

19/00112/FUL

Applicant Mrs Dawn Buckley

Location 17 Elterwater Drive Gamston Nottinghamshire NG2 6PL

Proposal Construction of two storey side extension.

Ward Gamston North

THE SITE AND SURROUNDINGS

1. The application relates to a modern, detached two storey dwelling of traditional construction being red/brown brick walls with brown roof tiles. It is located within a modern housing estate, within an established residential area of West Bridgford.

DETAILS OF THE PROPOSAL

2. The current application seeks planning permission for a two storey side extension.

REPRESENTATIONS

Ward Councillor(s)

3. One ward Councillor (Cllr Wheeler) objects to the proposal stating he *“agrees with other comments made and that the development is too close to the neighbouring property and is unsuitable for the plot.”*

Town/Parish Council

4. Gamston Parish Council object to the proposal, stating:
 - a. Large trees and shrubs at the end of the garden to 2 Martindale Close would suffer root damage in the construction of foundations.
 - b. A development of this height should not be allowed so close to the boundary.
 - c. The building work cannot happen without free access to bottom of No.2 Martindale Close.
 - d. Not clear where the building supplies will be stored and the contractors vehicles parked during the building works.
 - e. 4 Martindale Close will also be affected by the building works in a similar way to No. 2 but not so severe.
 - f. Elterwater Drive is not a distributor Road - we recommend the Planning Officer look at Appendix 2 of the Gamston and Edwalton Development Brief to confirm that compliance with the brief will be maintained.

Local Residents and the General Public

5. One neighbour at No. 2 Martindale Close raises concern regarding the building work damaging mature trees at the bottom of the garden on the shared boundary.

PLANNING POLICY

6. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014).
7. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006). Rushcliffe Local Plan Part 2: Land and Planning Policies is presently at examination in public stage and has some weight in decision making.
8. Any decision should, therefore, be taken in accordance with the Core Strategy, the NPPF and NPPG, policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Framework, together with any other material planning consideration.

Relevant National Planning Policies and Guidance

9. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development and look for solutions rather than problems, seeking to approve applications where possible. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. There are three dimensions to sustainable development, economic, social and environmental. One of the core planning principles of the NPPF state that planning should, *“Always seek to secure high quality design and a good standard amenity for all existing and future occupants of land and buildings.”*

Relevant Local Planning Policies and Guidance

11. The Rushcliffe Local Plan Part 1: Core Strategy was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028. Policies 1: ‘Presumption in Favour of Sustainable Development’ and 10: ‘Design and Enhancing Local Identity’ are relevant.
12. None of the 5 saved policies of the Rushcliffe Local Plan are relevant to this application.
13. The Rushcliffe Borough Non-Statutory Replacement Local Plan (RBNSRLP) is a material consideration. Whilst not part of the Development Plan, the Borough Council has adopted the RBNSRLP for development control purposes in the determination of planning applications. Policy GP2 (Design and Amenity Criteria) is relevant. Policy 1 of the emerging Rushcliffe Local Plan Part 2 Land

and Planning Policies will replace GP2 in considering general matters of amenity and design and is also a material consideration

APPRAISAL

14. The main issues in the consideration of the application are the impacts upon the design and appearance of the host property; the character and appearance of the street scene; the living conditions of neighbouring properties; and highway safety.
15. No. 17 Elterwater Drive is the first dwelling in a row of 4 detached dwellings, 19, 21 and 23 being to the south. To the north are the rear gardens of 2 and 4 Martindale Close, two detached dwellings positioned at right angles to Elterwater Drive. The proposed extension would be on the northern elevation adjacent the rear boundary of 2 Martindale Close, thereby avoiding any terracing effect and negating the need for the extension to be set back from the front elevation.
16. Materials would match those of the existing dwelling. It is not considered that proposed extension would detract from the established character of the street scene.
17. Whilst the extension would bring the property closer to 2 Martindale Close, it would have a minimal width of 2.96m with a separation distance of 13m remaining between the two properties. This is considered an adequate separation distance and it is not, therefore, considered that the proposed extension would appear overly dominant, overbearing or oppressive to the outlook from the rear elevation of 2 Martindale Close.
18. The side elevation of the extension would be blank apart from a first floor window serving an en-suite shower room. This window would be obscure glazed and non-opening to an internal height from floor level of 1.7m and, therefore, would not result in overlooking of the dwellings to the north.
18. The additional rear bedroom window at first floor level would be in line with existing bedroom windows and would not significantly increase current levels of overlooking on the rear garden areas. Likewise a proposed first floor window on the front elevation would be an additional window to an existing bedroom and have a similar impact to the existing windows. Therefore, the extension would not result in overshadowing of habitable room windows or create unacceptable levels of overlooking.
19. In terms of highway safety, the side extension would not replace or remove any garaging or car standing. It is, therefore, considered that the property would retain sufficient off-street car parking spaces, which would not cause an obstruction to the public highway or adversely impact on highway safety.
20. Comments from the Ward Member, Parish Council and neighbour have been taken into consideration in the above assessment where relevant. Regarding damage to trees and access to land for construction purposes these would be a private matter between the two parties. However, a note to the applicant regarding works on or near a boundary and access to land should be included on any planning permission. The storage of building materials for a development of this scale would not warrant restriction or control and a

condition to such an affect would not considered to be lawful.

21. The Parish Council refer to the 'Gamston and Edwalton Development Brief'. This document was published in 1986 prior to the development of the Gamston/Edwalton housing estates and was a guide for potential developers. Given this document was published over 30 years ago, and no longer forms part of the Development Plan, little weight can now be given to it as a planning guide for individual extensions. However, the principles within the Brief would be comparable with today's relevant planning policies and, therefore, assessments of planning applications although not made with this document in mind would consider similar criteria.
22. It is considered that the proposal complies with the design policies of the Local Plan and would not have a significant detrimental impact on the residential amenity of the neighbouring properties or the street scene in general and it is therefore recommended that planning permission be granted for the proposed development.
23. During the consideration of the application there were no issues which required addressing and, therefore, no requirement for negotiation with the applicant/agent or the need to request any amendments.

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 plan(s): A102, and A103 REV 1.

[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 extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[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].
4. The window in the first floor side (north) elevation of the proposed development shall be permanently obscure glazed to group level 5 obscurity and fixed shut to a height of 1.7 metres above internal floor level and no additional windows shall be inserted in this elevation. Thereafter, the window shall be retained to this specification for the lifetime of the development.

[To ensure the development will be satisfactory and in the interests of residential amenity and to comply with policy GP2 (Design & Amenity Criteria)

of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

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.