

# 22/01945/FUL

**Applicant** Emma Burns

**Location** 92 Davies Road West Bridgford Nottinghamshire NG2 5HY

**Proposal** Rear single storey extension and two storey side extension above existing garage.

**Ward** Abbey

Full details of the application can be found [here](#)

## THE SITE AND SURROUNDINGS

1. 92 Davies Road is a 2-storey detached dwelling constructed of dark red brick with a tiled roof and a double height bay with gable feature above to the front elevation. There is a single storey attached garage with a hipped, lean-to roof built onto the shared boundary with 90 Davies Road and which appears to be a later addition. To the rear of the property within the linear garden is what appears to be the original, brick and tile detached, pitched roof outhouse in close proximity to the property and adjacent to the boundary with 94 Davies Road, a wooden shed and a traditional style greenhouse, both of which are also adjacent to the eastern boundary with no. 94. The boundaries of the rear garden are established with a mix of close board timber fencing and vegetation. There is an existing raised patio area to the rear of the property stepping down slightly to the lawn area.
2. The dwelling, along with its neighbours is setback from the highway, with hardstanding providing off-street parking for 3 cars on the site frontage which is accessed via a dropped kerb and partially bound by a low Bulwell stone wall and a section of landscaping area including 2 no. modest trees and some shrubs.
3. The property is located within an established residential area of West Bridgford where many of the properties have been altered and extended including the 2 immediate neighbours at 90 and 94 Davies Road.

## DETAILS OF THE PROPOSAL

4. This application is seeking full planning permission for the erection of single storey side and rear extensions and a first floor and 2-storey side extension partially above the existing attached garage. The proposed extensions would provide updated and enlarged living accommodation to the ground floor in the form of a large open-plan kitchen, living, dining area to the rear, with a study area and utility room proposed to the side of the property behind the existing garage. To the first floor, above both the existing garage and the proposed side extension, it is proposed to provide an enlarged bedroom and an en-suite and dressing area to the master bedroom. The number of bedrooms would remain as 4 in total.

5. The proposed extensions would be constructed in a mix of bricks to match the existing dwelling to the ground floor side extension with render finish to both the single storey rear and the first floor element. The proposed first floor extension would be set in from both of the existing front and rear elevations by approximately 0.25 m and would be set down from the ridge height of the host dwelling by 0.65 m. A distance of 1.25 m would be retained from the boundary with 94, and there would be a comparable distance from the built form of no. 90 on account of their pedestrian side access being adjacent to the shared boundary with the application site.
6. The proposal would include the removal of the existing brick and tile detached outhouse, and the single storey side projection to the rear reception room which incorporates 1 of the chimneys. The chimney to the other side of the property, adjacent to no. 94 would be retained.

## **SITE HISTORY**

7. No planning history on record.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

8. One Ward Councillor (Cllr Buschman) does not object.
9. One Ward Councillor (Cllr P Gowland) objects to the proposal, the Cllr considers there is a massing issue as this is a two storey extension right up to the boundary. Identifies concerns about turning West Bridgford into terraced housing. Also questions how we can maintain housing stock if we have houses with unmanageable gaps between them. The Cllr queries whether the neighbours will provide access to build the wall.

### **Local Residents and the General Public**

10. No responses have been received.

## **PLANNING POLICY**

11. The Development Plan for Rushcliffe consists of the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014) (LPP1) and the Rushcliffe Local Plan Part 2: Land and Planning Policies - adopted October 2019 (LPP2). Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Residential Design Guide 2009.
12. The full text of the Council's policies are available on the Council's website at: <https://www.rushcliffe.gov.uk/planningpolicy/>

### **Relevant National Planning Policies and Guidance**

13. National Planning Policy Framework 2021  
Part 12: Achieving well-designed places

Part 14: Meeting the challenge of climate change, flooding and coastal change.

## Relevant Local Planning Policies and Guidance

14. Local Plan Part 1: Core Strategy

Policy 1 Presumption in Favour of Sustainable Development  
Policy 2 Climate change  
Policy 10 Design and Enhancing Local Identity.

15. Local Plan Part 2: Land and Planning Policies

Policy 1 Sustainable Development  
Policy 17 Managing Flood Risk.

16. The Rushcliffe Residential Design Guide (RRDG) states that extensions to existing dwellings need to adhere to many design principles, notably those addressing scale, proportion, building and roof lines and privacy. Extensions should be designed so they are not readily perceived as being merely 'add-ons' to the original building. As a general rule the style and design of the original dwelling should remain the dominant element with the extension subordinate to it. With regard to side extensions the RRDG states: "*The impact of side extensions on the street character must be taken into account .....Where there is a consistent rhythm to the street scene and building spaces, this should not be interrupted.*" "Issues can also arise where side extensions infill spaces and create a terracing effect where this is not an original characteristic of the street."

17. The full narrative of the above can be found [here](#).

## APPRAISAL

18. The main considerations when assessing this proposal are:

- Principle of Development
- Design and Appearance; and
- Impact upon Residential Amenity
- Flood Risk.

### Principle of Development:

19. The overarching Policy 1 in the LPP1 reinforces that a positive and proactive approach to decision making should be had which reflects the presumption in favour of sustainable development contained in the NPPF.

20. The proposed development comprises extensions to an existing residential property within an established residential area, as such the proposal is considered to be sustainable development and acceptable in principle, subject to the other matters in this report being considered acceptable.

