

APPLICATION NO PA/2014/0520

APPLICANT Mr & Mrs G Perkins

DEVELOPMENT Planning permission to erect a two-storey rear extension

LOCATION The Poplars, Barton Road, Wrawby

PARISH **WRAWBY**

WARD Brigg and Wolds

CASE OFFICER Nicholas Lawrence

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Wrawby Parish Council

POLICIES

North Lincolnshire Local Plan: Policies DS1 (General Requirements), DS5 (Residential Extensions) and SPG1 (House Extensions)

North Lincolnshire Core Strategy: Policy CS5 (Delivering Quality Design in North Lincolnshire)

National Planning Policy Framework: Core Planning Principles; Achieving Sustainable Development; Design

National Planning Practice Guidance

Better Places to Live by Design: A Companion Guide to PPG3

Urban Design Compendium 2

CONSULTATIONS

Highways: Does not wish to restrict the grant of permission.

PARISH COUNCIL

Objects to the proposed development on the following basis:

The proposed extension is close to the rear boundary and would have an adverse overbearing effect on the bungalows at the rear, particularly 8 Bakersfield. The plan does not show how close The Poplars is in reality to the bungalows in Bakersfield – number 8 is much closer to the boundary than is clear on the plan. Should the extension go ahead, it is felt that it would have a serious effect upon the quality of the outdoor amenities of the bungalows at the side/rear of The Poplars.

PUBLICITY

Neighbouring properties have been notified by letter. One letter has been received objecting to the proposal for the following reasons:

- Its effect on the use of a small bedroom by loss of light
- Its effect on the enjoyment of a conservatory

ASSESSMENT

This application was deferred at the last meeting of the Planning Committee to enable members to view the site before making a decision.

Application site

The Poplars comprises a detached two-storey dwelling set back off Barton Road, Wrawby. The application site is bounded to the north-west by The Cottage, north-east by 8 and 10 Bakersfield, south-east by Fir Trees and south-west by Montana, all of which are detached.

The application site lies within the defined settlement boundary of Wrawby as shown on Inset Plan 47 of the local plan and the area can be described as residential where no one particular house style or form dominates.

Planning permission is sought for the creation of a two-storey rear extension to the rear of The Poplars. In plan form the extension has a depth of 3.27 metres and occupies the full width of the host dwelling (ie 10.3 metres), and provides for a utility room and extended kitchen/dining area on the ground floor with two additional bedrooms and toilet at first-floor level. With regard to design, the proposed extension adopts a double pitched arrangement and the ridge elements of the extension sit below the ridge of the host dwelling by 1.2 metres.

In terms of fenestration, the ground-floor kitchen area has a series of folding doors leading into the garden, with the utility room having a window and doorway both leading into the garden area. The first-floor bedrooms have windows facing the garden. The south and north elevations of the extension are devoid of openings.

The proposed extension is subservient to the host dwelling and is not seen as a mere afterthought. However, the window form and detailing, save that of the folding doors, lacks an element of finesse which can be addressed by way of a planning condition should planning permission be forthcoming.

Developmental history

Planning permission was refused under planning application reference PA/2005/0893 on 13 July 2005 for the erection of balconies to the front of the property and a single-storey extension to the rear with rooflights. The basis of the refusal was effect upon residential amenity. On 18 October 2005 permission was granted for the installation of dormer windows to the front elevation. This permission was not enacted.

Main issues

It is considered that the main issue in this case is whether the proposed development in its detailed form adversely affects any aspect of residential amenity

having regard to the provisions of the development plan and other material considerations.

Planning policy framework and material considerations

Under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 the development plan comprises those policies of the North Lincolnshire Local Plan adopted on 30 May 2003 (the local plan) saved by a Direction Letter issued by the Secretary of State on 17 September 2007 and the North Lincolnshire LDF Core Strategy issued in 2011 (the core strategy). In association with the local plan, the council has adopted a series of Supplementary Planning Guidance (SPG) documents which are to be treated as material considerations insofar as they comply with Government planning guidance.

The National Planning Policy Framework (NPPF) was issued on 27 March 2012 and is a material consideration in planning decisions (paragraph 3). Subsequently, on 6 March 2014 the National Planning Practice Guidance (PPG) went 'live' and in common with the NPPF constitutes a material consideration in all planning decisions. This specific design advice upon which the NPPF draws its core principles on good design, including aspects of privacy and development form, is set out within Better Places to Live by Design: A Companion Guide to PPG3 (DTLR – 1 September 2001) (Better Places to Live), which considers key attributes of residential environments.

