DELEGATED DECISION REPORT

SMD/2017/0604	**52 PARK ROAD**	**RETROSPECTIVE REAR**
Valid 12/09/2017	**WERRINGTON**	**CONSERVATORY EXTENSION.**
		(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design and Appearance
- Neighbour Amenity

DESCRIPTION OF SITE

Semi detached bungalow in row of other similar dwellings. Residential suburban area within settlement boundary.

PROPOSAL

Seeks a grant of retrospective planning permission for development already carried out consisting of the erection of a pavilion style white Upvc frame conservatory built onto the back of an existing flat roof porch extension on the rear. The conservatory projects 3 metres from the rear of the extension.

Originally the app also sought permission to erect a steel frame cat run covering the whole of the back garden but it appeared as though such a structure would be permitted by Class E, Part 1 of the GPDO and so this was removed from the application proposal.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 7th Nov 2017

Neighbour consultation

Public Comments

None Received

Town / Parish Comments

Awaited

OFFICER COMMENTS

Principle of Development

Householder extension within settlement boundary. UpVc conservatory on back of bungalow. Sustainable development and acceptable in principle.

Design

Very conventional conservatory design used throughout the country. Normally would be permitted development but this conservatory extends more than 3m from the original dwelling because it is built onto an existing flat roof extension.

The flat roof extension forms an intervening element between main roof and conservatory but from the rear and adjoining neighbour's side the flat element is largely concealed and can not be easily seen and for the most part the conservatory, has what appears to be a direct relationship with the bungalow.

There is also an almost identical 'flat roof plus conservatory' type extension on the adjacent non adjoining neighbour's side and a very similar white upvc conservatory on the back of a bungalow to the rear of the applicant's garden.

While the conservatory, which has a pavilion roof top that comes up above the eaves of the bungalow and spans most of its width, does appear quite large and dominant against the rear of the original bungalow – this conservatory would otherwise be permitted development if it were not for the flat roof link, which ultimately does not have any additional affect on the size and height of the conservatory.

Given this type of conservatory design is so conventionally and commonly used within this residential estate and so many like it I would have some difficulty finding that the structure was alien, oddly formed or out of keeping. Rather it is a well used and to be expected design and structure which is normally provided for by the GPDO.

Amenity

The adjacent/adjoining neighbour has a matching flat roof extension forming an enlargement to the dining room with rear facing patio windows. This means therefore that it is only the flank wall of the conservatory that projects 3 metres and is visible beyond the neighbour's dining room patio window.

Council's Space About Dwellings guidance points to an amenity standard that would limit the projection of an adjacent rear extension so that it would not breach a horizontal 45 degree line taken from the centre of the neighbour's nearest principal window. The centre of the patio window is not quite 3 metres from the side of the conservatory and as such a 45 degree line of sight would be clipped.

However, while the neighbour's patio window serves an area of extended living room that provides dining space, it does not neatly fall within the Council's definition of principal window given that the internal space is essentially a through living room from front to back and the patio could more appropriately described as a second living room window.

In any event the patio window is a large full length window giving light to the room and good garden outlook in other directions that is unhampered by the conservatory. In fact from inside the neighbour's room the side of the conservatory can only be seen from a finite angle and a position that is very close to the window.

Moreover, the 3 metres that the conservatory projects beyond the neighbour's patio window normally would be specifically provided for by the GPDO, in this case it is only the addition of the flat roof extension that means permission is required, but no part of the flat roof element extends or projects past the neighbours window.

In this case there is no obvious reason to afford the neighbour's patio window any greater amenity protection than would normally be afforded to a householder by the provisions of the GPDO.

Given the distance to the boundary and the space between the dwellings no amenity issues are raised in respect of the property to the other side.

CONCLUSION / PLANNING BALANCE

The conservatory is acceptable and planning permission should be granted.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst
Recommendation Date: 07/11/2017

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council