

PLANNING COMMITTEE – 4 JUNE 2019

Application No:	19/00473/FUL		
Proposal:	Proposed two storey rear extension, detached annex accommodation in rear garden and associated works.		
Location:	11 Maypole Road, Wellow NG22 0EF		
Applicant:	Mr & Mrs Rawlinson		
Registered:	13/03/2019	Target Date:	08/05/2019
	(Extension of time agreed until 15/05/2019)		

This application is before Members for consideration because part of the proposal is for an annexe. Under the scheme of delegation an annex requires committee consideration where the Parish Council's view do not align with the officer recommendation, which is the case here.

The Site

The application site is located within the parish of Wellow. Maypole Road is a cul-de-sac at the southern end of the village, comprising largely current/former Council properties. This part of the village is outside of the Conservation Area.

I am advised that a number of the properties in this area, including No.11, were rebuilt in the 1980s as a result of land subsidence in the area. The house is a right hand side, 3-bed semi detached dwelling that sits within a row of largely identical properties, each with front and rear gardens. While many of the other properties on Maypole Road appear to have been significantly modernised and have driveways to the side of the houses, No.11 has not. Its current layout comprises two downstairs rooms and three bedrooms and a bathroom on the first floor.

Relevant Planning History

EXP/00027/19: Site static caravan for additional sleeping arrangements – permission required.

The Proposal

The proposal is for the erection of an annexe in the rear garden that will serve as ancillary accommodation to the house. The applicant has indicated that the current resident (a relative) is extremely unwell and is unable to readily negotiate the stairs in the house in order to use the bathroom and to get to their bedroom. A supporting statement regarding the need for two-bedrooms within the annexe was submitted during the consideration period. This indicates that the applicant and his family (two adults and three children) intend to move in to the house, while the current occupant will live out of the annexe. Due to his condition two separate bedrooms are

required within the annexe for he and his partner.

The annexe therefore comprises a brick built and timber clad rectangular structure with a membrane covered flat roof. Inside two small bedrooms are proposed, with a kitchenette and bathroom. The annexe is proposed to be situated 10.8m away from the rear elevation of the host dwelling and 1.0m away from the curtilage boundary.

The dimensions of the annexe are approximately:

5.1m wide

7.1m long

3.0m high

To help care for their relative who will be accommodated in the annexe, the applicants intend to move in to the house, but requires additional accommodation. In order for the property to accommodate more people the proposal also includes a two storey, brick built rear extension. As the revised plans show, this is for increased living accommodation on the ground floor and two new bedrooms at first floor level. The revised elevations show the extension replicates the eaves and ridge height of the host dwelling with 2x rear (west) facing first floor windows and bi-fold doors covering the width of the ground floor level. Following discussions with the agent about the potential impacts of the extension it is set 1m in from the boundary with the neighbouring property to the south and the roof has been hipped. Velux-style rooflights are proposed on the north and south facing roofslopes. Materials are proposed to match those of the existing house.

The dimensions of the proposed extension as amended measure approximately:

- 7.0m wide
- 3.7m deep
- 4.7m high to the eaves / 7.2m high to the ridge

The following documents have been submitted with the application:

- REVISED SLP WITH EXISTING ELEVATIONS (01 A)
- REVISED SLP WITH PROPOSED ELEVATIONS (02 C)
- PROPOSED PLANS AND ELEVATIONS (03)

Departure/Public Advertisement Procedure

Occupiers of the five nearest neighbouring properties have been notified by letter.

PLANNING POLICY FRAMEWORK

The Development Plan

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

- Spatial Policy 1: Settlement hierarchy
- Spatial Policy 2: Spatial distribution of growth
- Spatial Policy 3: Rural Areas
- Core Policy 9: Sustainable design

Allocations & Development Management DPD (adopted July 2013)

- Policy DM5: Design
- Policy DM6: Householder Development
- Policy DM6: Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework
- Planning Practice Guidance
- Householder Development SPD (2014)

CONSULTATIONS

Wellow Parish Council:

The Council agreed to Support the extension to the house.

The Council Objects to the residential annex as it is not in keeping with the street, may set a precedence, the parking is considered inadequate and it is Tandem Development.

