

19/00172/FUL

Applicant Mr & Mrs Chahal

Location 6 Haileybury Road West Bridgford Nottinghamshire NG2 7BJ

Proposal Increase roof height of bungalow to create first floor living accommodation and external alterations.

Ward Musters

THE SITE AND SURROUNDINGS

1. The application property comprises a modest bungalow with attached single garage located within a residential area of West Bridgford. The dwelling has a very shallow roof slope and is located within an average sized plot. The rear garden boundary is angled due to the property's location close the junction of Haileybury Road and Malvern Road.
2. The property sits within a row of bungalows. The two bungalows to the immediate north are of a different style and design, and contain dormer windows. All the bungalows to the immediate south of the site are virtually identical in design, style and appearance to the application property, and have remained largely unaltered since they were first constructed. On the opposite side of Haileybury Road are detached two storey dwellings. The properties to the north west of the site on Malvern Road are also bungalows located on a lower level than the application site. Land levels along Haileybury Road rise gently in a southerly direction.

DETAILS OF THE PROPOSAL

3. The current application seeks planning permission to raise the height of the bungalow by approximately 0.8m at eaves level and approximately 1.7m at ridge level, to create a first floor which would provide a master bedroom with en-suite and a separate dressing room, 2 further double bedrooms and a bathroom. The ground floor of the property would be reconfigured to provide an open plan kitchen, dining and living room, a playroom, double bedroom, utility, shower room, and hallway.
4. The majority of the extended property would be constructed in matching brickwork, with a section of white render to part of the front elevation. The front elevation would be served by large windows, the rear elevation would be served by glazed doors at ground floor and two tall narrow windows at first floor. The first floor accommodation would also be served by several roof lights at approximately 1.6m above internal first floor level.
5. This is a revised scheme following the refusal of two previous planning applications (see site history).

SITE HISTORY

6. The first planning application (18/01217/FUL) to raise the height of the eaves (by approximately 1m) and ridge (by approximately 2.8m) of the bungalow to create first floor accommodation (including a Juliet balcony to rear), together with alterations to the fenestration and finish materials was refused in July 2018 for the following reasons:
 1. *'Increasing the height and scale of the property to create first floor accommodation, together with the large expanses of glazing and the changes to the materials, would significantly alter the appearance of the existing bungalow to such a degree that it would appear at odds with the established character of this section of Haileybury Road and would be harmful to the appearance of the street scene. The proposal would therefore be contrary to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policy GP2 (Design and Amenity Criteria) of The Rushcliffe Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework (2018) specifically paragraphs 127 and 130.'*
 2. *'The large Juliet style balcony window to the rear facing gable, given its close proximity to the bungalows on Malvern Road, which are located on a lower level than the application site, would result in unacceptable levels of overlooking and loss of privacy, particularly to no.30, which would be significantly harmful to the living conditions of the occupiers. The proposal would therefore be contrary to Policy GP2 (Design and Amenity Criteria) of The Rushcliffe Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework (2018) specifically paragraph 127.'*
7. The second planning application (18/02185/FUL) to raise the height of the eaves (by approximately 0.9m) and ridge (by approximately 2m) of the bungalow to create first floor accommodation, together with alterations to the fenestration and finish materials was refused in December 2018 for the following reason:
 1. *'Increasing the height and scale of the property to create first floor accommodation, together with the changes to the materials, would significantly alter the appearance of the existing bungalow to such a degree that it would appear overly dominant within the street scene, and be at odds with the established character of this section of Haileybury Road. The proposal would therefore be contrary to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policy GP2 (Design and Amenity Criteria) of The Rushcliffe Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework (2018) specifically paragraphs 127 and 130.'*

REPRESENTATIONS

Ward Councillor(s)

8. One Ward Councillor (Cllr Jones) objects on for the following grounds; "As far as I can see there are very minor changes in this latest application from the

one refused planning permission. The ridge height is reduced by 305 mm which is just over a foot. The design is very much the same. The wood cladding has been omitted. The rear windows as shown on the drawings appear as if they are obscure but are not obscure.

9. *The builder who built this long row of bungalows, left a plot on the corner where he later built 2 bungalows with dormers for his family. Numbers 2 and 4 are the only exceptions to the 2 long rows of bungalows which all have ground floor windows. The application property is the next along. All the other bungalows are at a similar bungalow height. In appearance they are bungalows. They are predominantly brick with a small balancing mix of white render and brown stonework and white window frames. They are of a distinct design. The application proposes a much raised roof, a church like front, with grey window frames, grey gutters, grey slate roof and white render around the property.*
10. *The application property sticks out further at the front from all the others: 4 paces from the front of number 4 and over a metre in front of number 8. Protruding forward from the line of the other properties is what would make the proposed front and ridge height of this proposal more stark and dominant. Whilst there is a next to unnoticeable slight rise going up Haileybury, the application property is set much higher than all the bungalows on Malvern Rd which are fairly close at the rear of the application property.*
11. *My objections to this application remain as before. The design is at odds with the established character of this area of the road and would be harmful to the appearance of the street scene. Specifically: The appearance of the front of the proposal is totally out of character with the street scene and adjacent properties in its style, range of windows and grey window frames. This dominant frontage would be conspicuous because the property protrudes further than the front line of the other bungalows. The increased height would give it a dominance which is out of character with the area.*
12. *I consider that this proposal is contrary to policy 10 because it would not make a positive contribution to the public realm and sense of place and would not reinforce valued local characteristics. It is contrary to Policy GP2 mentioned in par 12 in that the scale, height, design and materials are not sympathetic to the character and appearance of neighbouring properties.”*

