

PLANNING COMMITTEE – 2 FEBRUARY 2021

Application No:	20/02071/HOUSE
Proposal:	Replace existing conservatory with an extension.
Location:	51 Syerston Way, Newark, NG24 2SU
Applicant:	The Occupier
Registered:	18 November 2020 Target Date: 13 January 2021
	Extension of time has been sought

This application is being presented to the Planning Committee due to an employee of the Council, who may otherwise have direct involvement in the determination of the application, lives in close proximity to the site. In line with the scheme of delegation and in the interests of transparency the application is to be determined by the committee.

The Site

The application site comprises a two-and-a-half storey detached dwelling located within the defined Newark Urban Area.

The site has an existing detached single garage to the rear/side of the dwelling and the rear garden is enclosed by a 1.8m high (approximate) timber fence.

Land to the south of the site is on slightly lower ground than the application site. The site is mainly surrounded by two storey dwellings.

The site lies within flood zone 1 as defined by the Environment Agency data maps and within an area at risk from surface water flooding.

Relevant Planning History

None.

The Proposal

The proposal comprises the demolition of a rear conservatory and the erection of a single storey rear extension. The extension is proposed from block and off-white render with a parapet roof and glazed lantern light. Development has already commenced on the site with the demolition of the conservatory and the rebuilding with the new structure. Development has ceased with the rendering the only element to complete.

The approximate dimensions of the proposed rear extension are:

4.2m (depth) x 7.3m (width) x 3.1m (ridge) x 2.9m (eaves)

List of plans/documents considered

Site location plan;
Proposed elevations;
Proposed block plan;
Existing elevations.

Departure/Public Advertisement Procedure

6 neighbouring occupiers have been consulted on the application.

Planning Policy Framework

Development Plan

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

Core Policy 9 Sustainable Design

NSDC Allocations and Development Management DPD (July 2013) (ADMDDP)

DM5 Design

DM6 – Householder Development

DM12 Presumption in Favour of Sustainable Development

Other Material Considerations

National Planning Policy Framework (NPPF) 2019

Planning Practice Guidance (PPG) 2014

Householder Development SPD 2014

Consultations

Newark Town Council – No objection.

One objection has been received from a neighbour making the following representations:

- *Overbearing and dominating impact;*
- *Plans not to scale;*
- *Parapet roof design is out of keeping;*
- *Plans do not show the roof light or flue;*
- *Plans do not show how the rear elevation of the dwelling is to be finished;*
- *Plans do not show the relationship to the adjacent properties;*
- *Inappropriate fenestration in terms of privacy;*
- *The rendering would increase the prominence and is out of keeping with the host property and those in the immediate vicinity;*

Comments of the Business Manager

Principle of Development

The starting point for development management decision making is S.38(6) of the Planning and Compulsory Purchase Act 2004, which states that determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework promotes the principle of a presumption in favour of sustainable development and recognises that it is a duty under the Planning Acts for planning applications to be determined in accordance with the Development Plan. Where proposals accord with the Development Plan they will be approved without delay unless material considerations indicate otherwise. The NPPF also refers to the presumption in favour of sustainable development being at the heart of the NPPF and is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

The proposal constitutes an extension to a domestic property which are generally accepted in principle subject to an assessment of numerous criteria outlined in Policy DM6 of the DPD. These criteria include the provision that the proposal should respect the character of the surrounding area including its local distinctiveness and have no adverse impact upon the amenities of neighbouring properties from loss of privacy, light and overbearing impacts.

Design and character impact

Policy DM6 of the ADMDPD states planning permission will be granted providing the proposal *“respects the character of the surrounding area including its local distinctiveness and the proposal respects the design, materials and detailing of the host dwelling.”*

Policy DM5 of the ADMDPD states that the character and distinctiveness of the District should be reflected in the scale, form, mass, layout, design, materials and detailing of the development.

A key consideration in this application is the scale and massing of the proposed extension and its visual impact on the character and appearance of the surrounding area.

The proposal due to the subservient scale and its siting it would have limited impact upon the character of the surrounding area. It would not result in a dominating feature to the detriment of the character of the street-scene.

