

20/03074/FUL**Applicant** Mr and Mrs Garrard**Location** 38 Florence Road West Bridgford Nottinghamshire NG2 5HR**Proposal** Proposed Two Storey and Single Storey Rear Extension, Side and Rear Dormer Windows to Existing Roof, New Front Porch and Internal Alterations (Resubmission of 20/02419/FUL)**Ward** Trent Bridge

THE SITE AND SURROUNDINGS

1. 38 Florence Road is a bay fronted redbrick detached dwelling of 1930's construction, to the western end of a row of five dwellings of similar design. The property has an original hipped roof finished in rosemary tiles whilst a two storey side extension with a low gabled roof extends to the west side of the property. The neighbouring property to the west is a redbrick Victorian semi-detached property, the front elevation of this property is set three metres forward of the front of the application dwelling. The neighbouring property has a traditional design including an 'L shaped' rear elevation created by a two storey rear wing shared with its adjoining neighbour to the west.
2. To the front of the property is a block paved parking area and low maintenance gravel gardens, whilst mature hedgerows mark the front and side boundaries. To the rear is a relatively large garden. There is an existing conservatory to the eastern side of the rear elevation, with a raised patio area situated to the western side of the garden. A gabled dormer with rosemary tile hanging has been constructed within the rear roof slope. The main garden is set down from the house by circa 0.4m and largely laid to lawn. The garden is bordered to the east by a mature hedgerow, to the south by notable tree planting and to the west by a close boarded fence of circa 1.6m in height, topped by decorative arched trellis to 1.8m in height.

DETAILS OF THE PROPOSAL

3. The scheme as now described has been revised from the original submission, with revised consultations following the receipt of revised plans. This application seeks planning permission for a two storey and single storey rear extension, side and rear dormers to the roof, a new front porch and internal alterations.
4. The existing conservatory is to be removed. A mixed two storey and single storey rear extension is then proposed. The single storey element would have a basic form and shape with a depth of 3.9m across the rear of the existing house with a width of 9.675m, retaining a minor 25mm gap to the western boundary with 36 Florence Road, and retaining the existing 1.45m gap to the eastern boundary set by the existing property build line. This extension would have a part monopitched, part hipped roof, with eaves at 2.455m rising to a maximum height of 3.675m. The roof would contain roof lights to the south

(rear) and western slopes, set within vaulted ceilings to the ground floor spaces. Bi-folding doors and a single door and window are proposed to the rear elevation, with blank elevations to the sides.

5. First floor extensions of varying depths are then proposed above the single storey footprint. To the eastern side of the rear elevation at 2.4m deep first floor extension is proposed with a width of 4.82m, before stepping back 0.925m to a shallower 1.475m deep first floor extension closer the western side of the original rear elevation. Windows are proposed to the new first floor rear elevations whilst the roofs would be hipped with eaves at 5.005m to match the existing house.
6. To the second floor a new side dormer is proposed in the western plane of the roof. This feature would have a hipped roof with flat top set below the existing ridge of the dwelling. The feature would also be set back from the eaves and would contain two roof lights in the western slope of the roof. To the rear a gabled dormer is proposed with a ridge height to match the main ridge height, which would contain an apex window to the rear elevation. Three roof lights are proposed to the eastern roof slope.
7. To the front of the dwelling a new enclosed front porch is proposed with a footprint of 1.3m in depth and 3.395m in width. The porch would have a gabled roof with eaves at 2.495m to match the small monopitch to the garage, and a ridge at 3.81m allowing the existing first floor windows above to be retained.
8. All works are proposed in brick and tile to match the main house, with exception of the dormer window features which are proposed to be finished in black stained timber cladding.

SITE HISTORY

9. Pertinent to the scheme now under consideration, an application was previously withdrawn in 2020 for a similar scheme of works following concerns with both design and impact on surrounding residential neighbours following concerns raised by local residents, the local ward member and officers. The site history can be detailed as follows:
 - 20/02419/FUL - Construction of two storey rear extension; roof heightened and extended to side and rear, including gable ended side dormer. Single storey rear extension. New Front Porch - WITHDRAWN
 - 08/00328/FUL - Two storey extension to side; alteration and extension to roof – approved (Implemented)
 - 06/01546/FUL – Conservatory – approved (Implemented)

REPRESENTATIONS

Ward Councillor(s)

10. One Ward Councillor (Cllr Bansal) objected to the initial submission, raising concerns that the scheme had not been significantly amended since the withdrawn application and that the scheme would still cause a loss of light to neighbours at 36 and 40 Florence Road.

