

20/02687/FUL

Applicant Mr and Mrs Roberts

Location 31 Roulstone Crescent, East Leake, Nottinghamshire, LE12 6JL

Proposal Two storey front and rear and single storey side and rear extensions with application of rendering. (Resubmission)

Ward Leake

THE SITE AND SURROUNDINGS

1. The application relates to a detached, two-storey dwelling located on a residential cul-de-sac in the village of East Leake. The property is faced in buff brick and hanging tiles with a tiled roof. A lean-to carport is located to the western side of the dwelling house, filling the gap between the main dwelling and the boundary of the site. The property benefits from a relatively large linear rear garden bounded by 2 metre high fencing. Pedestrian and vehicular access is gained directly off Roulstone Crescent.

DETAILS OF THE PROPOSAL

2. Planning permission is sought for the following extensions and alterations to the dwelling:
 - a. A two-storey front extension to provide a new porch on the ground floor and extension to an existing bedroom on the first floor. The extension would project out by 1.2 metres from the front building line and would be 2.8 metres wide under a hipped roof.
 - b. A two storey rear extension to provide a new kitchen and dining room on the ground floor and two new bedrooms on the first floor. The extension would project back by 3 metres and run the full width of the dwelling. The existing hipped roof would be extended at the same height.
 - c. A single storey side and rear extension. The extension would replace the existing car port and project out from the western side elevation by 2.4 metres for the full length of the dwelling, extending up to the western boundary of the site and wrapping around the rear of the new two storey rear extension where it would extend back for a further 1.3 metres. A new garage/store would be provided as part of the side extension.
 - d. The rendering of the entire property in a light grey coloured render.
3. The application plans also indicate the replacement of existing windows in the property, including the installation of new obscure glazed windows in the first floor side elevations.

4. Amended plans were received during the course of the application to indicate a rooflight originally missing off the elevations and to clarify the proposed facing materials.

SITE HISTORY

5. 20/00605/FUL - Two storey and single storey side and rear extensions. Relocation of existing car port. Refused 17 July 2020 (for reasons for refusal - see para 26).

REPRESENTATIONS

Ward Councillors

6. One Ward Councillor (Cllr L Way) has declared an interest in the application.
7. One Ward Councillor (Cllr C Thomas) objects to the proposal. The following comments were made in relation to the initial plans; *“With the information available at this time I am returning a neutral comment and I am content for this to be a delegated decision. (There are no comments from neighbours at this time).*
8. *I note that the second storey rear extension has been reduced to 3m in this version, which would be allowed under permitted development rights. The side extension is one storey in this version so more acceptable than two as far as the street scene is concerned, although maintenance of both properties along this boundary will become problematic. It is difficult to see how this wall can be rendered as shown in the plans.*
9. *The front extension and loss of the recess to the smaller front second floor window will have some impact on the street scene as this is characterful feature of houses in this area. But there is some variety with other front extensions and alterations having taken place.*
10. *I would suggest a condition to ensure obscured windows to the bathrooms on both sides. Clarification is needed about the roof light in the garage which shows on the plan but not the elevation.”*
11. In response to the amended plans submitted Cllr Thomas commented as follows; *“With the further information to hand and neighbour comments about the multiple impacts, I now object to this application.*
12. *The combination of grey render finish and the two storey front extension will be out of character and have a significant adverse impact on the street scene.*
13. *Considerable concerns have been expressed by neighbours about overshadowing, loss of light and sunlight at the rear. The difference in levels needs to be taken into account. With an extension that so greatly exceeds what would be allowed by permitted development rights I would expect consideration*

of the application to be informed by a report on this issue with detailed analysis using the 45 degree rule etc.

14. *If approved I request a condition that side windows are obscured and fixed shut with no changes to the side windows or any additional side windows being allowed without further permission. I would also request an advisory note that the party wall act may apply to the boundary with no 29."*

Town/Parish Council

15. East Leake Parish Council raised no objections to the original plans submitted. In response to the amended plans the Council advised it would like to remain neutral on this resubmission but commented that there was uncertainty of the depth of the porch and there would be preference for cream rendering.

Local Residents and the General Public

16. 7 neighbouring properties have been individually notified. 8 public representations have been received. In summary the following points are made:
 - a. The double storey front extension would impact on the overall street scene especially as no other houses on Roulstone Crescent have such double storey front extensions. It would disrupt the front building line and negatively impact on the appearance of the street.
 - b. Calculations and floorplans have been provided by one respondent which indicates a 99.4% increase in the floor area. It is questioned why the number of bathrooms and such a large property is required.
 - c. The rear extension is excessive in scale, density and massing and the design does not sympathise with the neighbouring buildings nor compliment the surrounding area. There are no other two storey rear extensions on Roulstone Crescent and the proposal could potentially open up a gateway for similar proposals. The extension will have an overbearing effect on neighbouring properties.
 - d. The single storey side extension will cause a terracing effect, change the character of the street and impinge on immediate neighbours given the narrow width of the plots.
 - e. The extensions will result in a 'tunnel effect' and reduce light to neighbouring rear properties and gardens, which are north facing.
 - f. The new windows indicated will face neighbouring properties and compromise privacy. Even with obscure glass the new side windows will directly look onto neighbouring properties and infringe their privacy.
 - g. Concerns are raised regarding the maintenance of properties and fences due to the small gap between the extension and neighbouring dwellings. It is queried where the waste pipe from the en-suite would be. It is

considered that the proposals would result in issues with gutter, fascia and soffit maintenance as well as access to neighbouring properties.

