

18/02746/FUL

Applicant Mr & Mrs Hall

Location 54 Park Lane Sutton Bonington Nottinghamshire LE12 5NH

Proposal Partial demolition of dormer bungalow and construction of single and two storey extensions to form two storey dwelling (revised scheme).

Ward Sutton Bonington

THE SITE AND SURROUNDINGS

1. The application relates to a detached dormer bungalow on the southern edge of Sutton Bonington, on the west side of Park Lane in an established residential area, which is characterised by detached properties situated on generous plots. The style and character of the properties varies in construction form and scale. To the rear of the site is open countryside.
2. The application site is situated between a hipped roof bungalow to the south at 56 Park Lane and a dormer bungalow at number 52 Park Lane to the north. Numbers 48 and 50 Park Lane are two storey properties.

DETAILS OF THE PROPOSAL

3. It is proposed to construct two storey and single storey extensions to the existing property to create a two storey dwelling (4 bed). The proposal involves a single storey extension to the front to provide enlarged dining room, garage and study. Three gables at first floor level to the front elevation and one gable to the rear elevation are also proposed. The extension at the rear would be single storey with a depth of 3.95 metres adjacent to the boundary with 52 Park Lane, stepping out and projecting 6.58 metres from the rear elevation of the existing dwelling, adjacent to the boundary with number 56 Park Lane, with a first floor element over part of the extension. The additions also involve a two storey element on the south side of the property, adjacent the boundary with No. 56.
4. The height proposed is 7 metres to the ridge at the highest point and 4.2 metres in height to the eaves of the two storey element. This is in contrast to the existing property, which is 6.1 metres in height to the ridge and 2.5 metres in height to the eaves. For the most part the building would not increase in height over and above that of the original dwelling. Materials proposed are London Heather brick and Marley Anglia Interlocking Concrete roof tiles.
5. The main changes from the previous application are the proposal shows a gable end design instead of a hipped roof and is 7 metres in height to the ridge (at the highest point) rather than 7.9 metres, with the ridge line to the majority of the property remaining at the same height as the existing property. The single storey extension adjacent the boundary with number 52 Park Lane has been reduced from 6.6 metres to 3.95 metres. The depth of the proposed extension has increased from 5.1 metres to 6.58 metres adjacent the boundary

with 56 Park Lane, but is no longer proposed to be built right up to this boundary.

6. Further supporting information has been submitted on behalf of the applicant confirming that the applicant has given close consideration to the previous decision, and on the Inspector's subsequent decision, and has sought to address the concerns. The main issues are the impact on both neighbouring properties and on the character of the area.
7. This information highlights that the ridge height has been lowered to a comparable height with the neighbouring properties, and the front extensions have been reduced so the overall bulk and mass has been reduced. The applicants firmly believe the predominant character in the area is two storey dwellings, and the proposal is wholly characteristic of the area and its surroundings, in accordance with the NPPF and Core Strategy Policy 10.
8. The letter goes on to say that the current proposal reduces the scale and massing to the neighbouring property at number 52. With regard to number 56, the two storey element does not project beyond the rear of this neighbour's conservatory, views of the proposal would be limited from this conservatory. Policy GP2 of the Non-Statutory Replacement Local Plan states (amongst other things) that new development should not have an overbearing effect on a neighbouring property. In addition, paragraph 127(f) of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. They consider the proposal accords with both policy GP2 and the NPPF.

SITE HISTORY

9. Insertion of bay window to front was approved in October 1984 (84/01612/P1P)
10. An application for the demolition of garage, remodelling of dormer bungalow to form two storey dwelling with side and rear extensions (ref: 17/03015/FUL) was refused for the following reason:

The proposed development by virtue of its height, scale, bulk and mass would result in unacceptable overbearing impacts on the immediate neighbouring properties at 52 and 56 Park Lane. The proposed development would also be out of scale and character with the neighbouring properties due to the proposed two storey scale, form, mass and bulk being substantially more dominant within the street scene than the original building and the adjacent dwellings.

The proposal would, therefore, be contrary to Policy 10 (Design and Enhancing the Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy which specifies that development will be assessed in terms of, inter alia, the following criteria:

- a) *structure, texture and grain, including street patterns, plot sizes, orientation and positioning of buildings and the layout of spaces;*
- b) *impact on the amenity of occupiers or nearby residents;*
- e) *density and mix; and*
- f) *massing, scale and proportion;*

The proposal is also contrary to Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states that planning permission for new development, changes of use, conversions or extensions will be granted provided that, inter-alia:

(d) The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. They should not lead to an over-intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy.

The adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits and the proposal would also be contrary to guidance in the National Planning Policy Framework.

11. This decision was the subject of a subsequent appeal which was dismissed. The Inspector appointed to determine the appeal considered the proposal would be overly dominant and appear cramped within the plot especially in contrast to the neighbouring properties, thereby having an unacceptable harm to the character of the area. The Inspector also considered that the proposal would have a detrimental impact on the residential amenity to the neighbouring property at number 52 Park Lane, in particular the impact on the southerly facing side windows at ground and first floor and the impact of the proposed two storey nature of the development adjacent to the boundary with this property.

