

PLANNING COMMITTEE - 15 JANUARY 2019

Application No:	18/02013/FUL	
Proposal:	Householder application for proposed front, rear and side extension with internal alterations, new alternative vehicular access with new drop kerb (re-submission of 18/00374/FUL)	
Location:	8 Paddock Close, Edwinstowe	
Applicant:	Mr & Mrs P Cheesmond	
Registered:	29 October 2018	Target Date: 24 December 2019
	Extension of time requested 18th January 2019	

The Site

The property is located on Paddock Close at Edwinstowe. Paddock Close is located to the northern edge of Edwinstowe with the Sherwood Forest National Nature Reserve to the north providing a woodland character to the wider area.

The street is made up of a variety of house types set within varying plot sizes. A mixed palate of materials have been used in the construction including render, red, multi and buff bricks, stone and wooden cladding. Clay and concrete roof tiles are also in evidence.

The property is located at number 8 Paddock Close and occupies a site to the north of the road. The garden plot to the rear runs toward the nature reserve and has a wooded rear boundary with fences running along the length of the side boundaries. The property is erected in a multi brick under a concrete tiled roof. The property has flat roof projections in the form of the front porch and side garage along with annex accommodation.

Relevant Planning History

18/00374/FUL – Householder application for proposed front, rear and side extension with internal alterations. New alternative vehicular access with new drop kerb – refused 24.04.18

Grounds for refusal:-

1. The proposal by virtue of its scale, massing and design in providing two large forward projecting gables results in a dwelling which fails to respect the character and form of the locality. Given the size, scale and massing of the proposal and the prominence of the gable projections the proposal is considered to result in an incongruous addition to the street scene and therefore detract from the character of the locality. As such, the appearance of the proposal is considered to detract from the locality contrary to policies DM5 and DM6 of the Development Plan and the guidance provided in the NPPF.

2. The proposal in extending approximately 8.8m from the rear elevation of the neighbouring property at number 6 Paddock Close would result in a significant experience of oppression. Given the difference in land levels between the properties and the height of the roof structure extending from 2.5m to 8m at its ridge it is considered that the result would be a stark and imposing structure resulting in a significant effect of oppression upon the occupiers of number 6 Paddock Close in respect of their most used of the rear garden amenity space and conservatory. The proposal is therefore considered to be contrary to the tests of policies DM5 and DM6 of the Development Plan and the guidance in the NPPF.

An appeal was dismissed insofar as it relates to the proposed front, rear and side extension with internal alterations but was allowed insofar as it relates to new alternative vehicular access with new drop kerb on 17.09.18. The Inspector dismissed the first reason for refusal but considered the proposal was harmful to the amenities of No 6 and therefore upheld the second reason for refusal.

The Proposal

It is proposed to increase the footprint of the existing dwelling and extend over the flat roofed garage and annexe. It is proposed to construct two feature gables to the front elevation with large areas of glazing. The rear of the dwelling would be extended with a roof slope down to single storey with the rear elevation featuring two gables and a dormer window. A single storey flat roofed rear/side extension is also proposed.

The resultant property would have 4 bedrooms to the first floor and a further bedroom on the ground floor. The first floor master bedroom would have his/hers dressing rooms along with an ensuite and enclosed balcony. The ground floor would be re-configured to form an open plan kitchen/dining/snug with extended lounge. The existing annex would be replaced/extended with a games/sunroom. The resultant dwelling would measure approximately 18.1m deep at its longest and approximately 22.8m in width. The roof would have varying eaves heights from 2.5m along the eastern flat roof to 5m elsewhere. The ridge of the roof would remain as existing at 8m height with the eastern flat roof with a height of 2.9m.

The Plans under consideration are;

Planning Statement, Received 26th October 2018

Location and Block Plan - as existing (VED538 01) – received 26th October 2018

Layouts & Roof Plan – as existing (VED538 02A) – received 26th October 2018

Elevations – as existing (VED538 03A) – received 26th October 2018

Ground Floor Plan – as proposed (VED538 10B) – received 26th October 2018

First Floor Plan – as proposed (VED538 12B) – received 26th October 2018

Block Plan & Roof Plan – as proposed (VED538 13C) – received 26th October 2018

Elevations – as proposed (VED538 20D) – received 26th October 2018

Publicity

Occupiers of 6 properties have been individually notified by letter.

Earliest Decision Date 04/12/2018

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

Spatial Policy 1: Settlement Hierarchy
Spatial Policy 7: Sustainable Transport
Core Policy 9: Sustainable Design
Core Policy 10: Climate Change
Core Policy 12 Biodiversity and Green Infrastructure
Core Policy 13: Landscape Character

Allocations & Development Management DPD (adopted July 2013)

Policy DM5 – Design
Policy DM6 – Householder Development
Policy DM7 – Biodiversity and Green Infrastructure
Policy DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2018
- Supplementary Planning Document 'Householder Development' Adopted 2014

Consultations

Edwinstowe Parish Council – Proposals out of proportion and not in keeping with existing buildings nearby. Will over dominate the street scene.

