

# 21/00804/FUL

**Applicant** Mr. Rashid

**Location** 38 Mulberry Close, West Bridgford, Nottinghamshire, NG2 7SS

**Proposal** Proposed Two Storey and first floor Front Extension, first floor window to side elevation and Internal Alterations.

**Ward** Compton Acres

## THE SITE AND SURROUNDINGS

1. The application relates to a modern property on a residential estate road in the Compton Acres area of West Bridgford.
2. To the east and west are similar size detached properties at 36 and 40 Mulberry Close respectively. The site lies within Flood Zone 3 of the River Trent. However, there are benefits from protection afforded by the flood defences along the river.

## DETAILS OF THE PROPOSAL

3. Permission is sought for a two storey and first floor front extension to increase the size of existing living accommodation and bedrooms. The proposal also involves the addition of a new window in the first floor eastern (side) elevation.

## SITE HISTORY

4. 86/01121/A4P: Construct 23 houses - Approved 29 January 1987
5. 83/04368/HIST: Residential development (outline) - Approved 8 August 1984

## REPRESENTATIONS

### Ward Councillor

6. One Ward Councillor (Cllr A Phillips) has declared an interest in the application due to residing in the property next to the application site.
7. One Ward Councillor (Cllr G Wheeler) made comments neither objecting to or supporting the application, advising that the decision can be left to Officers.

### Local Residents and the General Public

8. Representation has been received from the owner of no. 36 (neighbouring property to the east) objecting to the application and making comments which are summarised as follows:

- a. Concerns are raised about the impact of the two storey extension on the appearance of the street scene, which was originally protected in the title of the properties.
- b. The two storey extension would affect the main view from and light to the respondent's main bedroom window.
- c. A first floor window is proposed on the side elevation and in close proximity to the respondent's property.
- d. It is queried whether the ground floor bay window should be included on the plans as it is understood that this has been removed from the proposal.

## **PLANNING POLICY**

9. The Development Plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Rushcliffe Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (2019), the National Planning Practice Guidance and the Residential Design Guide Supplementary Planning Document (SPD).

### **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. The following sections of the NPPF are relevant to this application:
  - Section 12 - Achieving well-designed places.
  - Section 14 - Meeting the Challenge of Climate Change

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

11. The following policies of the LPP1 are considered relevant to this application:
  - Policy 1 - Presumption in Favour of Sustainable Development
  - Policy 2 - Climate Change
  - Policy 10 - Design and Enhancing Local Identity
12. The following policies of the LPP2 are considered relevant to this application:
  - Policy 1 - Development Requirements
  - Policy 17- Managing Flood Risk
13. The 2009 Rushcliffe Residential Design Guide 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.

## **APPRAISAL**

14. Planning permission is sought for an extension to an established residential property within an urban area. It is considered to be a sustainable form of development and acceptable in principle.
15. 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.
  - iii) Flood Risk matters.

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

16. 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. Development should be assessed, amongst other things, in terms of its massing, scale, proportions, materials, architectural style and detailing. 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.
17. The proposed extensions would be to the front elevation of the property. The first floor of the western half is to be brought forward by 2.2 metres over an existing lean-to roof over the front section of the integral garage and front porch to the dwelling. The first floor would retain a set back of around 0.8 metres. The front elevation of the extension would contain a set of doors and a Juliet balcony and the central section would have full height glazing to provide a vaulted feature entrance hall.
18. Adjoining this, on the eastern side of the property, a full two storey front extension would be added, projecting forward by 3.3 metres. This addition would lie level with the ground floor front elevation of the western half of the property (except for the bay window) and 'square off' the plan form of the dwelling. The extension would have a front facing new gable, also with a Juliet balcony at first floor level.
19. It is considered that the proposed front extensions are sympathetic to the design and character of the existing property and should generally update and enhance its appearance. The front gable of the new two storey extension would complement the lines and proportions of the existing gable but will be lower in height so should appear as a subservient addition. Both gables are to be part rendered in an off white colour and part constructed from brick. The materials are indicated on the proposed plans. The brick is to be confirmed and a

condition is recommended to state that the materials should match the host dwelling unless, other details are submitted and approved.