REPRESENTATIONS

Ward Councillor(s)

12. The Ward Councillor (Cllr. Brown) objects to the application. He considers the proposal still represents overdevelopment of the plot with the boundaries too close to existing houses, harming the living conditions to neighbours through loss of outlook and sunlight due to its size. It will be out of character with surrounding properties. This revised application does not sufficiently reflect the Inspector's comments from the recent appeal decision. In addition, the Inspector considered the proposal would have an unacceptable impact on the living conditions to the neighbouring property at number 52 Park Lane with regard to outlook and direct sunlight.

Town/Parish Council

13. Sutton Bonington Parish Council object to the application. The proposal would appear over dominant and cramped for the size of the plot. It would result in unacceptable harm to the character and appearance of the area. The proposal would dominate the adjacent dwellings and impact on living conditions to neighbours. The scheme does not comply with Rushcliffe's Residential Design Guide and the Design and Access Statement fails to state how it complies with this guidance. It does not take into account the previous refusal and the inspector's decision.

14. The applicant has not provided sufficient assessment of the existing street character or context. It also cannot comply with Rushcliffe's Residential Design Guide for extensions generally as almost all of the original building will be lost.
15. It is worth noting the proposal at number 53 Park Lane was refused and dismissed at appeal giving a precedent for a building in the area seen to be overbearing.
16. Sutton Bonington has a number of clearly distinguishable character areas. These areas are split into 4 character areas. The area the proposal site is located in is characterised to the west by 12 largely untouched bungalows and to the east, well-spaced detached or semi-detached houses, all bar one are two storeys. The applicant has sought to underplay these characteristics and reduce the character to a mix of two storey and bungalows. It fails to ensure the roof remains the most dominant characteristic. The dormers and gables extend almost the full width ensuring they are not just roof features but rather two separate roofs. It has a mish-mash of forms on the front elevation. It extends to both boundaries, maximising the site. It clearly has a negative impact on the established character of the area.
17. In response to the applicant's supporting letter (reference above), a further representation has been received from Sutton Bonington Parish Council. In summary, the Parish Council do not consider that the design has incorporated a dormer style structure at first floor level, it is a two storey house. No evidence has been provided to support the view that the predominant character of the area is two storey dwellings. The Parish Council set out a proper description of the area. There is evidence to support this and the planning authority should support this. Rushcliffe Borough Council's Design Guide is a material consideration, not just guidance. The applicant should clearly respond to why the scheme fails to meet the guidance. No weight can be given to the fact that it is only guidance.

Statutory and Other Consultees

18. No comments have been received.

Local Residents and the General Public

19. Two written representations have been received objecting to the proposal making the following points:
 - a. The only difference from the previous application is that 100% of the buildings are now on the side of 56 Park Lane.
 - b. Overshadowing and overbearing impact.
 - c. Loss of light and privacy.
 - d. Detract from the character and appearance of the area.
 - e. Overdevelopment of the area and bulky.
 - f. Will set a bad precedent for owners raising the height of roofs in the area.

- g. The revised proposal does not reflect the Inspector's comments.
- h. Doesn't have regard for character and living conditions of neighbours.
- i. Number 52 will be uncomfortably sandwiched between two large two storey properties.
- j. Original property will be lost by various substantial alterations.
- k. Proposal does not reflect Inspector's comments on previous application.

PLANNING POLICY

20. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as 'Core Strategy') and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Other material planning considerations include the National Planning Policy Framework (NPPF), the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) and the Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

21. The relevant national policy considerations for this proposal are those contained within the 2018 National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The proposal falls to be considered under section 12 of the NPPF (Achieving well- designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development.
22. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Relevant Local Planning Policies and Guidance

23. None of the five saved policies in the 1996 Local Plan apply in this case.
24. Policy 1 of the Core Strategy sets out that the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
25. The proposal should be considered under Core Strategy Policy 10 (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should be assessed in terms of the criteria listed under section 2 of Policy 10, and of particular relevance to this application are 2(b) whereby development should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its

massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.

26. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory Local Plan are a material consideration and the proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria), specifically GP2d, whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development.
27. The 2009 Rushcliffe Residential Design Guide implies that the style and design of any extension should respect that of the original dwelling and should not dominate over it. Extensions should be designed so that they are not readily perceived as merely 'add-ons' to the original building and therefore scale, proportion, and roof form are very important. Rushcliffe Residential Design Guide states that rear gardens should be at a depth of 10m to the boundary, and gardens sizes should be 110sq m for detached properties.