Three letters of representations have been received from local residents or other interested parties objecting on the following grounds;

- Overbearing impact on the streetscene
- Affect the character of the area
- Materials not in keeping
- Front gable and glazing dominate the frontage
- Out of character with local area
- Surfacing the front garden for parking is out of keeping
- Not compatible with the "semi-sylvan" appearance or retention of existing deliberate spacing contributing to the character of Paddock Close
- Does not respect host dwelling/architectural inconsistent. Disproportionate in design, mass and layout
- The previous refusal was correct and revised proposal does not resolve the points of objection. The submission has not addressed the issues highlighted by the Inspector.
- Proposed extension is extensive and intrusive
- Full two storey height close to and along the front and eastern elevation of No. 6 Paddock Close
- The extension will loom over the neighbouring property, conservatory, patio and garden.
- Oppressive and overbearing

- The extension will appear much higher than a standard extension due to the height differences of the properties.
- It will extend 8.8m into the rear garden resulting in the complete loss of visual amenity of space and woodland trees along the side boundary.
- Detrimental impact on the visual amenity of neighbouring property
- Loss of privacy

Appraisal

Principle

The proposal relates to a householder development which is accepted in principle by Policy DM6 of the DPD subject to an assessment against a number of site specific criteria including the impact of the proposal on visual and residential amenity. Policy DM5 also relates to visual and residential amenity and highway safety.

Impact on Character of Area

National guidance contained within the revised NPPF states that Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy DM6 of the DPD states that planning permission will be granted for householder development provided that the proposal reflects the character of the area and the existing dwelling in terms of design and materials. Policy DM5 is also relevant and has similar criteria to DM6.

The proposal seeks permission for the extension of the dwelling through front, rear and side additions and the reordering of the internal layout. The proposal would result in an extension and complete redesign of the frontage of the property with two forward projecting gables and the infilling above the existing garage to two storey height.

The previous application 18/00374/FUL was refused planning permission on the grounds that the development would be an incongruous addition to the street scene and therefore detract from the character of the locality. The Inspector did not concur with this reason for refusal stating *'The resultant dwelling would depart significantly from the design of the surrounding dwellings, but that in itself does not render it harmful. Rather, as the existing building is somewhat featureless in appearance, the proposals would to my mind introduce welcome variety and interest into the street scene. The two forward facing gables would add articulation and interest to the front elevation, as would the varied materials palette and the latter could be controlled by condition.'*

It is acknowledged that the proposed extensions and alterations would not necessarily respect the design of the existing host dwelling but would result in a modernised dwelling of contemporary appearance. Paddock Close is characterised by a variety of different house types which appear to have been developed on an individual plot basis through the late 1970's and 1980's. Each plot generally reflects the architectural style of the period in which it was developed. The proposal is for a contemporary dwelling that would reflect current architectural styles and add to the distinctiveness of the streetscene and surrounding area. The host dwelling is a very simply designed detached dwelling, typical of the late 1970's, with prominent expanses of flat roofs. The dwelling is considered to have very little architectural merit whereas the dwelling as proposed would provide visual interest within the street and would be innovative and individual whilst having regard to architectural features such as large projecting gables that characterise the street

scene. The materials will comprise a mixture of brick, render and architectural stone to respect the surrounding area.

It is acknowledged that the extended dwelling would be of a substantial scale but it is considered that the property would not appear excessively large or disproportionate in terms of the overall size of the plot. The Inspector concluded that *'Whilst the dwelling would occupy much of the plot width, the retained space to the sides, coupled with that to the side of both adjoining properties would ensure that it would not appear cramped relative to its neighbours.'* Given the comments of the planning Inspectorate in the recent appeal decision it is not considered that the proposal can be refused planning permission in terms of the impact on the character and form of the locality.

Accordingly the proposal is in accordance with the aims of Policies DM5 and DM6 of the DPD and the Supplementary Planning guidance.

Residential Amenity

Policy DM6 of the ADMDPD states planning permission will be granted for householder development provided it would not adversely affect the amenities of the adjoining premises, in terms of loss of privacy, overshadowing or over-bearing impacts. Policy DM5 is also relevant. In this respect the key consideration for this proposal is whether the increase massing would result in any significant impacts and whether any effects would be of such impact to warrant resistance of the scheme.

The proposal would result in extensions to the front, side and rear. It is considered that the front extensions would not result in any appreciable impacts of increased overlooking, overshadowing or oppression to warrant refusal in this respect, however, the side extension and rear extensions have potential to result in impacts upon the adjacent properties at 10 and 6 Paddock Close.

