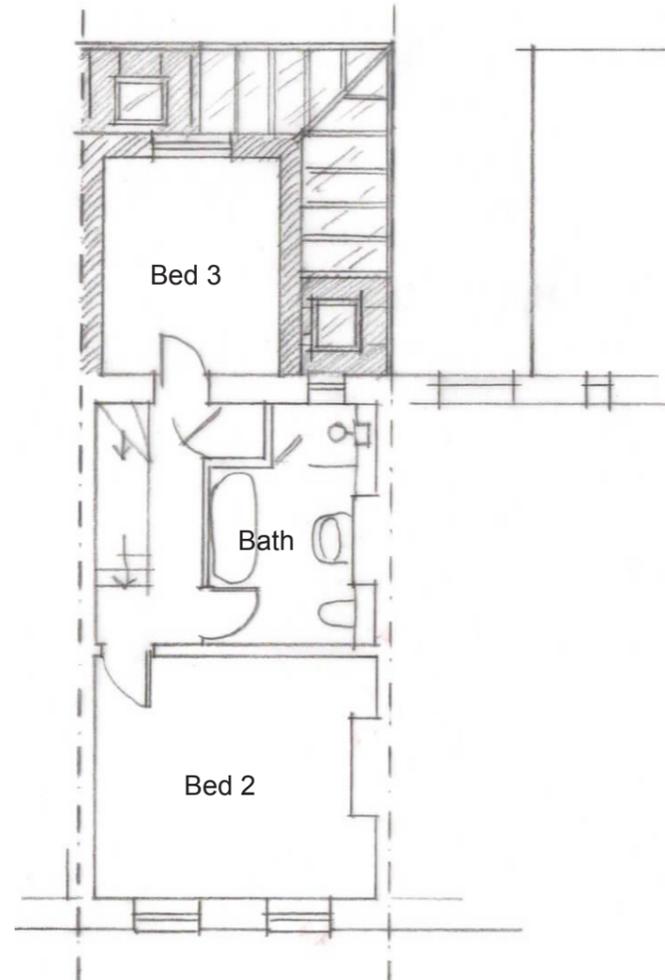
SIDE ELEVATION - AS PROPOSED



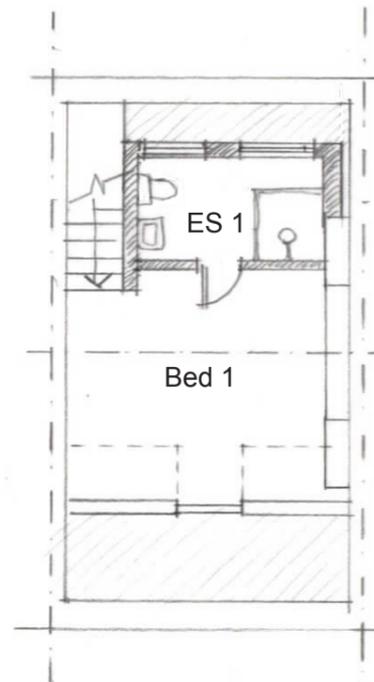
SIDE ELEVATION - AS PROPOSED



GROUND FLOOR - AS PROPOSED



FIRST FLOOR - AS PROPOSED



SECOND FLOOR - AS PROPOSED

PROPOSED MATERIALS:

- GF walls - painted render
- GF roof - zinc standing seam / patent glazing
- FF walls - painted render
- FF roof - zinc standing seam
- Dormer - zinc and timber cladding

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002Q
Proposed Plans and Elevations
Scale 1:100 @A3