20. The existing front driveway of the property would be largely unaltered by the proposal and the parking provision of the dwelling would not be affected. It is acknowledged that concerns have been raised in relation to the impact on the appearance of the street scene, however, the front building line would be retained and the resulting dwelling would not noticeably project forward of the existing line of properties in this section of Mulberry Close. The surrounding properties have some variation in terms of design and materials, and it is not considered that the proposed extensions would result in a property which appears unduly out of place in the street scene.
21. The proposal is therefore considered to accord with the aims of policy 10 of the LPP1 and policy 1 of the LPP2 in terms of scale, design and materials. The proposed additions and alterations to the property are considered to be acceptable and should harmonise well with the main dwelling.

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

22. 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.
23. The owner of the neighbouring property to the east has raised concerns in relation to the impact of the proposed two storey extension on the view and light from their main bedroom window.
24. 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 over dominate neighbouring properties and potentially result in an unacceptable loss of light. In this case the extension would project in front of the first floor of the neighbouring property, which lies on the boundary with the application site. However, as there would be a gap of 1.25 metres between the application property and the boundary, the extension just meets the 45 degree test. In addition, as the front elevations are south facing, any impact on light should be minimal. In practice therefore, it is not considered that the proposed extension would have a significant adverse impact on the amenity of this neighbouring property.
25. There would also be sufficient separation distance between the application property and the other neighbouring property on the western side to ensure that the first floor extension on this part of the dwelling accords with the 45 degree principle. There should be little material impact on this property.
26. A new window is proposed in the first floor eastern (side) elevation of the existing property, although this would serve a bathroom and therefore a condition is suggested for this to be obscure glazed and top opening. The front elevation faces down the road and not directly onto any neighbouring properties

and it is not considered that any new windows in the front elevation would result in any additional overlooking above that which would be deemed reasonable on this type of residential estate.

27. Revised plans have been received omitting the bay window from the extension adjacent to 36 Mulberry Close. The removal of this feature was not as a direct result of negotiations with the applicant's agent, but the issue was raised with them in response to comments from the owner of the neighbouring property. It is understood that concerns were raised directly with the applicant by the neighbour about the potential overlooking that may arise from the bay window.
28. 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.

### Flood Risk Matters

29. The area where the proposed extension would be located lies within Flood Zone 3 of the River Trent, although the area benefits from flood defences. In accordance with paragraph 163 of the NPPF a site specific Flood Risk Assessment (FRA) for a householder extension has been provided for the proposal. The FRA confirms that the proposed floor level would align with the existing internal ground floor level. The proposal therefore accords with policy and guidance within LPP2 policy 17 and the NPPF in respect of flood risk assessment. The flood risk to the property has been managed and, due to the small scale of the extension, which would be built over the existing driveway, flood risk elsewhere should not be exacerbated.

### Conclusion

30. The proposed extensions to the dwelling would harmonise with the design, scale, proportions and materials of the existing building and respect the living conditions and amenity of existing neighbouring residential occupiers. The proposal therefore complies with the relevant planning policies and is recommended for approval.
31. 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:

Proposed Floor Plans, Elevations, Site Block Plan and OS Plan, drawing number 1005 002, revision C

[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 submitted application form and proposed elevations on drawing number 002, revision B. The new brickwork shall be of a similar appearance to the brick used on the exterior of the existing dwelling. If any alternative materials are proposed details must be submitted to and approved in writing by the Local Planning Authority prior to the development advancing beyond damp proof course level. Thereafter the development must be carried out in accordance with the approved, alternative materials.

[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 new upper floor window in the side (east) elevation 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, this window shall be retained to this specification throughout the life of the development.

[To preserve the amenities of neighbouring properties, having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

## **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.

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).