Policy DM6 of the ADMDPD does state that the alteration of a dwelling should respect the dwelling with the chosen design, materials and detailing. This proposal is unmistakably a white rendered flat roofed extension which does not replicate the character and detailing of the main dwelling. Nonetheless, the LPA must balance up the impact of the extension with the public benefit in mind. The dwelling is a modern red brick dwelling and whilst the proposal would be seen within the gardens of surrounding properties, the proposal is not publically visible within the wider public realm.

The proposal does not fully accord with policy DM6 of the ADMDPD due to the design and use of materials. However many such extensions can be erected without the need for planning permission so there are other examples of flat roof single storey extensions to dwellings that aren't necessarily harmful. The applicant has stated that they intend to use an off-white render

which whilst it does not feature as a material to the main dwelling, it is a characteristic within the area on other dwellings so is not alien to the wider area. Whilst the proposed off-white render doesn't match the brick of the dwelling, I liken this to other forms of extensions such as white upvc conservatories which often can still appear visually acceptable despite their obvious differences. All of the issues have to be balanced against the public impact and the likelihood of the Council being successful if it went to appeal. In my view, despite the contrast of design and materials from the host dwelling, due to its limited visibility within the public realm I feel it would be difficult to argue the impact is so harmful that it should be refused.

The proposal is therefore just acceptable and would comply with Policies DM5 and DM6 of the Allocations and Development Management DPD as well as the Council's Householder Development SPD.

Neighbour amenity

Policy DM6 of the DPD states planning permission will be granted for the erection of an extension provided it would not adversely affect the amenities of the adjoining premises, in terms of loss of privacy, light and overbearing impact.

The NPPF states in Paragraph 127 that developments should ensure a high standard of amenity for existing and future users.

National and local policies state it is necessary to consider the impact of amenity upon the occupiers of the neighbouring properties from overbearing, loss of light and privacy.

Concern has been raised from a resident with regard to the scale, use of materials and proximity of the extension to the neighbour and thus the impact of it causing an overbearing impact. The application property is sited on land slightly higher than that at no. 55 which is immediately south of the site. However the scale of the extension being only single storey coupled with the juxtaposition and proximity is such that it is not considered to result in harm from overbearing or loss of light impacts.

The proposal does feature windows within the rear elevation. However as the structure is at ground floor only, and even with the level changes between the neighbouring properties, these are not considered to result in harm to neighbouring amenity through loss of privacy. In addition the previous conservatory structure featured a fully glazed roof and a glazed rear elevation which this proposal has similarities to thus ensuring the proposal would result in no further harm to neighbour amenity than the former structure.

It is concluded that the proposal as a whole is acceptable from a neighbour amenity perspective and would not result in detrimental impacts from overbearing, loss of light or privacy impacts to neighbouring occupiers and complies with Policies DM5 and DM6 of the Allocations and Development Management DPD, the NPPF and the Householder Development SPD which are material planning considerations.

Flooding/surface water run-off

The site is located within flood zone 1 (low risk) and an area at risk from surface water flooding. The site is already hard surfaced due to the siting of the previous extension therefore there would

be no greater uptake of existing porous surfacing. The site contains other areas of porous surfacing which is considered would be sufficient.

Conclusion

All material planning considerations have been taken in to account as set out above and appropriate weight has been given to each issue and it is concluded that the application satisfies matters relating to design and neighbour amenity. Whilst the concerns of the resident have been noted and given due consideration, the scale, design and massing of the extension are considered acceptable and would not result in undue harm to the surrounding area and are considered acceptable.

Therefore, in taking account of all the material considerations of this case, a recommendation of approval to Members is proposed.

RECOMMENDATION

That planning permission is approved subject to the following conditions:

01

The development hereby permitted shall be completed in complete accordance with approved proposed unnumbered plans;

Site location plan;
Proposed elevations;
Proposed block plan;

Reason: So as to define this permission.

02

The colour of the render to be used on the surfaces of the development hereby permitted shall match those stated within the application form and/or on the approved drawings and shall be applied to the extension within 6 months from the date of this permission.

Reason: In the interests of visual amenity to ensure that the extension is completed within a reasonable timescale.

Notes to Applicant

01

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) (England) Order 2015 (as amended).

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.

BACKGROUND PAPERS

Application case file.

For further information, please contact Lynsey Preston on ext 5329.

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

Lisa Hughes
Business Manager – Planning Development

Committee Plan - 20/02071/HOUSE



