

# **Addendum**

## **LA01/2016/0107/F**

### **Full Planning**

#### **Update**

One further email dated 22<sup>nd</sup> January 2018 has been received from the agent acting on behalf of the applicant. A number of points have been raised:

1. The agent states within the first paragraph that they seek to mimic the existing building line proving no more detrimental than what is already on the site.

The Planning Authority note that the existing building line extends slightly beyond the neighbouring dwelling on Westminster Park by approx. 2m. However, the context is very different from what is currently proposed. The existing portion of building which extends slightly incorporates a single storey garage which has a flat roof and has a significant drop in ground level resulting in the garage roof being approx. 1 m below the eaves of the neighbouring property. The garage is also angled to help respect the existing building line and the remainder of the front of the existing building has a covered walkway which is also angled to respect the building line. It is noted that two storey portion of the existing dwelling does not extend beyond the existing building line. It is already stated in the Committee Report under paragraph 8.9 that the proposal is for a 2 storey dwelling which will extend fully beyond the existing building line to an unacceptable degree which would appear out of place with the neighbouring dwellings.

2. The agent refers in the second paragraph to the concerns of the Planning Authority regarding usable amenity for dwelling no. 2, overlooking, inadequate garden depths and the impact of the overhang on the amenity of dwelling no. 2.

Paragraph 7.14 of Creating Places guidance states that “well-designed layouts should, wherever possible, seek to minimise

overlooking between dwellings and provide adequate space for privacy. The amount of space considered appropriate will vary according to the location, context and characteristics of the site, and will generally be set by the overall design concept for the development.” Paragraph 8.15 states that the proposed amenity afforded to dwelling no. 2 is unacceptable due to the impact of overshadowing from the proposed overhang to dwelling no. 1 and the insufficient rear garden depth. Paragraph 7.16 of ‘Creating Places’ guidance states “where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between the rear of new houses and the common boundary. An enhanced separation distance may also be necessary for development on sloping sites.”

The proposed rear garden depth of only 6.4 m will result in inadequate rear garden depth which will give rise to overlooking from the first floor window of dwelling no. 2 over the rear private amenity for the future residents of dwelling no. 1 adjacent.

3. The third paragraph of the agent’s further submission regarding overshadowing has been addressed above under point 2 and also within the Planning Committee Report in paragraph 8.15. The overhang would result in an unacceptable degree of overshadowing both of the dwelling no. 1 itself, in terms of the internal space with restricted light coming through the rear ground floor windows and also the private amenity within the rear garden.
4. The agent refers in the fourth paragraph of the further submission that there will not be a detrimental impact from first floor windows in terms of overlooking.

Refer to paragraphs 8.11-8.14 of the Planning Committee Report. The proposed development sits on a higher ground level than 3 Downing Park. The design proposes windows to the western gable which are due to the design and topography elevated.

Due to the close proximity of the rear first floor windows, resulting from insufficient rear garden depths to both new dwellings, the degree of overlooking, and the extent to which the impression of overlooking from windows on a much higher level on the proposed 2 storey development will result in significant detriment to neighbouring amenity.

5. The agent refers in the fifth paragraph that the planning policy states that only rural isolated properties can claim not to be overlooked.

This application has been assessed under Policy QD1 of Planning Policy Statement 7. Under paragraph (h) it states clearly that a design should not create conflict with adjacent land uses and there should not be unacceptable adverse effect on existing and proposed properties in terms of overlooking. Please refer to paragraph 8.12 of the Planning Committee Report, there is approx. 6 metres of glazed elevation on the side of the first floor of dwelling no. 1. The proposal has a significant amount of glazing on the first floor which is positioned above the neighbouring property no. 3 Downing Park, and on the merits of the application submitted, the degree to which this would give the impression of overlooking would be unacceptable. This is not a suitable arrangement for the existing residents of no 3 Downing Park.

## **RECOMMENDATION**

That the Committee notes the content of this addendum and agrees with the recommendation to refuse as set out in paragraph 9.1 of the Planning Committee Report.