

**20/02788/FUL**

**Applicant** Mr John Mayhew

**Location** 45 Sharpley Drive, East Leake, Nottinghamshire, LE12 6QT

**Proposal** Erection of two-storey side & rear extension. (Resubmission)

**Ward** Leake

## THE SITE AND SURROUNDINGS

1. The application relates to a mid-circa 20<sup>th</sup> century, three bedroom semi-detached property located in the village of East Leake. The dwelling forms the northerly half of a pair of properties which form a series of dwellings located around a semi-circular section of road. Properties within a recently built, large housing development lie to the rear.

## DETAILS OF THE PROPOSAL

2. Planning permission is sought for a two-storey extension to the northern (side) elevation and a part two storey/part single storey extension to the rear elevation of the property to provide a garage, larger kitchen and study on the ground floor and 2 new bedrooms with en-suites on the first floor.
3. The side extension would measure 3.84 metres wide, replacing a small, flat roofed, single storey element currently attached to the dwelling. The rear extension would project back by 4 metres and would span across the width of the existing property and part of the proposed side extension. The two storey section would have an intersecting pitched roof at the same height as the existing roof. A 2.3 metre wide section on the boundary with the adjoining property would be single storey.

## SITE HISTORY

4. 20/00976/FUL - Erection of two-storey side & rear extension. Withdrawn 06 July 2020.

## REPRESENTATIONS

### Ward Councillor

5. A Ward Councillor (Cllr C Thomas) objects to the proposal, stating; *“This is still a very large extension relative to the size of the existing house, which is one of a semidetached pair. The proposed extension would not be sympathetic to neighbouring buildings and the surrounding area in terms of scale, density, massing and design and so contravenes LPP2 Policy 1 point 4. Other houses*

*in the area have not been extended so there would be an adverse impact on the character of the street scene.*

6. *I have concerns about the impact on the attached neighbour in terms of overlooking and overwhelming, and so loss of amenity. Loss of trees would be regrettable if approved I would request a condition to plant replacements elsewhere on the plot."*

### **Town/Parish Council**

7. East Leake Parish Council objects to the application on grounds it is over intensive, loss of a tree where the garage is planned, impact on the neighbour attached, loss of amenity.

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

8. 7 neighbouring properties have been individually notified and the application has been advertised by notices at the site. No public representations have been received.

### **PLANNING POLICY**

9. The Development Plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). The East Leake Neighbourhood Plan also forms part of the Development Plan when dealing with applications in the East Leake area. Other material considerations include the National Planning Policy Framework (2019), the National Planning Practice Guidance and Supplementary Planning Documents (SPD's).

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

10. The relevant national policy considerations for this proposal are those contained within the 2019 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. Section 12 - Achieving well-designed places is relevant to this application.

### **Relevant Local Planning Policies and Guidance**

11. The following policies of the Rushcliffe Local Plan Part 1: Core Strategy (2014) are considered relevant to this application:
  - Policy 1 - Presumption in Favour of Sustainable Development
  - Policy 10 - Design and Enhancing Local Identity
12. The following policies of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) are considered relevant to this application:
  - Policy 1 - Development Requirements.

13. The Rushcliffe Residential Design Guide SPD (2009) provides guidance on the style and design of an extension, stating it 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.
14. The East Leake Neighbourhood Plan was adopted on 19 November 2015. This contains general design guidance for the village but does not contain any policies directly relating to residential extensions.

## **APPRAISAL**

15. Planning permission is sought for extensions to an established residential property within an urban area. It is a sustainable form of development and acceptable in principle.
16. The main issues to consider are:
  - (i) The impact of the proposal on the character and appearance of the property and wider area.
  - (ii) The impact on the residential amenity of neighbouring properties.

### Impact on the character and appearance of the property and wider area

17. LPP1 policy 10, Design and Enhancing Local Identity, states that development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce valued local characteristics. This is reinforced under policy 1 of the LPP2, which also states that development should be sympathetic to the character and appearance of neighbouring buildings and the surrounding area.
18. The application proposes two storey extensions to both the side and the rear elevations of the existing dwelling, and it is acknowledged that the combined proposals would represent a significant increase in the size of the property. The front corner of the side extension would lie almost on the boundary of the site with the neighbouring property to the north (No. 43), although as the rear elevation is angled to the south east, and away from the boundary, the distance becomes greater towards the rear.
19. The Residential Design Guide SPD sets out the following principles in relation to the design of side extensions:
  - The extension should be set back from the front wall, especially at first floor level, by as much as two metres.
  - The ridge height should be lower than, but match the pitch, of the roof on the existing dwelling.
  - The building should be set in from the boundary by at least 0.9 metres.