11. Following the submission of revised plans, Councillor Bansal confirmed that he still objected to the scheme, noting that whilst he appreciated the scheme was scaled back, it would still block sunlight, particularly to neighbours at 36 Florence Road and their dining room.

Town/Parish Council

12. Not applicable.

Statutory and Other Consultees

13. No consultations required or responses received.

Local Residents and the General Public

14. Three objections were received to the initial consultation. The concerns raised can be summarised as follows:
 - a. The development would result in the substantial loss of light to the Kitchen, Dining Room/Home Office and conservatory at 36 Florence Road which face the development site.
 - b. The scheme would be contrary to design and amenity policies of the local plan parts 1 and 2.
 - c. The impacts on light and privacy will impact the health and well-being of occupants at 36 Florence Road.
 - d. The scheme will reduce the amenity value of the patio serving 36 Florence Road.
 - e. The side dormer windows will give a perception of being overlooked, with the windows serving a space which could be used as a snug and the windows providing oblique views of the patio at 36 Florence Road.
 - f. The 3 storey windows on the rear extension would overlook the gardens of 36 Florence Road.
 - g. The development has been designed from the inside out with internal space requirements influencing the external design. The resulting development with differing roof forms would be visually intrusive and unattractive and undermine the intention of policy to improve the character and appearance of the area.
 - h. The development would be over intensive for the site, which already has previous extensions.
 - i. A 3-storey extension within 1m of the 40 Florence Road boundary would significantly impact daylight to the neighbours kitchen, bedroom and conservatory, as well as their patio area.
 - j. A 4m deep, 5.3m tall blank brick wall, 1m inside the boundary would be overbearing and intrusive to the neighbours.

- k. There is no precedent for such a scale of works, and if such works were approved it may set a dangerous precedent for future schemes.
15. Three Objections were also received to the consultation on the revised plans. The concerns can be summarised as follows:
- a. The description of the scheme as a two-storey extension is inaccurate, the scheme is 3 storeys and should be rejected on that basis alone.
 - b. Over development of the site.
 - c. Impact on daylight to 40 Florence Road.
 - d. The scheme would create an oppressive and overbearing wall just 1m from 40 Florence Road.
 - e. There is no precedent for such a scale of works, and if such works were approved it may set a dangerous precedent for future schemes.
 - f. The scheme would harm the residential amenities of the neighbour at 40 Florence Road whose kitchen, bedroom and conservatory, as well as their patio area lie to the rear of the property and would suffer from overbearing and overshadowing impacts.
 - g. Building on/close to the boundary causes maintenance issues.
 - h. Significant loss of daylight to kitchen, dining room/home office and conservatory at 36 Florence Road.
 - i. Kitchen window outlooks obstructed by proposed brickwork.
 - j. Confirmation that previous concerns also remain.

PLANNING POLICY

16. 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). Other material considerations include the National Planning Policy Framework (NPPF) (2019), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

17. The relevant national policy considerations for this proposal are those contained within the 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.
18. The NPPF includes a presumption in favour of sustainable development. Local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable

development. Decision-makers at every level should seek to approve applications for sustainable development where possible.

19. Achieving sustainable development means that the planning system has three overarching objectives, an economic objective, a social objective and an environmental objective, which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives.
20. As such, the following sections in the NPPF with regard to achieving sustainable development are considered most relevant to this planning application:
 - Chapter 2 - Achieving Sustainable Development
 - Chapter 12 - Achieving Well Designed Places

Relevant Local Planning Policies and Guidance

21. The LPP1 sets out the overarching spatial vision for the development of the Borough to 2028. The following policies in the LPP1 are relevant:
 - Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 10 - Design and Enhancing Local Identity
22. Under LPP2, the following relevant policies are pertinent to highlight in relation to the proposal:
 - Policy 1 - Development Requirements
 - Policy 17 - Managing Flood Risk
23. The Rushcliffe Residential Design Guide states that extensions to existing dwellings need to adhere to many design principles, notably those addressing scale, proportion, building and roof lines and privacy. Extensions should be designed so they are not readily perceived as being merely 'add-ons' to the original building. As a general rule, the style and design of the original dwelling should remain the dominant element with the extension subordinate to it.

