

Erection of a two storey rear extension and single storey rear extension

Report Item No
A6

16 Nottingham Road Ashby De La Zouch Leicestershire LE65
1DQ

Application Reference
17/00885/FUL

Applicant:
Mr And Mrs Bunker

Date Registered:
5 July 2017

Case Officer:
Eleanor Overton

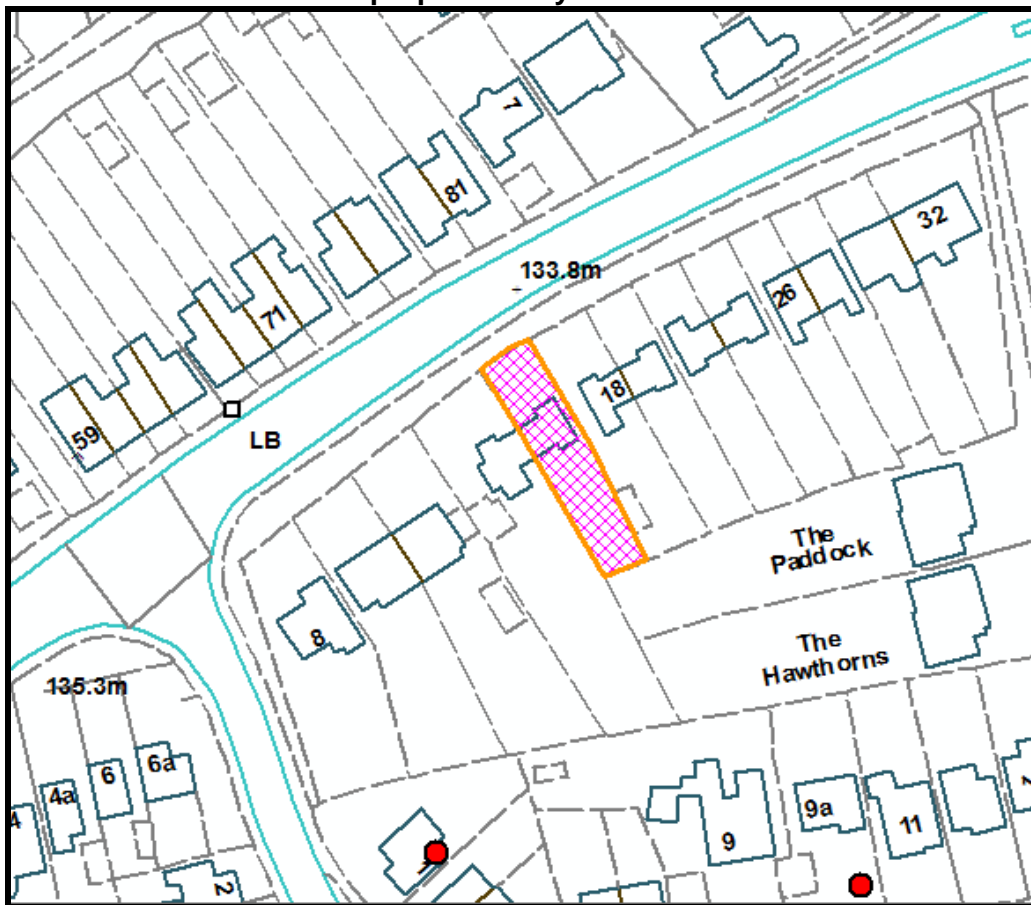
Consultation Expiry:
28 July 2017

Recommendation:
PERMIT

8 Week Date:
30 August 2017

Extension of Time:
None Agreed

Site Location - Plan for indicative purposes only



Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office
©copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence LA 100019329

Executive Summary of Proposals and Recommendation

The application is to be considered by Planning Committee as the applicant is an employee of the Council and a letter of objection has been received.

Proposal

This application seeks full planning permission for the erection of single and two storey rear extensions. Amendments to the proposal have been received and reduce the size of the extensions to address the concerns of the neighbour.

Consultation

Members will see from the main report below that there have been no objections from any statutory consultees. One letter of objection has been received from an adjoining neighbour.

Planning Policy

The site lies within the Limits to Development as identified in the adopted and submitted North West Leicestershire Local Plans. The application has been assessed against the relevant policies in the NPPF and the adopted and submitted Local Plans and other relevant guidance.

Conclusion

The site lies within Limits to Development where the principle of development is acceptable. The development by reason of its scale and design would be in keeping with the character of the existing dwelling. Given the amendments, the proposed development would not have any significant detrimental impact on the amenities of neighbours in terms of overbearing, overshadowing or overlooking impacts and sufficient parking is provided. It is considered that the works would not significantly increase foul drainage discharge or surface water run-off from the site. As such, the integrity of the River Mease SAC would be preserved in accordance with Paragraph 118 of the National Planning Policy Framework and the 2010 Habitats Regulations and Circular 06/05.