Local Residents and the General Public

13. 23 representations have been received from local residents, objecting to the application on the following grounds:
 - a. The revised plans do not overcome the previous reasons for refusal and is contrary to planning policy.
 - b. The size, scale and modern appearance of the proposals would result in it being completely out of character with the bungalows on this part of Haileybury Road, contrary to Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part: Core Strategy.
 - c. Overdevelopment of the site, which would have an overbearing impact, and result in intrusion, overlooking, loss of light/sun on neighbouring

properties on both Haileybury Road and Malvern Road (which are at a lower level than the application property).

- d. Harm the outlook of properties on the opposite side of Haileybury Road, less sunlight in the afternoons and evenings, loss of views/harm skyline.
- e. The loss of a bungalow. Proposal would set a precedent for other bungalows in the street.
- f. Disruption and noise during construction works, hazardous to pedestrians and harmful to local community.

PLANNING POLICY

- 14. The development plan for Rushcliffe consists of the five saved policies of the 1996 Local Plan, and Rushcliffe Local Plan Part 1: Core Strategy (Core Strategy). Other material considerations include the National Planning Policy Framework (2018) and the Non-Statutory Replacement Local Plan (NSRLP) where policies are consistent with the NPPF and the Core Strategy as well as the Residential Design Guide Supplementary Planning Document and emerging Local Plan Part 2: Land and Planning Policies.

Relevant National Planning Policies and Guidance

- 15. The National Planning Policy Framework (2018) carries a presumption in favour of sustainable development and states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Paragraph 124 states that *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve.”* Paragraph 130 states that *“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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.”*

Relevant Local Planning Policies and Guidance

- 16. Policy 10 (Design and Enhancing Local Identity) of the Core Strategy states that; All new development should be designed to make: a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment; reinforce local characteristics; be adaptable to meet evolving demands and the effects of climate change; and reflect the need to reduce the dominance of motor vehicles.
- 17. The Rushcliffe Non-Statutory Replacement Local Plan has been used in decision making since 2006 and despite the Core Strategy having been adopted its policies are still a material consideration in the determination of any planning application where they accord with the NPPF.

18. Policy GP2 (Design and Amenity Criteria) states that planning permission will be granted provided that, inter alia, the scale, density, height, massing, design, layout and materials of proposals are sympathetic to the character and appearance of neighbouring buildings and surrounding areas; that they do not lead to an over-intensive form of development; that they are not overbearing in relation to neighbouring properties; and do not lead to undue overshadowing or loss of privacy.
19. Policy 1 (Development Requirements) echoes the requirements of policy GP2.
20. Advice contained within the Rushcliffe Residential Design Guide adopted in March 2009 is a material consideration. The Design Guide provides guidance on acceptable levels of amenity space for dwellings and, in terms of garden sizes, that these should be 110sqm for detached properties.

APPRAISAL

21. The main issues in the consideration of the application are the impacts upon the character and appearance of the street scene and the living conditions of neighbouring properties.
22. In terms of the impacts upon the character and appearance of the street scene, the western side of Haileybury Road is characterised by bungalows, with two storey dwellings on the opposite eastern side. The two bungalows to the north of the application property differ in design to the application property in that they have higher roof ridges and contain accommodation within the roof space which is served by dormers. For example, no.2 has side facing gables with a box dormer to the front, and no.4 has a double hipped roof with a small box dormer to the front and rear. The bungalows (No.'s 8 to 24) to the south of the application site are of the same design and appearance as the application property, and have all remained largely unaltered since they were first constructed, resulting in a very regimented street pattern.
23. The original scheme involved an increase in the height of the bungalow by 1m at eaves level and by 2.8m at ridge level to provide first floor accommodation within the roof space, together with large expanses of glazing and alterations to materials. It was considered that these alterations would significantly alter the appearance of the existing bungalow to such a degree that it would appear at odds with the established character of this section of Haileybury Road and would be harmful to the appearance of the street scene.
24. The second scheme involved an increase in the height of the bungalow by 0.9m at eaves level and by 2m at ridge level to provide first floor accommodation within the roof space, together with white render to the whole of the property and horizontal timber cladding to the front elevation. Whilst Officers supported this scheme, Members of the Planning Committee did not consider that the alterations overcame all of the reasons for refusal of the previous scheme and resolved to refuse the application on the grounds that it would significantly alter the appearance of the existing bungalow to such a degree that it would appear overly dominant within the street scene, and be at odds with the established character of this section of Haileybury Road.