No 10 Paddock Close lies to the west of the site. No windows are proposed in the west elevation and it is considered that the orientation and separation distance serve to ensure that there would not be any significant impacts of overlooking or oppression. Any increase in shadowing would be limited and only to the morning hours. As such it is not considered that there is any significant detrimental impacts to warrant refusal in this regard.

No 6 Paddock Close lies to the east of the site. A first floor extension is proposed to the eastern side of the host dwelling above the existing flat roof garage which would appear to the west of no. 6 Paddock Close. The relationship with number 6 has increased potential for impacts given the difference in land levels. The previous proposal was refused planning permission and upheld at appeal. The Inspector stated *'Its considerable massing would appear overbearing to the occupants of No 6 when using their conservatory and rear garden as it would loom large relative thereto. Whilst a significant part of the garden would remain unaffected by the proposals, that part closest to the house (which tends in my experience to be most intensively used for sitting out etc), would be rendered significantly less pleasant to use. The effect would be exacerbated as that property stands at a lower level relative to the appeal site.'*

The scale and massing of the rear projecting gable has been substantially reduced from the previously refused proposal to reduce the impact upon the occupiers of No. 6 Paddock Close. The proposed two storey extension on the eastern boundary would project 5.2 metres to the rear of No. 6. A single storey extension is now proposed to the side and rear to create additional ground floor accommodation whilst substantially reducing the massing so as not to have a detrimental

impact upon the amenity enjoyed by occupiers of No. 6. The two storey element of the proposal is now above the existing ground floor footprint and does not extend further to the rear. The single storey extension would be set in approximately 1.5m from the common side boundary with the neighbouring dwelling approximately 7m from the side boundary of the No. 6. The single storey element would project 10.2 metres to the rear of the adjoining property. The change in levels from the neighbouring property is noted but given the limited projection of the two storey extension and reduced height of the flat roof single storey extension the relationship is considered to be acceptable. Given the degree of separation the two storey extension complies with the 45 degree test set out within the Householder Development Supplementary Planning Document and it is therefore not considered to have an unacceptable impact upon the occupiers of this dwelling.

The window openings to east elevation serve a games room and WC on the ground floor and a small ensuite window at first floor which is proposed to be obscure glazed and can be conditioned as such. It is considered that these openings would not result in any significant increase in overlooking given the existing fencing along the boundary. Any further openings at first floor would be controlled by permitted development rights. The proposal has a sunroom window and bifold doors looking to the north along the garden at ground floor and a bedroom with Juliet balcony to the first floor of this rear projection. These openings are considered to not result in a significant impact of overlooking against the neighbouring properties due to the set back from the shared boundary and oblique line of sight. A recessed balcony is also proposed to the master bedroom. The balcony would have a solid section to both side elevations to full height. This feature serves to ensure that the outlook from the balcony would be down the garden area and therefore not result in unacceptable impacts upon the neighbouring properties through direct overlooking.

Overall, it is considered that the proposal as submitted would overcome the previous reason for refusal and concerns of the Inspector. The proposal would not result in any significant adverse impact upon the living conditions of neighbouring occupiers and is therefore in accordance with the amenity considerations contained within Policy DM6 of the ADMDPD.

Highway Safety

The existing dwelling has a large area for off street parking and an integral double garage which would not be affected by the proposal. The new dropped Kerb and driveway shown in the plans have already been carried out. The Planning Inspectorate had no issue with the parking and access arrangements and previously approved this element of the scheme. It is therefore considered that adequate off-street parking provision would remain at the site and as such the development would not impact upon highway safety.

Drainage

In this instance the scale of the development and the surrounding soft landscaped garden serve to ensure that there would be no significant impacts upon surface water drainage resulting from the proposal.

Conclusion

The principle of development is considered to be acceptable and the proposed design would not unduly impact on the character and local distinctiveness of the area in terms of design and materials. The development would not be detrimental to the amenity of neighbouring properties by reason of overlooking, overshadowing or overbearing impact, and is considered to overcome

the previous reason for refusal at appeal. As such it accords with the relevant local policies and core principles of the NPPF.

RECOMMENDATION

That full planning permission is approved subject to the following conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans:

Location and Block Plan - as existing (VED538 01) – received 26th October 2018

Layouts & Roof Plan – as existing (VED538 02A) – received 26th October 2018

Elevations – as existing (VED538 03A) – received 26th October 2018

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Block Plan & Roof Plan – as proposed (VED538 13C) – received 26th October 2018

Elevations – as proposed (VED538 20D) – received 26th October 2018

unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.

03

The development hereby permitted shall be constructed in the materials as specified;

Brickwork – Funton Old Chelsea Yellow

Tiles – Marley Skate Edgemere Smooth Grey

unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

04

The ensuite window opening on the east elevation shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties

Notes to Applicant

01

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less 100 square metres.

02

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

BACKGROUND PAPERS

Application case file.

For further information, please contact Jennifer Wallis on ext 5419.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Matt Lamb

Business Manager Growth and Regeneration

