

<b>Application Number:</b>	2019/0047/HOU
<b>Site Address:</b>	8 The Avenue, Lincoln, Lincolnshire
<b>Target Date:</b>	23rd March 2019
<b>Agent Name:</b>	Gillick Brothers
<b>Applicant Name:</b>	Mr & Mrs Langley
<b>Proposal:</b>	Erection of a single storey rear extension, single storey detached garage to rear and installation of 1.2 metre railings and gates to front boundary. (REVISED PLANS).

### **Background - Site Location and Description**

The application is for the erection of a single storey rear extension, to be occupied as an annex, a detached garage to the rear and 1.2m high railings and gates to the front boundary. The application property is 8 The Avenue, a large three storey Victorian/Edwardian building. The property is currently vacant, having most recently been occupied as offices. Planning permission was granted in 2014 to change the use to an eight bedroom HMO and a self-contained flat, although this permission was not implemented and has now expired. The applicant intends to occupy the property as a family dwelling and is currently undertaking extensive internal and external restoration works. These works include the removal of a later single storey rear off-shoot, which the proposed extension is intended to replace.

The property is located on the west side of The Avenue, set back from the road. To the north is 10 The Avenue with Ridgeway Nursing Home, 2-6 The Avenue, to the south. To the rear of the site are the rear yards and aspects of a terrace located on Whitehall Grove. The property is located within the West Parade and Brayford Conservation Area.

The design of the rear extension has been subject to a number of amendments during the process of the application. The revisions were initially in response to officer's concerns regarding the design with further revisions to attempt to address the concerns of neighbours relating to the impact on residential amenity. These will be detailed later within the report. All neighbours were re-consulted on the revised plans.

The application has been called in to be determined by Members of the Committee at the request of Cllr. Preston.

### **Site History**

Reference:	Description	Status	Decision Date:
2014/0297/F	Change of use from Offices to an 8 Bed House in Multiple Occupation and 1 Apartment	Granted Conditionally	19 <sup>th</sup> June 2014

### **Case Officer Site Visit**

Undertaken on 21<sup>st</sup> February 2019 and visit to neighbouring property of 19 Whitehall Grove on 3<sup>rd</sup> May.

## **Policies Referred to**

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- National Planning Policy Framework

## **Issues**

- Visual amenity and character and appearance of the conservation area
- Residential amenity

## **Consultations**

Consultations were carried out in accordance with the Statement of Community Involvement, adopted May 2014.

## **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	Comments Received
Cllr. Lucinda Preston	Comments Received
Lincoln Civic Trust	Comments Received
West End Residents Association	Comments Received

## **Public Consultation Responses**

Name	Address
Mr Kevin Hallsworth	19 Whitehall Grove Lincoln LN1 1PG
Ms Sara Dixon	19 Whitehall Grove Lincoln LN1 1PG
Mr David Mitchell	26 Whitehall Grove Lincoln LN1 1PG

## **Consideration**

### **Visual Amenity and Character and Appearance of the Conservation Area**

The proposed extension to the rear would form an annex to the main dwelling, projecting a

maximum of 13.21m adjacent to the side, north boundary with 10 The Avenue and measuring 6.09m at its widest point. The proposal replaces a smaller off-shoot in the same location, which has already been removed.

The contemporary design of the proposal incorporates angled elevations, a flat roof, buff brick (to match the existing) and vertical timber cladding. The size of the extension along with materials and window design has been revised during the process of the application.

Objections have been received from the occupants of 19 and 26 Whitehall Grove, Cllr. Preston and the Civic Trust in respect of the visual impact of the extension. While there are general comments of support from the objectors for the renovation works being undertaken the concerns relate to the scale, height, design and proportions of the proposed extension. They consider that the modern design and materials have no relation to the main dwelling, appearing as a separate residence which is not in keeping. The objectors also consider that it would have an impact on the residential landscape and the conservation area.

Officers have considered these comments but are of the opinion that the scale and height of the proposal, while larger than the previous off-shoot, would not appear as an inappropriate or dominant addition to the substantial three storey property. There would also be sufficient garden land retained within the curtilage of the site.

There is no objection in principle to modern additions to traditional buildings, an approach which is supported by the City Council's Principal Conservation Officer and Central Lincolnshire Local Plan (CLLP) Policy LP26, which requires that proposals for innovative design should sympathetically complement or contrast with the local architectural style. The design had previously been amended at the request of officers to improve the appearance and proportions, although the latest revisions have changed the full height windows to a more domestic style to attempt to address the concerns of neighbouring occupants to the rear. While this somewhat moves the overall design away from the initial modern approach, officers consider, on balance, that the proposal would have an appropriate relationship with the host property.

The acceptability of the proposed extension has therefore been carefully considered along with the objections. Notwithstanding the fact that the structure is located to the rear and therefore not open to public view, officers are satisfied that the proposal would complement the original architectural style of the property and would not have a negative visual impact on the wider area, in accordance with CLLP Policy LP26.

With regard to the detached garage this would be clad with horizontal wooden boards upon a brick plinth with a natural slate roof. The scale, position and design of this element of the proposal is acceptable in terms of visual amenity. Officers also have no objection to the railings to the front of the property, and welcome the reinstatement of this traditional feature.