21. The proposed extension complies with this criterion in part. The extension has been designed with a slight set back from the front elevation. This corresponds with a slightly lower roof height and should help to ensure that the extension appears as a subservient addition to the property when viewed from the public highway.
22. The front corner of the proposed extension would lie on the boundary. The Residential Design Guide SPD states that where side extensions infill spaces the design should ensure that it does not result in a 'terracing effect' between properties. The set back and lower ridge height is set out within the SPD as a method to minimise any terracing effect. The design would therefore comply with this guidance. As the neighbouring property to the north lies around 5 metres away, no terracing effect would be apparent. Should this neighbouring property also choose to extend to the side in the future it is also noted that the arrangement of the properties around the semi-circular shape of the road means they do not lie directly side by side, which should also mitigate any potential terracing effect.
23. The rear extension has a straight forward design with an intersecting pitched roof. On the boundary with the adjoining property part of the extension would be single storey with a lean-to roof. It would not be a particularly subservient addition to the property, but it should not be visible from the public realm and the design in itself should not have any negative impact on the appearance of the rear elevation of the property. The property has a large rear garden around 25 metres long and, therefore, would retain adequate amenity space. It is considered that the site can accommodate an extension of the proposed size without appearing cramped or over developed.
24. The application form indicates that the extensions would be constructed from brick and roof tiles, however, the existing property is rendered with timber or composite cladding to the upper half, materials which are common to most of the properties along the road. As no further details have been provided within the application a condition is recommended to require submission of details of the proposed facing materials for prior approval.
25. Cllr Thomas and the Parish Council have highlighted the loss of a tree to the side of the property. The Applicant has confirmed that this was an Elderberry tree. It had already been removed at the date of the site visit but had not been subject to a Tree Preservation Order or any other protection. It would not be practical to plant any replacement tree in the front of the property due to a lack of space. At the rear a replacement tree would not be visible from the public realm and would, therefore, make negligible contribution to the visual amenity of the area. It is therefore not considered that it would be reasonable to insist on replacement tree planting in this case.
26. An additional bedroom would be created as a result of the proposal. The property would therefore be a four bedroom dwelling. However, the garage within the proposed extension would be of a width and size which would count as a parking space under the Nottinghamshire County Council '6Cs Design Guide'. There would therefore be a net gain in available off-street parking for

the property. Street parking is also available outside the property and therefore the level of provision is considered acceptable for the size of the resulting dwelling.

27. It is therefore considered that the proposal accords with the aims of policy 10 of LPP1 and policy 1 of the LPP2 in terms of scale, design and materials.

#### The impact on the residential amenity of neighbouring properties

28. LPP1 policy 10 states that development should be assessed in terms of its impact on the amenity of nearby residents. This is reinforced under policy 1 of the LPP2, which states that development should not be granted where there is a significant adverse effect upon the amenity of adjoining properties.
29. The rear extension would project back four metres, although for a width of 2.3 metres it would be single storey on the boundary with the adjoining (attached) dwelling. The Residential Design Guide sets out how the principle of the '45 degree code' can be used to ascertain whether a proposed extension on or close to the boundary will over dominate neighbouring properties and potentially result in an unacceptable loss of light. In this case, the two storey section would meet this test and indicate that this element of the proposal would not unduly compromise the light and outlook of the adjoining property.
30. Due to the depth of the extension and proximity to the boundary, the single storey section would fail this 45 degree test. However, the Residential Design Guide indicates that this test is generally applicable to 2 storey extensions or higher or if there are significant changes in level. Furthermore, it is noted that there is already a 2 metre high fence along the boundary between the properties. At 2.3 metres the eaves height would not be significantly greater than this and the lean-to roof would slope away from the neighbouring property. In addition, as the neighbouring property lies to the south of the application dwelling this should also reduce the impact on light. It is considered that these factors mitigate the impact on this dwelling to an acceptable extent.
31. The separation distance between the application property and the neighbouring property to the north means that the rear extension would comply with the 45 degree test. The two storey side extension would not project beyond the front or rear elevations of this neighbouring dwelling and, therefore, should have little material impact on its amenity. The property has a first floor side window which may experience some overshadowing but if the layout is the same as the application site dwelling this window purely serves the stairs.
32. No windows are indicated for the side elevations of the proposed extensions and the new first floor rear window would not result in any additional overlooking above that already in existence. Due to the length of the rear garden the proposed extension would not affect any properties backing onto the site.
33. The proposal is therefore deemed to accord with LPP1 policy 10 and policy 1 of the LPP2 in terms of its impact on the residential amenity of neighbouring occupiers.

## Conclusion

34. The proposed extensions to the building are considered to be acceptable in terms of scale and design and would not result in a significant adverse effect on the amenity of any existing neighbouring residential occupiers. The proposal therefore complies with the relevant planning policies and is recommended for approval.
35. The application was not subject to 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 conditions:

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:

Site Location Plan & Block Plan, drawing no. 051  
Proposed Block Plan  
Proposed Floor Plans, drawing no. 032  
Proposed Elevations, drawing no. 041  
Proposed Elevations, drawing no. 042  
Proposed Roof Layout, drawing no. 043

[For the avoidance of doubt having regard to policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

3. The construction of the extensions shall not proceed above foundation level until specific details of the facing and roofing materials to be used on all external elevations are submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

## 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). The Borough Council considers that the approved development is not CIL chargeable, as the proposal represents minor development, with a gross internal area of less than 100 square metres. 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.

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. 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.

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).