APPRAISAL

24. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
25. The main material planning considerations in the determination of this planning application are:
 - Design considerations
 - Amenity considerations
 - Flood Risk

Design

26. The concerns of local residents that the scheme represents poor design and overdevelopment of the site are noted. The property has been previously extended with a two-storey side extension, and a conservatory which is to be demolished as part of this proposal.
27. The proposed porch feature would be a modest structure to the property frontage with a gabled form and heights respecting the existing window arrangements to the property. This structure would be considered subservient to the character and appearance of the host dwelling, proportionate in size and detailing to the site and sympathetic to the character of the property.
28. The rear extensions would not be visible from the public realm, with the single and two storey rear extension schemes designed in a traditional vernacular with a mixture of hipped and monopitched roofs with eaves heights to match the main dwelling. The single storey extensions would remain clearly subservient to the main house whilst the limited extent of the two storey elements, with a maximum depth of 2.4m across the rear of the original house would be sympathetic to the overall design and not any unduly dominant features. As such the two storey and single storey rear extensions would be considered to represent sympathetic additions to the host property that would protect the character and amenity of the area.
29. The basic footprint of the extent of works would measure some 3.9m in depth from the rear of the original property at ground floor level, across the width of the property. It is not considered the proposal would represent a quantum of development which would, in principle, be over intensive for the site, with the dwelling retaining a circa 16m plus deep garden space.
30. The roof alterations include a hipped side dormer that would have a ridge set some 0.25m below the ridge of the main house, and eaves for the hip set to match the ridge of the existing two storey side extension, creating an appearance that would sit more sympathetically against the pyramidal roof form of the original house, as seen from the street scene. It is considered that the revised form and massing of this structure would sit subserviently with the host property and sympathetically within the street, not creating any over dominant form of development within the street.
31. To the rear a hip to gable type dormer window is proposed with a ridge line matching the original house, creating a 5.5m deep ridge to the main house. The dormer scheme would link into the roof of the two storey rear extension, bringing a gabled dormer some 1.2m further back into the site than the existing rear gable dormer on the house, which has a slight set down ridge. This aspect would have very limited visibility from the street due to the positioning of neighbouring properties and other extensions, and overall this structure would not be considered to harm the character and appearance of the host dwelling and wider area, remaining sympathetic to the general characteristics of the area, and not representing any form of significant overdevelopment of the site.
32. The scheme proposes the use of matching rosemary roof tiles, matching brickwork and black timber cladding to the dormer windows. These materials would be considered appropriate to ensure a sympathetic scheme, and an appropriately worded planning condition regarding the use of the specified

materials is considered prudent. It is therefore considered that the proposal would comply with policy 10 (Design and Enhancing Local Identity) of LPP1 and policy 2 (Development Requirements) of LPP2.

Amenity

33. In terms of amenity, the proposed porch extension would not cause any adverse amenity impacts to neighbours by virtue of its scale, massing, design and location.
34. To the rear, the site has two adjacent neighbours, and the concerns of both adjacent neighbours with regard to impacts on their property are noted. The neighbouring property to the east of the site at 40 Florence Road represents a property of matching original design, albeit the property has historically had a two-storey side extension extending closer to the application property. 40 Florence Road sits circa 0.5m further back in its plot than the application property, with circa 2.5m between the side of 40 Florence Road and the side of 38 Florence, the application property. The proposed two storey element would have a depth of 2.4m with a blank side wall, and a gabled roof to the rear. The boundary between the sites is of 2m in height, with the neighbour's gardens laid out with the patio closest the boundary. The closest windows at the neighbouring address are a kitchen window at ground floor, and a bedroom window at first floor.
35. Given the site layouts, the first floor extensions would only extend circa 2m beyond the rear of the neighbouring property (40 Florence Road), and as such given the site separation distances, the two storey element would not be considered to give rise to any potential overbearing impacts to this neighbour. No side windows to the extension are proposed, with the new first floor rear window not giving rise to any direct overlooking concerns. In terms of any overshadowing, the two-storey element would have a hipped roof sloping both away from the boundary and back from the extension's furthest extent, minimising massing as visible to the neighbour. Whilst the extension would be due west of this neighbour, given its more limited depth beyond the rear of the neighbouring property, its design and its separation, it is not considered that the scheme would raise any significant overshadowing concerns.
36. The single storey elements with a monopitched roof would not raise any significant concerns for impact to the neighbour at No. 40 given the heights proposed with eaves at 2.455m, a ridge at 3.675m and a depth of 2.5m beyond the two storey scheme. Whilst visible to the neighbour this element would not be considered of such significant size or scale to give rise to any significant amenity impacts.
37. In terms of other works, the roof alterations would be set back behind the build line of the neighbouring property and as such would have limited visibility or impact on the neighbour at 40 Florence Road. In terms of privacy, the new ground floor windows to the east elevation of the property would face the blank side elevation of 40 Florence Road, with 3 new roof lights also proposed at less than 1.5m from floor level to the second-floor office/bedroom and landing. Subject to the second-floor roof lights being fixed shut and obscure glazed, the fenestration proposed would not be considered to cause any undue overlooking concerns. The second-floor space is would be served by other

windows which would not need to be subject to such restrictions, which would be considered reasonable to ensure adequate amenities for occupants.