Representations:

Comments have been received from four neighbours, all of whom object to the above proposal. The reasons for the objections are summarised below:

- The proximity of the annex to the boundary;
- The garden is not considered large enough to adequately accommodate another dwelling – particularly if it were occupied by two separate families;
- Inaccurate plans – failing to show neighbour's window positions;
- Concerns about visual amenity of neighbours – being perceived to be 'hemmed in';
- The annexe in conjunction with the extension would appear to loom above the boundary line;
- Concerns that at some point in the future an application may also be sought to add a further storey or other extensions to the annex/dwelling;
- Concerns about residential amenity and loss of privacy with windows on all sides of the annexe This new build would affect the enjoyment and privacy of my own garden with it being;
- The two story rear extension will overlook the whole of our garden and be overbearing on our whole garden. The annex and extension together will make us feel boxed in;
- Perceived impacts on sunlight and daylight;
- The look of the extension will stand out from the rest of the houses;
- The character of the houses will change. It will have the "terracing affect" in a nice idyllic village;
- Concerns about the development affecting the routing of existing sewerage pipes;
- Noise during construction;
- The development will exacerbate existing on street parking problems.

Comments of the Business Manager

Principle of Development

Annexe

The application seeks to erect an annexe in the rear garden of No.11 Maypole Road for family members to occupy. The Council's SPD for householder development states that where annexes include all of the primary aspects of accommodation (bedroom/ living room, kitchen and bathroom) and the unit could be lived in separately with limited or no relationship to the host dwelling either through a family member or the level of accommodation then it will be considered as a new dwelling and so not householder development. In such circumstances, full planning permission for a new dwelling would be required with relevant policies of the development plan being applied in its consideration.

The settlement hierarchy for the district is set out in Spatial Policy 1, whilst Spatial Policy 2 deals with the distribution of growth for the district. This identifies that the focus of growth will be in the Sub Regional Centre, followed by the Service Centres and Principal Villages. At the bottom of the hierarchy are 'other villages' which do not have defined built up areas in terms of village boundaries. Consequently, given its location in a rural area, the site is subject to the criteria of LDF Spatial Policy 3 (Rural Areas). This provides that within settlements which do not meet the locational criterion of this policy but are well related to villages that do, consideration will be given to the infilling of small gaps with 1 or 2 dwellings so long as this does not result in the joining of outlying areas into the village in question, or the coalescence with another village. Such development will need to comply with the scale, need, impact and character criteria of this policy.

Notwithstanding the SPD guidance, the application as made is for residential annexe accommodation and proposed for family members who require support in their day to day lives. The supporting information indicates that the intention is for members of the extended family to live as a single family unit with the annexe providing sleeping accommodation and additional space for some degree of independent living.

Based on the details provided, while the building proposed has a full suite of facilities that make it feasible to operate as an independent dwellinghouse, the evident need of the occupants it is considered such that the proposal is genuinely for 'annexe' accommodation and therefore should be regarded as such in policy terms. Furthermore, given the location of the annexe and its positioning within the garden of the host dwelling, with shared access and amenity space, it is not considered that a separate residential dwelling house would be readily assimilated whilst retaining suitable amenity space/access. I therefore conclude that both a physical and functional link to No.11 Maypole Drive is demonstrable and any approval granted should be suitably conditioned to ensure that the annexe remains as such.

Extension

Under Policy DM6 the principle of householder development is supported, subject to applicants demonstrating compliance with the relevant policy criteria and the advice contained in the Council's Householder Development SPD. Policy DM5, underpinned by Core Policy 9, also sets out

a range of matters for consideration when determining planning applications in relation to design. The NPPF reinforces the above policies, making clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. However, conversely, the NPPF states that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

Character and Visual Amenity

With regard to both parts of the proposed development, LDF Policies SP3 and CS9, supported by DM5 and DM6 all require proposals to respect the character of the surrounding area and local distinctiveness. The Council's Householder Development SPD gives context to the way in which these requirements should be met, stating that additions to dwellings should respect and be balanced with the the scale and proportions of the host dwelling, and relate well to the characteristics of the application site in terms of its size and shape. Specific guidance in the SPD (Section 8) indicates that rear additions to dwellings should be designed in a way which is sensitive to the host dwelling and the prevailing character of the surrounding area.

Annexe

Upon visiting the site, whilst Wellow evidently has a strong defined and distinctive character within much of the village, this particular area at the rear of properties on Eakring Road and Maypole Road/Maypole Close clearly exhibits a suburban residential character. Consequently, I consider that it lacks any measure of sensitivity that would render the proposed use as inappropriate and out of character. Views of the rear of the site are almost entirely contained by the surrounding houses, with only a small gap between No.11 and No.13 would allow views of the gable end of the of the annexe from the roadside.