Planning policies and materiality

Policy DS1 of the local plan is criteria-based and addresses environmental and other standards which every planning application is expected to meet, and notes that poorly designed development will be refused. Under the heading of Amenity, DS1 requires that:

- 'iii) No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing'

Local plan policy DS5 considers the matter of residential extensions and is permissive in construction, whereby development will be allowed providing that:

'...the proposal does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing or loss of privacy to adjacent dwellings.'

Aside from local plan policies DS1 and DS5 the council has adopted a series of Supplementary Planning Guidance documents. SPG 1 addresses extensions to dwellings and requires that extensions should have regard to the host dwelling in terms of form, design, materials and should not be seen as a mere afterthought.

The core strategy is an overarching policy document and this, in part, is reflected in the construction of its policies. Whilst policy CS5 of the core strategy (Delivering Quality Design in North Lincolnshire) is devoid of any reference to residential amenity, the subsequent text notes that:

'The same principles will apply to the spaces between buildings, particularly within built-up areas, that make an important contribution to people's lives.'

At the national level the NPPF sets out a series of core principles that underpin both plan-making and decision-taking, which include:

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The PPG, whilst covering the matter of design, tangentially covers residential amenity by referencing how buildings and spaces can have an impact upon wellbeing.

Assessment of main issues

It is accepted that privacy and the protection of general amenity constitutes a material consideration in determining development proposals and is an important design objective in ensuring that residents of properties bounding any development site and those occupying new dwellings feel at ease within and outside their homes. This is reflected within tone and aspiration of local plan policies DS1 and DS5, and core strategy policy CS5. It is also noted by Government that whilst residential amenity is a material consideration, it is not to be used as a protection of private interests in the decision-making process.

In this respect the parish council is of the view that the proposed development would have an effect upon the quality of the outdoor amenities of the bungalows at the side/rear of The Poplars, ie numbers 6 and 10, and in particular 8, Bakersfield.

The Poplars is juxtaposed to number 8 and the principal aspect of the rear elevation is to 5 and 10 Bakersfield. Indeed the arrangement of the windows at first-floor level will not overlook, either directly or obliquely, the amenity of number 8. With regard to separation distances, the distance between the first-floor windows of The Squirrels and 6 Bakersfield is 9 metres, whereas the distance between The Poplars and 6, 8, 10 and 5 Bakersfield is 18 metres, 13 metres, 16 metres and 40 metres respectively. It should be noted that aside from 10 and 4 Bakersfield the views over rear gardens is oblique.

As set at the national level, councils must determine applications against clear urban design policies and in this instance the council does not have a clear design guide based upon non-prescriptive matters or an assessment of the residential amenity aspects of the area to inform the decision-making process. It is therefore considered that regard must be had to context. In this respect it is accepted that in residential suburban environments there will be views across other residences, either directly or at an angle, and in this respect the application site's relationship to the surrounding development is no different.

Having regard to the existing distances in the area of the application site, coupled to the extension's alignment, it is considered that the proposed development does not harm the residential amenity of neighbouring properties or the occupiers of The Poplars, and therefore complies with the above-quoted policies of the local plan, core strategy, Government guidance and material considerations.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: PA/2014/0520/01, PA/2014/0520/02 and 252013-01 Issue OAB.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

Notwithstanding the approved drawings, before the development hereby permitted is commenced, details of the proposed windows (excluding the folding doors) and brick headers shall be submitted to and approved in writing by the local planning authority.

Reason

In the interests of the appearance of the development to the host dwelling in accordance with policies DS1 and DS5 of the North Lincolnshire Local Plan, policy CS5 of the North Lincolnshire Core Strategy and guidance set within the National Planning Policy Framework and National Planning Practice Guidance.

4.