It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT, subject to conditions;

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Planning permission is sought for the erection of a two storey and single storey rear extensions at 16 Nottingham Road, Ashby de la Zouch.

During the course of the application, following concerns raised by officers amended plans have been received showing a reduction by 0.5 metres in the rearward projection of both the single storey and two storey extensions.

The site is located within Limits to Development, as defined by the adopted Proposals Map 2002 and within the Limits to Development on the Policy Map to the submitted Local Plan.

2. Publicity

3 Neighbours have been notified (date of last notification) 07/07/2017

3. Summary of Consultations and Representations Received

Statutory Consultees

The following summary of representations is provided.

Ashby Town Council no comments received.

Third Party Representations

One letter of neighbour representation have been received, raising objections on the following grounds:

- Overbearing, loss of light and view from living room
- Noise disruption during construction, given proximity of bedroom

4. Relevant Planning Policy

National Policies

National Planning Policy Framework

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

- Paragraph 14 (Presumption in favour of sustainable development)
- Paragraph 64 (Requiring good design)
- Paragraph 118 (Conserving and enhancing the natural environment)

Adopted North West Leicestershire Local Plan (2002)

The application site is within Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Policy S2 (Limits to Development)
Policy E3 (Residential amenity)
Policy E4 (Design)
Policy T8 (Parking)

Submitted North West Leicestershire Local Plan

The publication version of the Local Plan was agreed by Council on 28 June 2016 and submitted for examination on 4 October 2016. Examination hearing sessions were held in January and March 2017 and the Council undertook a six week consultation on its Main Modifications from 12 June 2017. The comments received have been considered. The Council's position is that no further changes are required. All of the comments received, together with the Council's response, have been forwarded to the Inspector who will, in due course, advise of the next steps. The weight to be attached by the decision maker to this submitted version (as proposed to be modified) should be in accordance with the approach set out in Paragraph 216 of the NPPF, having regard to the stage now reached towards adoption, the extent to which there are unresolved objections to the policies relevant to the determination of this application, and the degree to which the emerging policies are consistent with the NPPF.

S2 - Settlement Hierarchy
D1 - Design of New Development
D2 - Amenity
IF7 - Parking Provision and New Development
EN2 - River Mease Special Area of Conservation

Submission Draft Ashby Neighbourhood Local Plan

The Submission Draft of the Ashby Neighbourhood Local Plan was submitted to the Council on 1 August 2017. The Council will now undertake a six week consultation on the Draft Neighbourhood Plan and arrange for an examination. The weight to be attached by the decision maker to this submitted version should be in accordance with the approach set out in Paragraph 216 of the NPPF, having regard to the stage now reached towards adoption, the extent to which there are unresolved objections to the policies relevant to the determination of this application, and the degree to which the emerging policies are consistent with the NPPF.

Policy S1 - Presumption in favour of Sustainable Development
Policy S2 - Limits to Development
Policy S4 - Design

Other Policies/Guidance

National Planning Practice Guidance - March 2014.
The Good Design Supplementary Planning Document - April 2017.
The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').
Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System).
River Mease Water Quality Management Plan - August 2011.

6Cs Design Guide (Leicestershire County Council)

The 6Cs Design Guide sets out the County Highway Authority's requirements in respect of the design and layout of new development.

5. Assessment

The main issues for consideration in the determination of this application relate to the principle of development, scale and design, impact upon residential amenities, highway considerations and impact upon the River Mease Special Area of Conservation/SSSI.

Principle of Development

The site is located within Limits to Development, as defined by the adopted and submitted Local Plans, where the principle of extensions to an existing dwelling are acceptable, subject to all other planning matters being addressed.

Scale and Design

Given the siting of the extension to the rear of the application dwelling, it would not be visible from the streetscene.

The extension is effectively split into two elements; the two storey and the single storey extension. The scheme proposes the demolition of an existing single storey flat roof kitchen extension, and on the footprint the erection of a wider spanning, two storey rearward projecting gable incorporating an additional bedroom and en-suite at first floor and kitchen at ground floor. A single storey rear extension is proposed to create a kitchen/diner. Given the scale and footprint of the existing dwelling, the two storey and single storey extensions appear subservient.

The extension is to be rendered and painted cream, with matching plain tiles, ensuring its appearance remains compatible with the existing dwelling.

Overall, the proposed extension would not look out of keeping with the character and appearance of the existing dwelling or the streetscene and the application is considered to be compliant with Saved Policy E4 of the adopted Local Plan and Policy D1 of submitted Local Plan.

Impact upon Residential Amenity

The residential dwelling most immediately impacted upon as a result of the extensions would be No.14 Nottingham Road, which adjoins the application dwelling to the west.