Looking across rear gardens along the western side of Maypole Road there is a spread of domestic outbuildings such as sheds and detached garages. Notably, to the south (at the rear of No.9) the outbuilding is of a similar size and occupies a similar position to that proposed at No.11. Subsequently, it is considered that the proposed brick construction and timber cladding will appear consistent with the visual character of many garden sheds – notably to that of the existing shed in the garden of No.11 itself. I therefore believe that in character terms, despite concerns raised in representations about its potential impact on the character of the area, the proposed residential annexe is not harmful.

Extension

The Council's Householder Development SPD states that the overall objective for additions to residential dwellings should be based around its successful integration with the host dwelling and its surrounding area. The design should ensure it respects and is balanced with the the scale and proportions of the host dwelling and relate well to the characteristics of the application site in terms of its size and shape.

As stated in my comments relating to the annexe (above), it is considered that the rear elevation of No.11 Maypole Road is all but obscured from the roadside. As such, the visual impact of the proposed extension would be limited to views from the rear of other surrounding properties. While it is noted that there are no other two-storey rear extensions along the row of properties on the western side of the road, this is not to say that the proposal would be harmful to the character of the area. After discussing the form of the extension at length with the architect – specifically in relation to the potential amenity impacts (see below), a number alterations have been made that have, to my mind, also improved the visual relationship with the host dwelling.

The proposal incorporates use of materials matching the existing dwelling and although the proposed extension roof is not subservient to the host dwelling (set out as a preference of the SPD) the hipped end is sensitive to the angle of the existing pitched roof and reduces its overall prominence. While I acknowledge that a hipped roof form is different to the gable form of the host dwelling, as is discussed below, this is intended to help reduce the perceived overall mass of the extension.

Overall, in terms of visual amenity, I do not believe that this is a particularly sensitive area and the proposal is relatively well designed and successfully integrates with the host dwelling.

Residential Amenity

Policy DM6, underlined by the guidance in the Housholder SPD, highlight consideration of the impact of householder development proposals on the amenities of neighbouring users as being crucial to the development of an acceptable scheme and should be an important design principle. This should take account of the relationship between the application site and neighbouring buildings / land; how the neighbouring buildings positioned in relation to the application site; and how the site sits with any neighbouring private amenity space. Furthermore, whilst the ‘right to light’ is not a planning issue it is crucial that householder development does not lead to significant overshadowing of neighbouring properties and/or their private amenity space. As with the above considerations it is most likely that significant impacts will occur when two storey development is proposed in close proximity to or along boundaries (SPD para. 7.15).

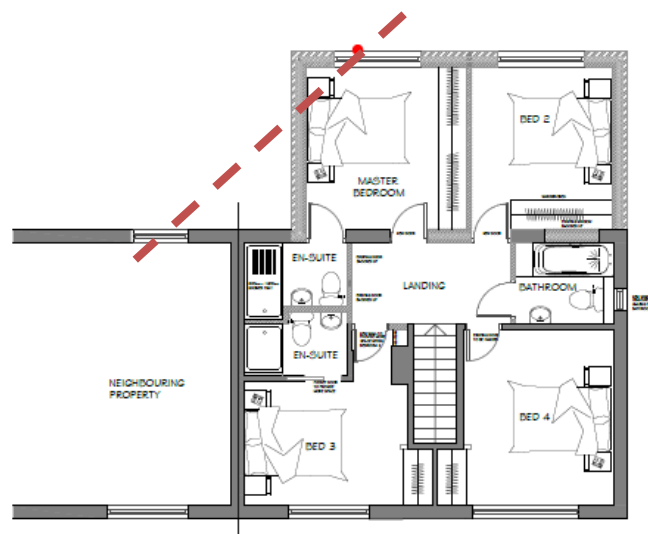
Annexe

The proposed annexe accommodation is an aspect of the proposal that has generated some concern amongst local residents (summarised above). However, in assessing the proposed position of the annex and the position of its windows relative to other properties, I do not foresee any significant residential amenity impacts being generated. In terms of the size of the structure, relative to the boundary fence between No.11 and No.13, which sits at approximately 1.5m in height, it is unlikely that it would cause either an overbearing impact nor cause overshadowing. Similarly, the height of the fence is also considered likely to mostly obscure any potential view from the small rear windows, shown on the internal floorplan of the annexe as serving the two bedrooms. As these are on a level with the rearmost portion of the neighbouring property’s garden and not in line with any habitable rooms they are unlikely to cause a significant loss of privacy. Were either the applicant or the neighbour satisfied with this arrangement it would be feasible to increase the height of the boundary treatment as necessary. The relationship between the two gardens is illustrated in the images below.