- h. The size of the windows has been reduced. Wide windows is one of the distinct characteristics of the houses in the road and this change will alter the character of the property and mean it is no longer be in keeping with the other houses in the street.
- i. The 'car port' has now become an integral part of the side extension adding to the total enclosed build area.
- j. The eastern boundary new fencing in the rear garden will need to be removed as the gap to the proposed rear extension would be too small.
- k. It is proposed that the building is to be rendered and finished in grey paint rather than retaining the brick finish, thereby completely altering its appearance and making it even more out of keeping with its neighbours. The house would be unsympathetic to the character and appearance of street scene and neighbouring properties.

PLANNING POLICY

- 17. 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

- 18. 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. The following sections of the NPPF are relevant to this application.
 - Section 12 - Achieving well-designed places.

Relevant Local Planning Policies and Guidance

- 19. 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
- 20. 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.
21. 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.
 22. 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

23. Planning permission is sought for extension to an established residential property within an urban area. It is considered to be a sustainable form of development and acceptable in principle.
24. 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.

The impact of the proposal on the character and appearance of the property and wider area.

25. The application is a re-submission of a previously refused application in July 2020. The previous application was refused for the following reason:
26. "The proposed extension, by reason its siting and design, would be out-of-keeping and unsympathetic to the character and appearance of streetscene, which is characterised by properties with spacious gaps between them at upper storey. Furthermore, the proposed extension, in particular the two-storey side element, would appear cramped and would erode the gap between the host property and the property to the west, creating an unacceptable terracing effect. The proposal is therefore contrary to Policy 10 of the Core Strategy, Policy 1 of the Local Plan Part, section 12 of the NPPF and advice contained within the Rushcliffe Residential Design Guide."
27. The extension now proposed under this application omits the two storey section of the side extension which was proposed under the previous application. Instead a two storey front extension is proposed to provide the additional space to one of the bedrooms. The proposed two storey rear extension is as previously proposed and a single storey extension will now run along the western (side) elevation and wrap around the rear of the dwelling and the rear extension.

28. It is acknowledged that the combined extensions represent a significant increase in the size of the property. However, notwithstanding this, it is considered that under this revised scheme the extensions integrate well with the existing property and should result in a balanced and well-designed dwelling.
29. The proposed front extension is a fairly small addition with the hipped roof significantly lower than the main roofline. The Residential Design Guide SPD states that front extensions should complement the existing street character in terms of building lines and presence. It is noted that many of the respondents on the application feel that the front extension would be detrimental to the appearance of the property and its setting in the street scene. However, it is not agreed that this would be the case. Whilst two storey front extensions may not have been made to any other property within close proximity, many have added porches and other front extensions. It is considered that the design of this front extension should generally harmonise well with the existing property and should not unduly harm the appearance of the property or its setting in the street scene.
30. The proposed side extension would replace the existing car port and would run up to the western (side) boundary of the site. However, this would now be entirely single storey and therefore the cramped terracing impact, which was of concern in the previous scheme, has been largely mitigated. It is noted that concerns are raised within representations that this element would still give rise to a terracing effect, however, given the presence of the existing car port it is considered that this element of the proposed extension would not significantly impact on the appearance of the property. Similar extensions can be seen on other neighbouring properties and it is not considered that there would be any grounds to refuse permission on the basis of this element of the application.
31. The two storey rear extension would simply extend out the rear elevation in the same lines and proportions, including the hipped roof. Although not particularly subservient in appearance it would not be visible from the public realm. A garage previously within the rear garden of the site has been removed and a 14 metre long rear garden would be retained, providing adequate amenity space.
32. The existing property and the proposed extensions are to be rendered in a light grey colour and tiled to match the existing property. The side wall of the car port would be replaced with a brick cavity wall. It is acknowledged that the rendering of the property would alter its appearance, however, the existing property and neighbouring properties along the road are partially rendered on the front elevations and therefore this material would not be entirely out of keeping with the street scene. Nonetheless it is considered that the proposed colour should be carefully considered and a condition to this effect is recommended. Overall, and on balance, it is not considered that the proposals for the host property would be detrimental to the visual amenity of the area.
33. The property would become a four bedroom dwelling, gaining one additional bedroom. However, the entire frontage of the property has been hard surfaced

to provide parking for at least three vehicles. This would be adequate for the resulting size of the dwelling.