APPRAISAL

28. The site is situated in the built up area of the village in an established residential area. The principle of the development is therefore acceptable subject to issues of design, the character of the area, the scale of the development and residential amenity. The key considerations are, therefore, scale, design and massing in relation to the character of the area and impacts on residential amenity. It is noted that planning permission for extensions to the property has previously been refused, and an appeal dismissed. As such the Inspector's decision is a material consideration in determining the current application which must be given weight.
29. In terms of the character and appearance of the area, there is a mix of styles, designs and sizes of properties along this part of Park Lane. The property is situated between a hipped roof bungalow and a dormer bungalow. There are other two storey properties located beyond the neighbouring property at numbers 48 and 50 Park Lane. The presence of other two storey properties would mean the proposal would not be out of character with the scale and form of the wider area. The proposal has been amended from the previously refused scheme to reduce the height and scale. The overall increase in height is considered minimal, other than the ridge to the two storey addition on the south side of the property, which would measure 7 metres to the ridge, the height of the main roof would remain at 6.3 metres, similar in height to the neighbouring bungalows. This relationship is demonstrated by the submitted streetscene (although this can only be relied on for indicative purposes). There is no objection to the design and the front gables are considered to help to break up the mass of the roof. The current proposal is, therefore, considered to better integrate with the two neighbouring properties than the scheme previously refused.
30. The single storey front projections are small scale and would not significantly impact on the building line along this side of Park Lane, which is relatively informal with buildings not all completely in line. It is considered that the design and appearance of the proposal would not harm the character of the area and,

therefore, accords with Policy 10 of the Core Strategy and Policy GP2 of the Non-Statutory Replacement Local Plan.

31. Objections have been raised that the proposal represents overdevelopment, in part on grounds of the proximity of the extensions to the boundaries. The resultant building would not encroach closer to the boundaries than the existing dwelling, albeit that the proposal would infill the area to the rear of the existing garage. The property sits on a large plot. The proposal would retain approximately 360sqm of rear amenity space, which is well over the minimum recommended amount of 110sqm for detached two storey properties in the Residential Design Guide. The amount also compares favourably with the surrounding properties along this part of Park Lane.
32. The neighbouring property at number 52 Park Lane contains two side windows facing the proposal site. One side window on the ground floor is to a living room, which is also served by a larger rear facing window to the same room, and the other is a first floor bedroom window which is also served by a dormer window to the front elevation. Given these are secondary windows, it is considered that any impacts would carry less weight than if they were the sole/principal windows to the room they serve. Nonetheless, it is noted that the previous Inspector's decision did give some weight to the loss of outlook from, and natural sunlight to, these windows and therefore the impact must be carefully considered. The scale and bulk of the additions adjacent to the boundary with No. 52 have been significantly reduced when compared with the refused scheme and the current application does not propose any full first floor additions immediately adjacent to the boundary with 52 Park Lane, albeit there would be dormer windows inserted to the roofslope closer to this property. The existing first floor side window would be retained in the same position and would continue to serve bedroom accommodation.
33. The depth of the rear extension has been reduced near the boundary with the neighbour at number No. 52. It would project 3.95 metres to the rear, which is comparable with an extension which could be constructed under permitted development rights. In addition, the neighbour at number 52 Park Lane is set slightly further back to the rear so the depth of the extension to the rear of this neighbour would be less than 3.95 metres.
34. The front extension is small scale with the principal front window to this neighbour set away from the boundary. In addition, the front extension would avoid a 45 degree angle when taken from this neighbour's principal front window. Overall, it is considered that the proposal would not have a significant impact on the residential amenity of the neighbouring property at number 52 Park Lane.
35. The proposal would be located 0.2 metres from the boundary with the neighbouring property at number 56 Park Lane, maintaining the same distance from this boundary as the existing garage. It is accepted that the extension in this location would be deeper than the previous scheme, close to the boundary with this neighbour. The extension at two storey level projects 3.9 metres to the rear close to the boundary with this neighbour. This neighbouring property does not have any principal side windows facing the proposal, it does have a small, high level secondary window. This property also has a conservatory at the rear, close to the boundary. The proposal would project marginally beyond the rear of this conservatory but would avoid intersecting a 45 degree angle

when taken from the rear of the conservatory. The north elevation of the conservatory is formed by a brick wall, so it would preserve the neighbour's privacy. Objections from this neighbour relate to loss of light to the dining room, which sits in front of the conservatory, so is already compromised by the building of the conservatory to the rear of it. Furthermore, 56 Park Lane is situated on the southern side of the application property and, therefore, it would result in minimal overshadowing of this property. The garage extension to the front would not project in front of the front elevation to this neighbouring property. Overall, the proposal would not have a significant impact on the residential amenity to the neighbouring property at number 52 Park Lane.

36. Whilst the proposal seeks to increase the size of the property, it benefits from a large area of hardstanding which provides sufficient parking for the size of the resultant dwelling. There is therefore no objection on parking grounds.
37. In conclusion it is not considered the proposal is proportionate to the size of the plot, it would not have an undue impact on the residential amenity to the neighbouring properties and it would not be out of character with the surrounding area in accordance with national and local planning policy.
38. The application was the subject of pre-submission consultation when no policy or amenity issues were identified and none arose during consideration of the application.

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 shall be carried out in accordance with the plans ref no. 18/437/02, 18/437/03, 18/437/04, 18/437/05 and 18/437/06 received on 28/11/2018 and 04/12/2018.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The materials specified in the application shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].