Extension

Initially it was the rear extension to the host dwelling that generated the greatest concern from officers, in terms of the potential impacts upon neighbour amenity. Although the extension is to the north of the adjoining dwelling, therefore largely avoiding risk of loss of direct sunlight or overshadowing, it was nevertheless perceived as likely to create a significant mass that risks being overbearing on No.9. Having discussed my concerns with the architect, the drawings have been amended to set the extension in by 1.0m from the boundary and reduce the depth by 0.3m which, in addition to hipping the end section of the roof, significantly reduces the degree to which it appeared overbearing – particularly from the neighbour’s first floor bedroom window. While I recognise the valid concerns raised in the neighbour comments about the scale of the extension I am also mindful of what is achievable through the applicant’s fallback position under permitted development rights. As such, I believe that the steps taken to adjust the dimensions of the extension represent a reasonable compromise.



FIRST FLOOR PLAN
1 : 100

While the above image (taken from the revised plans) shows that the proposed extension slightly exceeds the depth/width that would be supported when applying the 45 degree rule, this is weighed against the fact that the orientation of the two properties means that there will be no direct loss of sunlight or overshadowing. Similarly, with a separation distance of approximately 4.5m between the side elevations of No.11 and No.13, I do not envisage that the proposed extension will have unacceptably adverse impact on the neighbour to the north.

It is noted that comments have been made about the potential for the first floor windows of the extension to increase the extent to which surrounding gardens are overlooked, however, in the absence of any other protruding rear extensions I believe that the proposal will not exacerbate the situation beyond what is current. An increase of 3.7m in depth is considered unlikely to make a great difference to potential for overlooking properties to either side, while the rear garden of No.11 still extends almost 20m beyond the proposed rear elevation. This would seem to be a satisfactory separation distance from gardens adjoining the rear boundary.

I turn now to consider the combined effect of the proposed extension and the annexe on the outside amenity space that would remain. The Householder Development SPD advises that the host dwelling should retain a reasonable amount of amenity space relative to its size. A rough calculation of the existing residential curtilage to the rear is approximately 210 square metres, while the combined floorspace of the annexe and the extension would reduce this by approximately 62 square metres. Although the number of residents in the property would increase from two to seven, with a broad age profile, I do not consider that the remaining space would be anywhere near inadequate. This would only be considered so were the annexe proposed as a separate dwelling and not to be used in association with the host dwelling. In this location it would appear that there is insufficient space to provide separate means of access whilst retaining adequate amenity space for two separate dwellings.

Finally, the cumulative impact to on-street parking (as raised by the Parish Council) is not likely to go beyond that which could ordinarily be expected with a family of five, with children of driving age still being at home. As such, I am satisfied that in this regard the proposal complies with the requirements of Policies DM5 and DM6.

Conclusion

In conclusion, I am satisfied that the proposed development meets the requirements of the relevant development plan policies, in terms of both the proposed annexe being associated with the host dwelling and the visual and residential amenity impacts arising from the proposed additions.

RECOMMENDATION

That planning permission is approved subject to the conditions and reasons show below.

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 accordance with the following approved plans reference

REVISED SLP WITH EXISTING ELEVATIONS (01 A)
REVISED SLP WITH PROPOSED ELEVATIONS (02 C)
PROPOSED PLANS AND ELEVATIONS (03)

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

Reason: In the interests of residential and visual amenity.

03

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be as stated in the application unless otherwise agreed in writing by the local planning authority through an application seeking a non material amendment.

Reason: In the interests of visual amenity

04

The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling, known as 11 Maypole Road, Wellow.

Reason: To prevent the creation of a separate dwelling in a location where new residential development would not normally be permitted.

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 than 100 square metres.

02

The application as submitted is acceptable. In granting permission the District Planning Authority is implicitly working positively and proactively with the applicant.

BACKGROUND PAPERS

Application case file.

For further information, please contact Tim Dawson on ext 5769.

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

Matt Lamb
Director Growth and Regeneration

Committee Plan - 19/00473/FUL