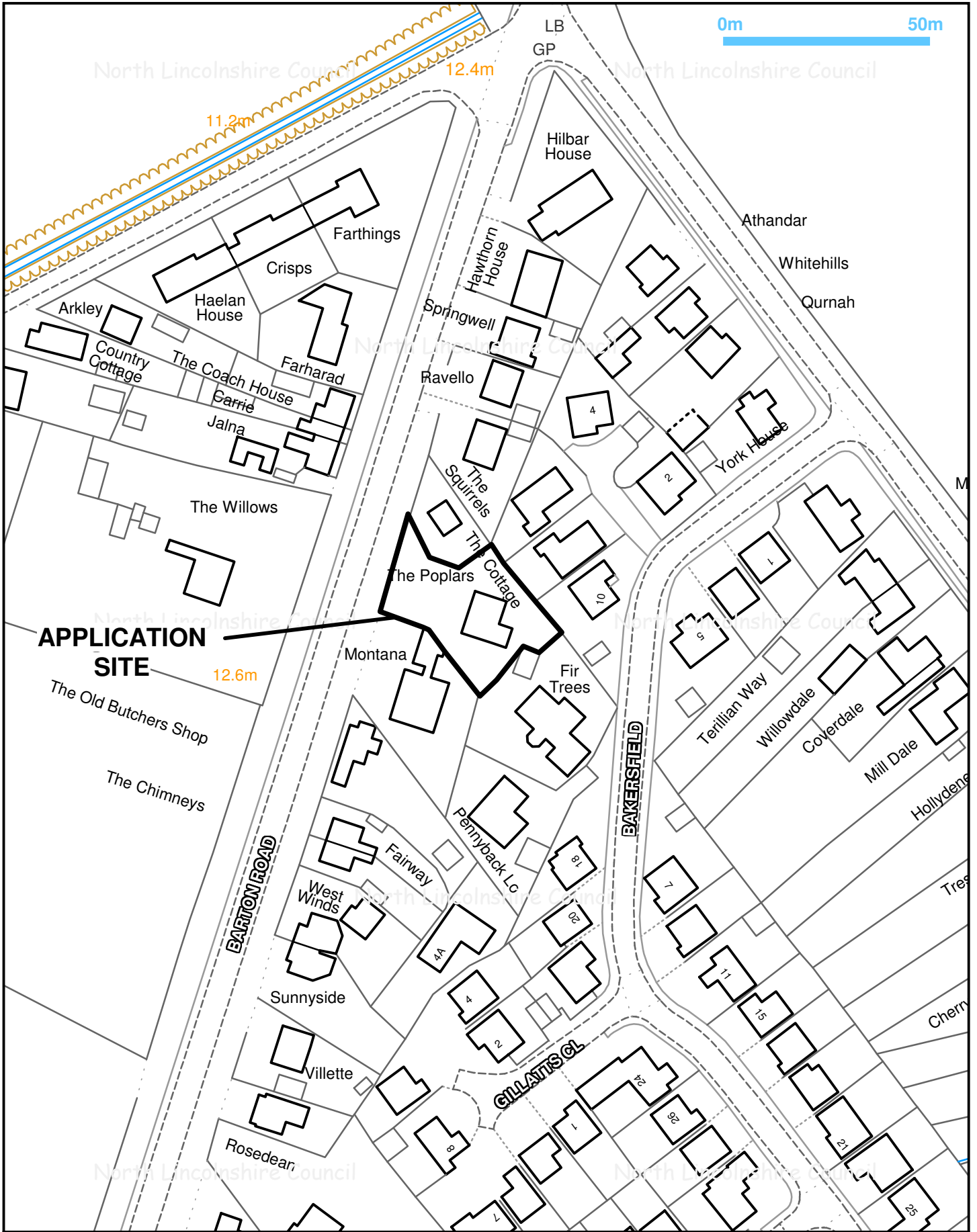
Before development is commenced, details of the proposed facing and roofing materials shall be submitted to and approved in writing by the local planning authority.