25. This latest scheme proposes an increase in the height of the bungalow by 0.8m at eaves level (a reduction of 0.2m from the original application) and by 1.7m at ridge height (a reduction of 1.1m from the original application). In terms of materials, the bungalow would remain brick with a small section to the front elevation finished in white render. The applicant's agent has provided street scene elevations showing the proposed dwelling in relation to no.'s 2, 4 and 8. These show the changes in land levels along Haileybury Road (where land levels rise gently southwards) and that the ridge of the extended bungalow would be 0.8m higher than that of no.4 and 1.5m higher than that of no.8.
26. Despite the regimented street pattern to the south of the application property, the properties to the north, which both have accommodation at first floor level, are much more varied in terms of styles and ridge heights. Therefore, if the ridge of the application property were to be raised 0.8m higher than no.4, it is not considered that such an increase in scale, having regard to the changes in land levels, would harm the pattern of development along this particular section of Haileybury Road.
27. In terms of glazing, the amount of glazing proposed within the front elevation remains the same as the previous application, and whilst the window pattern differs from the fenestration in the neighbouring bungalows (having windows of both vertical and horizontal emphasis), it is not considered that this would harm the appearance of the application property or the street scene.
28. With regard to materials, both the application property and other properties in the immediate vicinity contain render and timber/stone cladding features to their front elevations, therefore, the use of render to part of the front elevation would not appear out of character with the property's surroundings.
29. In terms of the living conditions of neighbouring properties, the new ground floor windows to the side, and bi-fold/patio doors to the rear, would be largely screened from neighbouring dwellings by the existing boundary treatments and would not result in significant harm. Furthermore, the roof lights to the side roof planes would be positioned 1.6m above internal floor levels (with the exception of those located above the proposed staircase), therefore, they would not result in overlooking over neighbouring properties. The glazing to the front would be a sufficient distance from the two storey dwellings on the opposite side of Haileybury Road so as not to result in harmful levels of overlooking.
30. With regard to the rear first floor windows, two narrow windows measuring 600mm in width and 2m in depth are proposed. The closest of these windows would be located (when measured at an angle) 13m from the garden boundary of 30 Malvern Road (a bungalow located approximately 1m lower than the application site) and 22m from its rear elevation. Likewise, these windows would be located 16m from the garden boundary with 28 Malvern Road and 24m from its rear elevation. Given the narrowness of these windows, together with the distances between properties and the oblique angles of any views from the windows, it is not considered that the proposal would result in unacceptable levels of overlooking or loss of privacy which would be significantly harmful to the living conditions of the occupiers of neighbouring properties.

31. In terms of the impacts upon 8 Haileybury Road, this has previously been extended to the rear, and therefore projects approximately 4m further rearwards than the application property, it also has a leylandii hedge approximately 3m high along part of the shared boundary with no.6. Whilst the rear first floor windows would allow views towards the back of the rear garden area of no.8 (which is not unusual in urban housing areas) again, given the narrowness of the windows and the oblique views which would be possible from them, it is not considered that the proposal would result in unacceptable overlooking on the private zone immediately to the rear elevation of the neighbouring property.
32. Objections have been received from residents on the grounds of overshadowing and loss of light. The altered dwelling would retain the same footprint as existing, with the eaves raised by 0.8m and the ridge raised by 1.7m. However, given the design of the roof, which would rise away from the shared boundaries with the two flanking properties, it is not considered that the proposal would result in unacceptable levels of loss of light or appear over bearing.
33. The loss of a bungalow from the housing stock would be regrettable, however, there are currently no planning polices protecting the retention of bungalows within Rushcliffe, and many bungalows across the borough have been extended and altered to provide additional living accommodation within the roof space. In terms of garden sizes, detached dwellings are expected to have a garden area measuring 110 sqm, the rear garden of the application property measures 181 sqm and no garden would be lost as a result of the proposals. As a result, Officers are satisfied that the proposal would not result in an overdevelopment of the application site.
34. Residents on the opposite side of Haileybury Road have objected on the grounds of loss of view and changes to skylines, however, these are not material planning considerations which can be given weight in the determination of the application.
35. With regard to inconvenience during construction works, an informative is proposed which advises the applicants of the measures to be adopted to keep noise disturbance to a minimum. This is considered proportionate given the level of works proposed.
36. With regard to precedent, each application must be decided on its own merits, having regard to the local circumstances.
32. Following the refusal of the previous two planning applications, negotiations have taken place between Officers, the agent and the applicant, resulting in the submission of the further revised proposals. After careful consideration, Officers are satisfied that the revisions have addressed the previous reasons for refusal and this development as now proposed would not result in significant harm to the character of the area or the living conditions of neighbouring residents, thereby resulting in a recommendation to grant planning permission, subject to conditions outlined below

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 following approved plans;

Proposed floor plans, site block plan and OS plan 623 002 revision I updated 21.01.2019

Proposed elevations, street scene, site block plan and OS plan 623 003 revision B updated 21.01.2019

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

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 and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

Notes to Applicant

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 land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

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.