38. Notwithstanding the neighbour's concerns, it is not considered that the revised scheme under consideration would result in any significant impacts on amenity from either overlooking, overshadowing or overbearing, to the neighbour to the east at 40 Florence Road.
39. To the west of the site lies 36 Florence Road, a semi-detached property of traditional design with an 'L shaped' rear elevation. The setback rear elevation contains a primary dining room window, whilst the east facing side of the rear wing contains two kitchen windows. To the rear of the kitchen (south), lies a small conservatory space which appears to be a separate room to the kitchen.
40. The proposed extension to the eastern side of the application site would be 3.9m deep along the boundary with an eaves height of 2.455m. When combined with the existing side extension at 38 Florence Road, development would extend circa 7m beyond the setback rear elevation of 36 at single storey level.
41. The ground floor extension would have a hipped roof rising away from the boundary with eaves at 2.455m and a ridge at 3.655m. Whilst the structure would make a marked change from the existing situation, where the boundary is defined by a 1.8m fence and trellis, and would result in some early morning additional shadowing, it is not considered that the form and massing of this single storey extension, with particular reference to the structures height, would cause any significant overbearing or overshadowing impacts so as to warrant a reason for refusal based upon harm to the reasonable residential amenities of neighbouring residents.
42. The two storey works have been reduced in scale and depth since previous schemes, and would remain just outside the 45 degree line of site taken from the dining room window at 36 Florence Road. Whilst again the changes with the extensions and roof additions would result in a significant change to the neighbours outlook, by virtue of the revised design, detailing and reduced scale and massing, it is considered that, on balance, the scheme would not result in any significant overbearing or overshadowing impacts to the main living spaces at 36 Florence Road and the associated private amenity areas.
43. In terms of privacy, the scheme proposes two roof lights within the west roof slope of the dormer window. These windows would face the side return of 36 Florence Road and potentially offer views further south to the neighbours private gardens, however the windows would be more than 1.9m above floor level of the room they would serve, with one serving the bedroom/office and one serving the stairwell. As such these windows would not be considered to present any potential overlooking concerns. The windows to the rear of the property would not be considered to raise any undue concerns with outlook to the sites own gardens, resulting in a relationship which is not uncommon in built up areas.
44. Having regard to the above considerations, it is considered that the proposal would not conflict with policy 1 (Development Requirements) of the LPP1.

Flood Risk

45. In relation to flood risk, it is noted that the property is situated within the flood zone and so it must adhere to the Government's standing advice on householder development within a flood risk area. The advice states that all new development must be situated on the same level as the existing dwelling or 300mm above existing flood levels. It is considered that the proposal adheres to these requirements with the floor level in the extensions matching the floor level in the existing property. This therefore achieves the requirements of Policy 17 of the LPP2.

Other

46. Some matters of property maintenance have been raised, however this represents a private legal matter between the two parties and is not material to the consideration of the application. Appropriate informative notes regarding works on or over other people's land, The Party Wall Act, and land ownership issues are considered prudent. There is no policy requirement for works to be inset from any boundary for maintenance reasons. The discussion of 'precedent' for such scale of works is also noted in neighbour comments, however each application must be considered on its own planning merits, notwithstanding what may or may not have been approved elsewhere.

Conclusions

47. After examining the above proposal and assessing it against the policies set out in the development plan for Rushcliffe, the scheme is considered acceptable and it is recommended that planning permission is granted.
48. This application was not the subject of pre-application advice but does represent a revised submission to a previously withdrawn scheme. Following the submission of the application, the applicant was engaged further to discuss improvements that could be made to the scheme to overcome outstanding concerns raised by members of the public, the ward councillor and officers alike. Following positive and proactive discussions, revised plans were received which were considered to address the officer concerns, resulting in a recommendation to grant planning permission.

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, Elevations, Site Block Plan & OS Plan – '907.002 Rev.G' - Received 14/04/2021;

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The materials specified in the application shall be used for the external walls and roof of the development hereby approved as identified on the approved plans, and no additional or alternative materials shall be used, unless they have first been submitted to and approved by the Borough Council.

[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 3 roof lights hereby approved in the western side of the main roof, serving the second floor office/bedroom and landing as shown on the submitted plans shall be permanently obscure glazed to group level 5 security and fixed shut. The windows shall be retained to this specification for the lifetime of the development.

[To prevent overlooking and loss of privacy to neighbouring property 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

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.

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.

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.