34. Concerns are raised within the representations that alterations to existing windows would also be detrimental to the character and appearance of the property and upset the uniformity of the street scene. It is important to note, however, that these works could be carried out without planning permission. It is agreed that the existing wide windows are a feature of the properties along Roulstone Crescent and that the cumulative works proposed for the application site property will result in a conspicuously different property, however, it is not considered that this in itself would result in a level of harm to visual amenity which would be contrary to the aims of LPP1 Policy 10, policy 1 of the LPP2 and advice contained within the Rushcliffe Residential Design Guide.

The impact on the residential amenity of neighbouring properties.

35. 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.
36. The application property and the neighbouring dwellings are tightly spaced, the eastern side elevations lying on the respective boundaries. The proposed extensions under this application would extend the property to the full width of the plot, although it is confirmed that the additions would all be on land owned by the Applicant and details have been provided to indicate a recessed gutter system to prevent this element from overhanging the boundary.
37. 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 would potentially over dominate neighbouring properties and result in an unacceptable loss of light.
38. The front extension will be on the western half of the dwelling and separated from the neighbouring property on this side (no. 29) by the width of the driveway. This separation distance is sufficient to ensure compliance with the 45 degree principle.
39. Likewise, the proposed rear extension would be separated from the neighbouring property to the east (no 33) by the driveway of this property. This dwelling lies at a slightly higher ground level and has had a single storey rear extension. The separation distance ensures that the 45 degree principal is met in respect of both the single and two storey sections.
40. The proposed single storey side extension would run along the boundary with the neighbouring property to the west (no. 29). As this property also abuts the boundary there would in effect be no gap between the dwellings at ground floor level. It was queried how this side elevation would be rendered and it has been confirmed on amended plans that the render would be applied a minimum

600mm around each corner but the remaining finish would be brick, which can be constructed with mortar pointed up as each course is built.

41. It is acknowledged that this property lies at a lower ground level but it is also recognised that the proposed single storey side and rear extensions would not project back beyond a single storey conservatory extension which has been added to the rear elevation of this neighbouring dwelling and lies on the boundary of the application site. It is therefore not considered that the difference in ground levels would exacerbate the impact of the proposed extensions to any significant extent.
42. It is recognised that the owners of the neighbouring properties have raised concerns that the rear gardens face north and are likely to experience a loss of light. However, the proposal demonstrates compliance with the 45 degree principle. Due to the rear extensions made to neighbouring dwellings and the separation distances between the two storey rear extension and neighbouring dwellings, it is considered that in practice the scale of the proposed additions should not result in a significant adverse effect on the light and outlook of the neighbouring properties.
43. New first floor windows are indicated for both side elevations. Both would serve bathrooms and the plans indicate that both would be obscure glazed. This requirement is reinforced with a condition which forms part of the recommendation. It is noted that some concerns have been raised that these new windows would infringe the privacy of neighbouring properties, however, in the proposed form they could be installed without planning permission and it is considered that the obscure glazing and top opening windows would prevent any undue infringement of privacy.
44. A high level ground floor window and roof lights are also proposed for the side elevations although, due to their height, they would not result in any undue overlooking. It is also confirmed that the sun pipe is indicated on the western elevation roofslope.
45. The application backs onto the rear garden of no. 9 Rushcliffe Grove, although the rear elevation of the dwelling on this site faces south east and not directly towards the application site. The resultant length of the rear garden, taking into account the proposed extension, is considered sufficient to prevent any undue impact on the amenity of this property.
46. Concerns have been raised regarding maintenance, plus lack of access to the neighbouring dwelling to the west, No. 29. Whilst these concerns are acknowledged, it would not be reasonable to withhold planning permission on this basis, these matters are more likely to be controlled under the Party Wall Act. The proposal would be located wholly within the property boundary and would not encroach on neighbouring properties. The proposed single storey extension would be no closer to the shared boundary than the single storey lean-to and conservatory belonging to No. 29.

47. In terms of the issues raised in respect of drainage and the location/appearance of drainage infrastructure, these are private/civil matters and are not material planning considerations.
48. The proposal is 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

49. It is considered that, under the revised scheme the proposed extensions are acceptable in terms of design, scale, proportions and materials and would not result in a significant adverse effect on the amenity of any neighbouring properties to the site. The proposal therefore complies with the relevant planning policies and is recommended for approval.
50. The application was not subject to pre-application discussions, however, clarification on certain details during the course of the application has resulted in a scheme which is considered acceptable and no further 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

Planning & BR, drawing number JLR 01/2020, revision G2

[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 external materials used in the construction of the development hereby permitted shall be as detailed on the approved plans. The roofing materials shall match the existing roof tiles of the building in colour and texture. Prior to application of the render details of the proposed colour shall be submitted to and approved in writing by the Borough Council. The render shall be applied in accordance with the approved details

[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]

4. The first floor windows in the side elevations of the development hereby permitted must be:
 - a. non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and;
 - b. fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent.

Thereafter, these windows shall be retained to this specification throughout the life of the development.

[To ensure a satisfactory development in the interests of preserving the amenities of neighbouring properties and to comply with policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 of the Rushcliffe Borough 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/>

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.

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.