Accordingly officers are also satisfied that the extension and garage would preserve the character and appearance of the conservation area, with the railings being an enhancement. In this respect the application is also in accordance with CLLP Policy LP25.

#### Residential Amenity

The proposed extension would accommodate a kitchen/living area, bedroom, en-suite and store room. It is intended to be occupied as an annex by a family member with access via

an external door and also through the main dwelling. Cllr. Preston has raised concern regarding the principle of this use and that it would set a precedent for similar developments. The Cllr. along with the occupants of 19 and 26 Whitehall Grove also raise concern relating to the nature of its use and increased noise and disturbance.

The concerns regarding noise and disturbance are noted although officers consider that the nature of the occupation as ancillary residential accommodation should not result in any significant residential amenity issues, and a condition of any consent would ensure that the unit cannot be occupied, sub-let or sold as a separate entity. The City Council's Pollution Control Officer has also raised no objections in terms of noise.

With regard to the potential physical impact of the extension objection to this has been raised by Cllr. Preston, the occupants of 19 and 26 Whitehall Grove, the West End Residents Association (WERA) and the Civic Trust. The objections are on the grounds that the application site is on a higher land level than properties on Whitehall Grove, specifically in relation to no. 19. The size, scale and height of the proposal is also greater than the previous off-shoot, resulting in it being closer to the boundary, and as a result it would appear dominant and overbearing. Overlooking and loss of privacy would be experienced, particularly towards the first floor bedroom window and parts of rear garden of no. 19. The objector at 19 Whitehall Grove submitted a subsequent response following the first set of revised plans advising that the changes in the design did not alleviate the original objection.

At the time of writing the report no representations had been received to the most recent revisions, which involve the reconfiguration of the rear elevation of the extension and the alteration to the size and position of the rear window facing no. 19. Any comments received will be included within the update sheet.

The extension would sit 4.5m, at its closest point, from the rear, west boundary with 19 Whitehall Grove. A section of the applicant's garden towards to north-west corner extends further west, wrapping around part of the side boundary of no. 19. The closest relationship between the single storey proposal, in its revised form, and the rear off-shoot of this neighbouring property is approximately 10m. Within the facing elevation of the neighbouring off-shoot is a ground and first floor window. Photographs towards the application site from the neighbour's first floor bedroom window and the adjacent rear yard can be seen later within the report. It is clear from the photographs that the application site sits on a higher land level, however, given the separation and the single storey design of the proposal it is not considered that it would appear unduly dominant or overbearing. Located to the east the proposal would also not significantly impact upon loss of light.

With regard to overlooking the revised rear window is not only smaller but it now faces directly west as opposed to being angled more towards the rear elevation of no. 19. This combined with the single storey design and separation would ensure that there is no overlooking into the rear yard. Officers do acknowledge that there would be a degree of overlooking towards the first floor window, however, it is not considered that this would be sufficiently harmful to warrant the refusal of the application. It should also be noted that, were the property not located within a conservation area, a similar relationship could be created with an extension constructed under permitted development rights.

Officers are also satisfied that the relationship of the extension with the other properties further south along Whitehall Grove would be acceptable.

With regard to the effect on 10 The Avenue to the north of the application site, the extension would project 13.2m along the boundary measuring 3.1m high, replacing the existing boundary wall. While this is a substantial projection it would only be read as an increase of approximately 1m above the existing boundary wall, and as such officers do not consider that this would have an unduly harmful impact on the neighbouring occupants. Officers have not received any objections to the application from these neighbours.

There would be no impact from the extension on the nursing home to the south, given the substantial extension to this premises on the adjoining boundary.

The consideration process for the extension has taken into account the objections from the neighbouring occupants, Cllr. Preston, WERA and the Civic Trust. Revisions have also been made by the applicant to attempt to address these. Officers would conclude that that the amenities which neighbouring occupants may reasonably expect to enjoy would not be unduly harmed by or as a result of the extension through its use, overlooking, loss of light or appearing overbearing. The proposal would therefore be in accordance with the requirements of CLLP Policy LP26.

With regard to the proposed garage officers have no objection to the relationship of this with neighbouring properties. The occupants of 19 Whitehall Grove have raised no objection to this but note some concerns regarding potential noise. This can be addressed by way of a condition which would restrict the use for domestic purposes only.

### **Application Negotiated either at Pre-Application or During Process of Application**

Yes, revisions to the arrangement and design of the proposed extension as detailed above.

### **Financial Implications**

None.

### **Legal Implications**

None.

### **Equality Implications**

None.

### **Conclusion**

The scale and design of the proposed extension and garage, which are located to the rear of the property, are considered to be acceptable and would complement the architectural style of the existing property. These proposals would accordingly preserve the character and appearance of the conservation area, with works to reinstate traditional features, such as the railings, enhancing this. The proposals would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy and the application would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP25 and LP26 and guidance within the National Planning Policy Framework.

## **Application Determined within Target Date**

Yes.

## **Recommendation**

That the application is Granted Conditionally subject to the following conditions:

- Development to commence within three years
- Development in accordance with approved plans
- Annex not to be occupied, sub-let or sold as an independent residential unit
- Garage for domestic use only