With regards to the two storey extension, it is similar in footprint and siting to that of the neighbours own two storey rear extension, effectively mirroring it. The two storey element would be set in 2.3 metres from the common boundary with No. 14 and approximately 5 metres from the side wall to the side wall of the neighbours rearward projecting extension. Following concerns raised by officers amended plans have been received showing a reduction by 0.5 metres in the rearward projection. Whilst it is acknowledged that there could be an element of overshadowing and loss of light, given the orientation of the properties with the sun's path, this would be limited to the beginning of the day and would not therefore be permanent. Accordingly, given the amendments, it is not considered that there would be any significant loss of light overshadowing or overbearing impacts, to sustain a reason for refusal in this case.

There are no side windows proposed in the two storey element, facing No. 14, ensuring no direct overlooking. One first floor bedroom window is proposed in the rear elevation, however it is considered that this would not result in any additional overlooking, over and above that

exerted by the existing first floor windows in the rear elevation of the main dwelling.

In respect of the single storey element, this originally proposed to project 3.4 metres from the rear wall of the existing dwelling, however following the submission of amended plans, this is now reduced to 2.9 metres and the existing boundary treatment occupying the common boundary would obscure most of the height of the extension. Overall, following the submission of amendments, it is considered that given the single storey nature of the extension, it is not considered to give rise to any significant loss of light, overshadowing or overbearing impacts upon the occupiers of No. 14 Nottingham Road.

There is a distance of approximately 4 metres between the proposed side wall of the two storey extension between neighbouring No. 18 Nottingham Road. The extension would not project further to the east elevation than that of the existing dwelling. Accordingly there is a retained distance of 4 metres between the side wall of the application dwelling and the side wall of this neighbour. The scheme proposes an additional first floor window to serve the en-suite, however this would be obscurely glazed and either fixed shut or top opening only. The scheme also proposes an additional first floor side window, to serve an existing bedroom. This is not considered to result in any harmful impacts in terms of overlooking as it will face towards the side gable to the neighboring dwelling and will have no direct views into any adjacent rooms.

There are no other residential properties impacted upon as a result of the proposal.

In respect of the concerns raised by the neighbour in relation to noise and disturbance, during the construction, it is not considered that any potential disturbance in relation to an extension to a single dwelling would be sufficient to sustain a reason for refusal. There is separate legislation in relation to noise disturbance.

Overall, it is considered that the development would not have any significant detrimental impact upon the amenity of neighbouring residential properties and the proposal is considered to be acceptable in relation to Saved Policy E3 of the adopted Local Plan and D2 of the submitted Local Plan.

Highway Considerations

The current access arrangements will remain unchanged. The scheme proposes to increase the number of bedrooms from three to four and there is sufficient space for three car parking spaces to the front of the site, to conform with the advice in the County Highway Authority's 6Cs Design.

Overall it is considered that the development would not have any significant impact upon highway safety or parking provision and the scheme is acceptable in relation to Saved Policies T3 and T8 of the adopted Local Plan and Policy IF7 of submitted Local Plan.

Impact on the River Mease Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)

The site lies within the catchment area of the River Mease Special Area of Conservation (SAC). Discharge from the sewage treatment works within the SAC catchment area is a major contributor to the phosphate levels in the river. Therefore an assessment of whether the proposal would have a significant effect on the SAC is required.

The proposal will increase the number of bedrooms within the dwelling from three to four. Whilst this would suggest the overall occupancy levels of the dwelling could increase, this would not be significant and the provision of more modern water efficient facilities in the extended dwelling (through the new en-suite) would be likely to lead to an overall decrease in foul drainage discharge from the site.

Although the footprint of the dwelling would be increased, it is considered this is not likely to lead to a significant increase in surface water run-off, and a condition would be added to any permission granted to state any increased run-off would be directed to an on-site soakaway area or other sustainable drainage system. As such, the integrity of the River Mease SAC would be preserved.

Therefore it can be ascertained that the proposal on the site will, either alone or in combination with other plans or projects, have no likely significant effect on the internationally important interest features of the River Mease SAC, or any of the features of special scientific interest of the River Mease SSSI.

Conclusion

The site lies within Limits to Development where the principle of development is acceptable. The development by reason of its scale and design would be in keeping with the character of the existing dwelling. Given the amendments, the proposed development would not have any significant detrimental impact on the amenities of neighbours in terms of overbearing, overshadowing or overlooking impacts and sufficient parking is provided. It is considered that the works would not significantly increase foul drainage discharge or surface water run-off from the site. As such, the integrity of the River Mease SAC would be preserved in accordance with Paragraph 118 of the National Planning Policy Framework and the 2010 Habitats Regulations and Circular 06/05.

Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

RECOMMENDATION - PERMIT subject to the following conditions:-

- 1 Time limit
- 2 Approved plans
- 3 Materials
- 4 Obscure glazing of relevant window
- 5 Surface water