Reason

In the interests of the appearance of the development to the host dwelling in accordance with policies DS1 and DS5 of the North Lincolnshire Local Plan, policy CS5 of the North Lincolnshire Core Strategy and guidance set within the National Planning Policy Framework and National Planning Practice Guidance.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



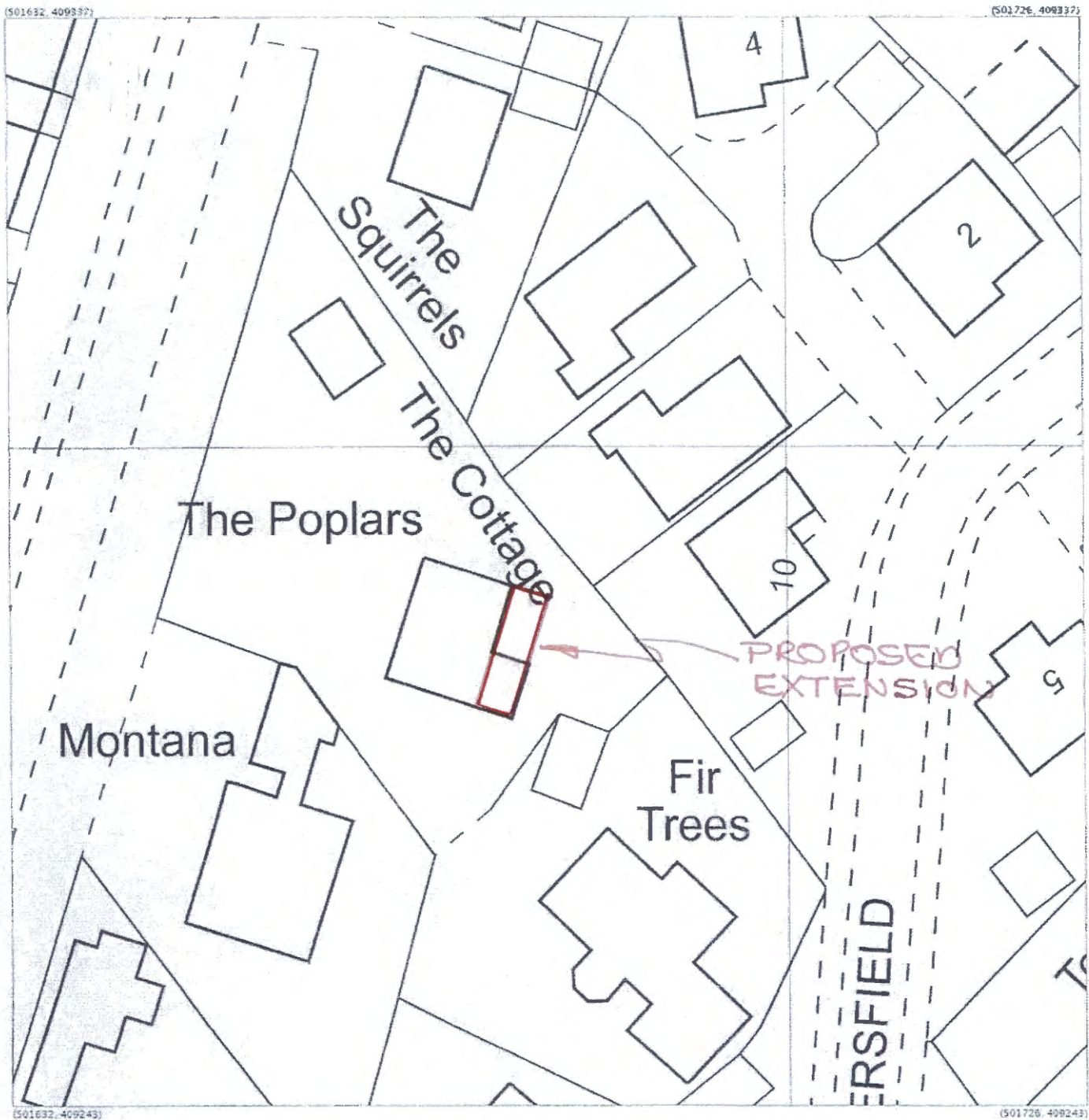
Title: PA/2014/0520		
Drawn by: Sue Barden	Date: 05/08/2014	Scale 1:1250



© Crown copyright and database rights 2014
Ordnance Survey 0100023560



Director of Places
Peter Williams
BSc, DMS, CEng, MEI, MCMI, AMIMechE



Produced 17 Mar 2014 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown Copyright 2014.

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.



The Poplars, Barton Rd, Wrawby, Brigg DN20 8SH

Supplied by: **Stanfords** 17 Mar 2014
 Stanfords Ordnance Survey Partner
 Licence: 100035409
 Order Licence Reference: OI689807
 Centre coordinates: 501679 409290