### Design and Appearance:

21. Policy 10 of LPP1 and Policy 1 of LPP2 require matters such as the scale, height, massing, design and layout of a proposed development to be carefully

considered to ensure that a) it respects the appearance of the existing building and b) remains subservient to it. In addition, the policies require new developments not to harm the character of the wider area either.

22. Davies Road is made up of an assortment of detached and semi-detached houses many of which have been altered and extended to varying degrees. Concern regarding a terracing effect has been raised. However, when considering the relevant policies and guidance along with the character of the wider area, it is considered by officer's that the proposed first floor/2-storey side extension with its setback of approx. 0.25 m from the existing front elevation of the host dwelling, along with the proposed render finish to the first floor to complement the existing front bay, and the substantial set down of 0.65 m from the ridge height of the host dwelling would be sufficient to ensure a subordinate appearance. This is in addition to the gap that exists between the boundary of the site and the built form of its neighbour at 90 Davies Road on account of the presence of their side pedestrian access.
23. Whilst a greater setback may be sought in instances of a new build, this proposal is retaining the existing garage at ground level, which could be viewed as a more sustainable method of development.
24. Overall, in this instance, it considered that the proposal would not create a terracing effect nor adversely impact upon the character and appearance of the area where many of the existing properties have been altered and extended, including at 2-storey height to the side and as such would comply with the relevant policies and guidance.

#### **Impact upon Residential Amenity:**

25. In addition to matters of design, policy 10 of LPP1 and policy 1 of LPP2 also requires that new development proposals be assessed in terms of their impact on the amenity of occupiers and nearby residents. The Rushcliffe Residential Design Guide advises that extensions may be overbearing if the extension wall is too high or too close to the boundary or it projects a long way beyond the neighbours dwelling. It also advises that extensions may be considered to overshadow if they result in loss of daylight or sunlight to windows or gardens.
26. The proposed first floor/2-storey side extension would be located within the footprint of the existing built envelope of the site and its immediate neighbour at 90 Davies Road. No openings are proposed within the side elevation of this extension, and the neighbouring property does not include any principal openings facing the application site. As such it is considered that this element would not result in any significant loss of amenity through overbearing impact, loss of light or loss of privacy.
27. The proposed single storey extension to the rear would project a comparable distance into the garden as the single storey rear extensions at 94 Davies Road and would be set in from the boundary by a distance of 1.25 m to allow pedestrian access to the rear garden. The proposal would be set on the existing raised patio area and would have an eaves height of 2.77 m and an overall height of 3.78 m. On account of the scale of this element and the relationship with the neighbouring property it is considered that no significant adverse impact upon residential amenity would result by virtue of overbearing impact, loss of light or overlooking.

### **Flood Risk:**

28. Policy 2 of the LPP1 states that development proposals that avoid areas of current and future flood risk and which do not increase the risk of flooding elsewhere and where possible reduce flood risk, adopting the precautionary principle to development, will be supported.
29. Policy 17 of the LPP2 states that planning permission will be granted for development in areas where a risk of flooding or problems of surface water disposal exists provided that, inter alia, the development is for minor development where it has been demonstrated that the Environment Agency's (EA) flood risk standing advice has been followed.
30. The site is within Flood Zone 3 but is in an area defended by flood defences. The floor levels of the proposed extension will be no lower than the existing property and other flood mitigation measures are to be incorporated and as such the proposal would be unlikely to increase the risk of flooding elsewhere. It is therefore considered that the proposed development complies with Policy 2 of LPP1 and Policy 17 of the LPP2 and the NPPF.

### **Other Matters:**

31. The matter of access over private land for construction and maintenance is a private legal matter not a material planning consideration.

### **Conclusions:**

32. In conclusion the principle of development is acceptable. The proposal is considered to be acceptable in amenity terms and the development would not be detrimental to visual amenity or the character of the wider area. As such it would comply with the relevant policies of the Development Plan.
33. The application was not the subject of pre-application discussions. The scheme however is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary.

### **RECOMMENDATION**

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted must be carried out strictly in accordance with the following approved drawing(s):

- Site Location Plan - received 10 October 2022
- Proposed Block Plan - dwg. no. 22-020 01003 - received 11 October 2022
- Proposed Elevations - dwg. no. 22-020 03002 P1 - received 10 October

2022

- Proposed Floor Plans - dwg. no. 22-020 02004 rev. D - received 10 October 2022.

[For the avoidance of doubt having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

3. The exterior of the development hereby permitted must be constructed using only the materials specified in the submitted application form and dwg. no. 22-020 03002 P1 both received 10 October 2022. If any alternative materials are proposed to be used, then prior to the development advancing beyond damp proof course level, the details of all alternative external materials must be submitted to and approved in writing by the Borough Council. Thereafter the development must be carried out in accordance with the approved, alternative materials.

[To ensure the appearance of the development is satisfactory having regard to policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy 2014 and policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies 2019.]

4. The development shall be carried out in accordance with the recommended mitigation found within the submitted Flood Risk Assessment received 21<sup>st</sup> December 2022.

[To reduce the risk of flooding to the proposed development and future occupants having regard to Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 17 (Managing Flood Risk) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraph 167 of the National Planning Policy Framework (2021).]

#### **NOTES TO APPLICANT**

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining landowner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

The provisions of the Party Wall Act 1996 may apply in relation to the boundaries with the neighbouring properties. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the

necessary measures to be taken. You can find more information about the Party Wall Act here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/523010/Party\\_Wall\\_etc\\_\\_Act\\_1996\\_-\\_Explanatory\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/523010/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf).

It is possible that the roofspace, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact Natural England on 0300 060 3900 or by email at [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk).