

APPLICATION NO	PA/2017/1031
APPLICANT	Mr Yusef Salama
DEVELOPMENT	Planning permission to erect single-storey rear extension with pitched roof (including retention of partially constructed extension)
LOCATION	5 Shires Close, Epworth, DN9 1BN
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Andrew Willerton
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Epworth Town Council

POLICIES

National Planning Policy Framework: Paragraph 14 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. For decision taking this means approving proposals that accord with the development plan without delay or where the development plan is absent, silent or out-of-date granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as whole or where specific policies in the Framework indicate development should be restricted.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

Paragraph 58 states that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should also respond to the local character and reflect the identity of local surroundings and materials and should be visually attractive and use appropriate landscaping.

Paragraph 64 states 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.

Paragraph 196 states that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise and that the National Planning Policy Framework forms a material consideration.

Paragraph 197 states that in assessing and determining development proposals local planning authorities should apply the presumption in favour of sustainable development.

North Lincolnshire Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

Housing and Employment Land Allocations Development Plan Document:

Inset Map for Epworth

North Lincolnshire Local Plan:

DS1 (General Requirements)

DS5 (Residential Extensions)

CONSULTATIONS

Highways: No objection or comments.

Drainage: No comments received.

TOWN COUNCIL

Objects to the pitched roof by virtue of its scale and height will be visually oppressive in its impact on neighbouring properties and is out of keeping with the area. The town council reiterates its comments as its response to the second round of consultation.

PUBLICITY

The application has been advertised by site notice for a period of not less than 21 days prior to writing this report. Four letters of objection were received from three properties during the initial round of consultation raising the following issues:

- the proposal has a greater floor area than the previous approval
- the extension is out of scale and contrary to policy CS5 of the Core Strategy and the National Planning Policy Framework
- the roof is out overly dominant and would be overbearing
- out of character with its surroundings which are natural gardens
- overshadowing of gardens and loss of openness, including a decked area
- concerns regarding rainwater run-off from the sloping roof

- guttering may overhang the boundary
- inconsistencies on the submitted plans regarding the elevation drawings
- the application form is incorrect and omits a hedge as a boundary treatment
- the applicant has not met his obligations from the 2016 permission as the walls facing to neighbouring properties have been left as breeze blocks
- numerous applications have been made – what is to be proposed next?
- the description is incorrect as the footprint and height has increased from the approved extension.

Following amendment of the plans and a change in description three further letters have been received from the same properties reiterating previous comments. A further objection has been received on the basis that the submitted plans are now for a fully linked extension which could be used as an annexe that would result in over-development of the site.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations Development Plan Document (HELA DPD) which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising Planning Practice Guidance (PPG).

The application site is 5 Shires Close, Epworth and is within the HELA DPD defined development limit for the settlement. Number 5 is a two-storey detached dwelling which has an approved flat-roofed rear extension granted under PA/2016/1826. The applicant re-submitted the scheme under PA/2017/364 to incorporate a pitched roof over the flat-roofed extension with habitable accommodation within the roof space, which was refused.

Planning permission was originally sought for the installation of a pitched roof over the previously approved rear extension (as per the earlier 2017 application) which was amended following comments by neighbouring properties that the extension for consideration had a greater footprint than the approved. Planning permission is now sought to erect a rear single-storey extension with pitched roof (including retention of the partially constructed extension).

The main issues for consideration with regard to the determination of this application are whether the proposed extension is of acceptable design and whether it would harm the residential amenity of neighbouring properties.

Number 5 is a large detached house with an attached garage to the south-east of the dwelling. The associated rear garden of the property is south-facing and includes land formerly part of number 31 Burnham Road. The partially constructed extension (as approved in 2016) is in its majority sited within the land. The single-storey rear extension

for consideration by this proposal includes the installation of the pitched roof over the approved extension and an increase in its footprint. The extension has a maximum depth of 13.5 metres and a maximum of 7.2 metres in width. The extension is to be sited the full length of the eastern boundary with 26 Reaper's Rise at 9.2 metres. The extension measures 7.2 metres adjacent to the southern boundary with 33 Burnham Road. It is highlighted that both the aforementioned neighbouring properties have objected to the proposal in addition to a further property on Reaper's Rise and the town council.

The extension in terms of its footprint is comparable to the rear single-storey extension approved under PA/2016/1826, although it is highlighted that the proposed extension is now slightly larger in its footprint. The siting of the extension and its location against the boundaries with neighbouring properties has not changed significantly. The main alteration to its footprint is adjacent to the existing attached garage and the creation of an expanded utility room versus the link corridor as was approved in 2016. The footprint of the proposed extension is not considered to affect neighbouring properties given the area of expanded footprint is screened by the existing garage and approved extension.

It is noted that comments have been received from neighbouring properties with regard to the over-development of the site. Regard is had to the Town and Country Planning (General Permitted Development) Order (GPDO) (2015), Schedule 2, Part 1, Class A which in principle permits the development of up to 50% of the curtilage of the dwelling as original without consent. It is therefore considered unreasonable to refuse the proposal on such grounds given that 50% of the curtilage space has not been developed.

The eaves height of the extension is to be set at 2.6 metres with a dual-pitched roof above, with the ridge height at 4.3 metres. Comments have been received with regard to the roof being overly dominant and visually obtrusive. Regard is to be had to PA/2017/364 which sought planning permission to erect a pitched roof over the previously approved rear extension with habitable accommodation within the created roof space. This proposal was refused due to the proposed roof forming a visually incongruous feature and being of unacceptable scale. The refused roof design featured a steep 60 degree pitch with partial flat roof at a height of 5 metres in order to achieve the head height for first-floor accommodation.

The roof design for consideration by this application takes a more standard dual-pitch design set at 40 degrees which matches that of the existing attached garage. The eaves height of the roof is set at 2.6 metres which is comparable to the previously approved flat-roofed extension. The proposed ridge height at 4.3 metres is 0.7 metres less than the refused roof. It is considered that the amended roof design of lesser pitch and without the flat roof has addressed the previous reason for refusal in terms of its design. Whilst objections from neighbours and the town council have been received on the extension being out of character, the roof design is considered acceptable and has regard to its site context and the host property. Under the GPDO (2015) properties are permitted to erect outbuildings and extensions with a roof pitch of 4 metres in some circumstances. Therefore it is considered unreasonable to refuse the proposal as being out of keeping with the character of the area, although it is noted that most domestic gardens in the vicinity do not have such sized outbuildings or extensions.

Objections have been received which consider the proposed extension with pitched roof would form an overly dominant feature and be visually oppressive. It is not considered that this would be the case as the roof is of a more traditional appearance, is 20 degrees

shallower, 0.7 metres lower and slopes away from neighbouring properties. Furthermore, the garden of 5 Shires Close is 0.7 metres lower than those on Reaper's Rise to the east, thus the extension appears to be 0.7 metres less in height when viewed from Reaper's Rise. It is not considered that the roof, at a height of 4 metres, which slopes away from rear gardens, would lead to significant overshadowing of gardens associated with these properties or lead to a loss of light to habitable room windows given that the properties are at least 15 metres away from the extension. It is also not considered that the proposed development would significantly overshadow the garden of 33 Burnham Road given the extension is due north of the garden and would not lead to loss of light to habitable room windows as the dwelling is at least 30 metres from the extension.

The proposed extension, which incorporates the approved and partially built flat-roofed extension, is to feature facing materials to match those of the main dwelling with the exception of the east and south elevations which are to be rendered. Neighbouring properties have objected on the grounds that the applicant has not met the obligations of the 2016 permission whereby all elevations should be constructed of facing brick and these elevations have been left as 'breeze block'. The applicant has proposed to render these elevations which are then to be painted. Whilst this would result in contrasting materials, the issue is not considered to be significant enough to warrant refusal of the proposal and would remedy objections raised by neighbouring properties. It is considered pertinent to require the applicant to render these elevations in a reasonable timescale.

Objections have been received raising concerns with surface water run-off from the sloped roof. The applicant has indicated that guttering is to be installed to deal with surface water run-off from the roof which will be assessed under Building Regulations. Concerns have also been raised as to whether the guttering will overhang the boundary. The applicant has signed certificate A on the application form which means the applicant has declared that all land, including any guttering, is to be on or over land within their ownership. Matters relating to land ownership are civil matters and do not form a material consideration for the purposes of planning.

Concerns have been raised that future building works may take place given the extensive site history and numerous amendments to the scheme. Such concerns are non-material and each application must be determined on its own merits at the time of its submission. In addition, a number of inconsistencies and incorrect description (given the increase in footprint versus the installation of a pitched roof alone) were highlighted within objection letters during the initial consultation period. These issues have been addressed through a change in description and submission of amended plans which have been consulted upon in accordance with the regulations.

The proposed development is considered to be acceptable in terms of its siting and appearance and will not lead to significant adverse effect on residential amenity afforded to neighbouring properties. It is therefore recommended that planning permission be granted subject to conditions.

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: 001 Revision A, 002 Revision B and 003 Revision B.

Reason

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

3.

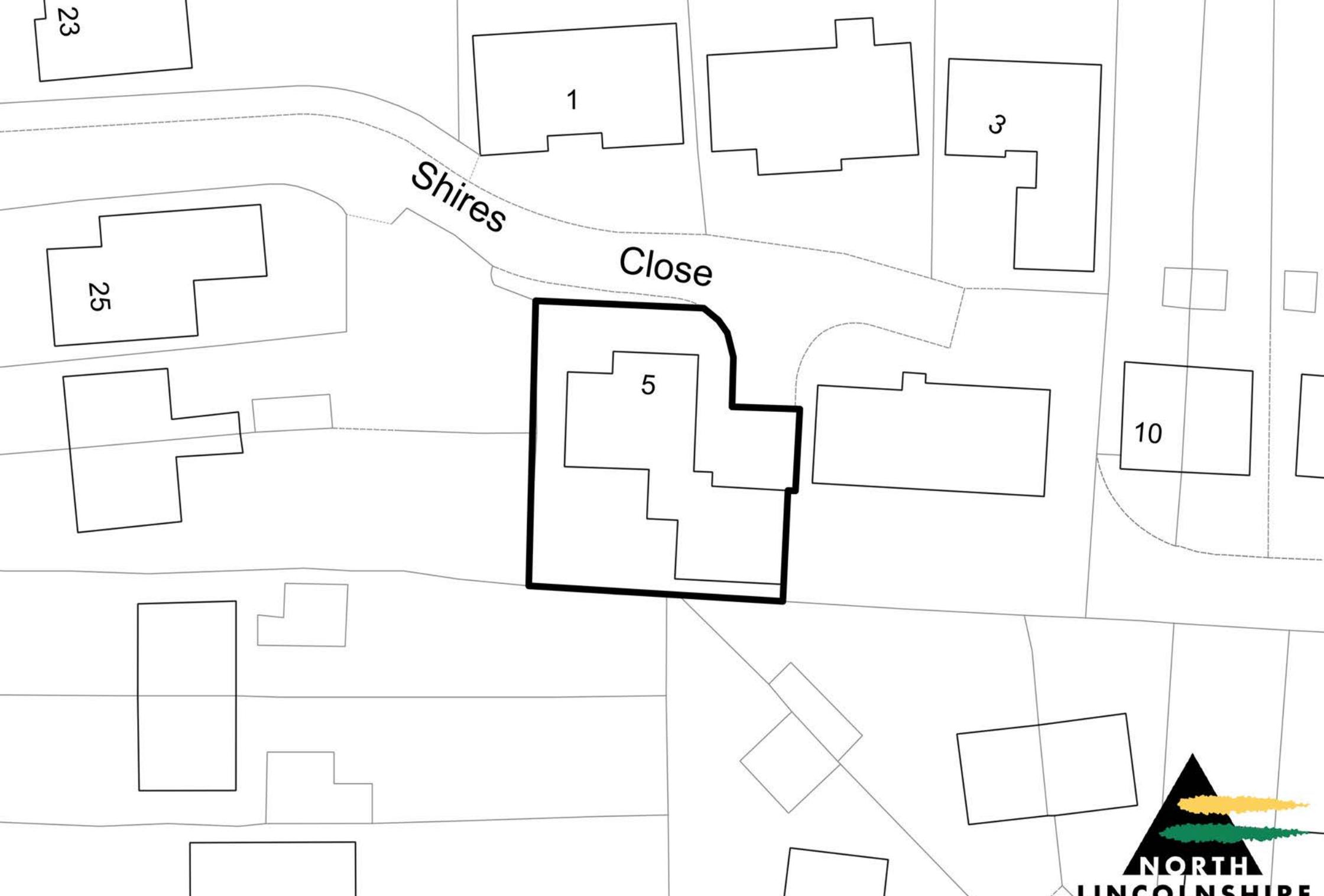
Unless otherwise agreed in writing by the local planning authority, render shall be applied to the east and south elevations, as shown on drawing number 002 Revision B, prior to the first use of the extension hereby permitted.

Reason

To ensure the extension is of acceptable appearance in accordance with policy CS5 of the North Lincolnshire Core Strategy and policies DS1 and DS5 of the North Lincolnshire Local Plan.

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.



PA/2017/1031

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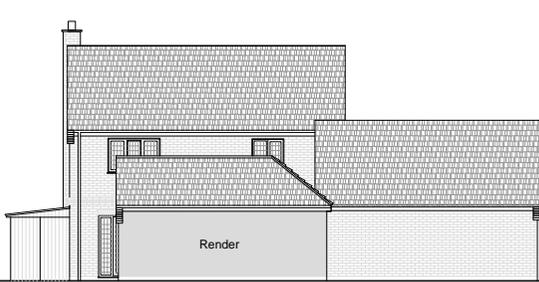


PA/2017/1031 – Site Location



PA/2017/1031 PROPOSED ELEVATIONS

NOT TO SCALE



PROPOSED REAR ELEVATION
SCALE 1:100



PROPOSED SIDE ELEVATION
SCALE 1:100



PROPOSED SIDE ELEVATION
SCALE 1:100

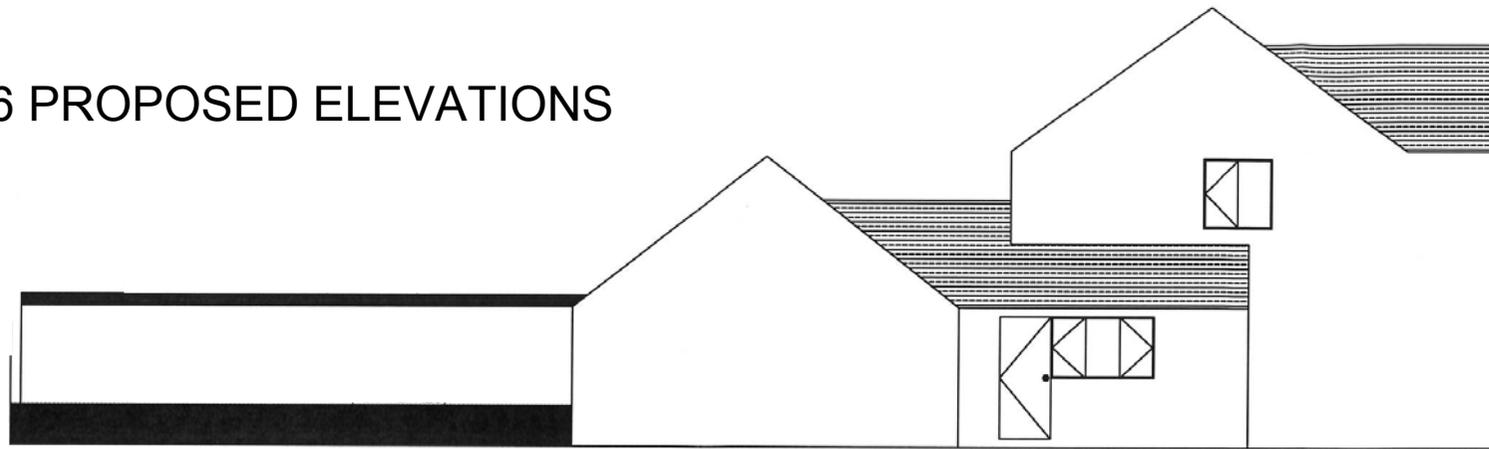


EXISTING FRONT ELEVATION (NO CHANGE)
SCALE 1:100

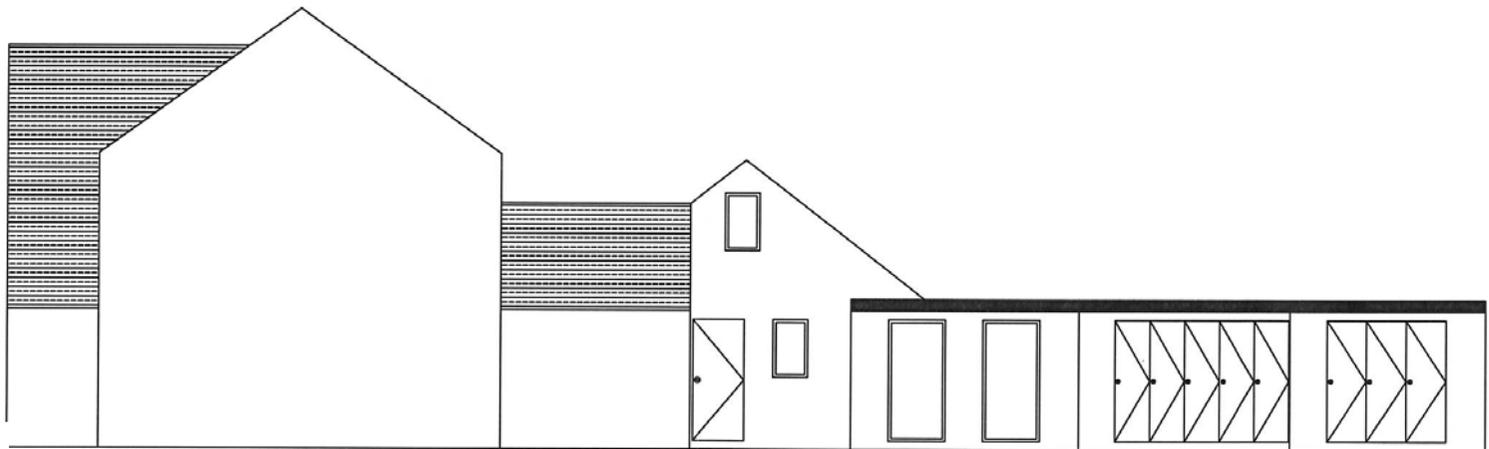
PA/2017/1031

PA/2016/1826 PROPOSED ELEVATIONS

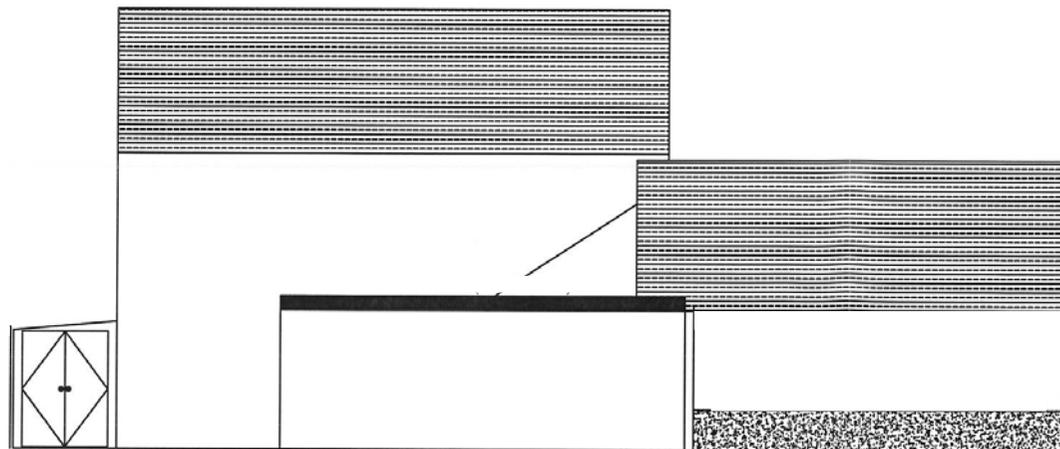
NOT TO SCALE



Proposed Side Elevation (East Facing)



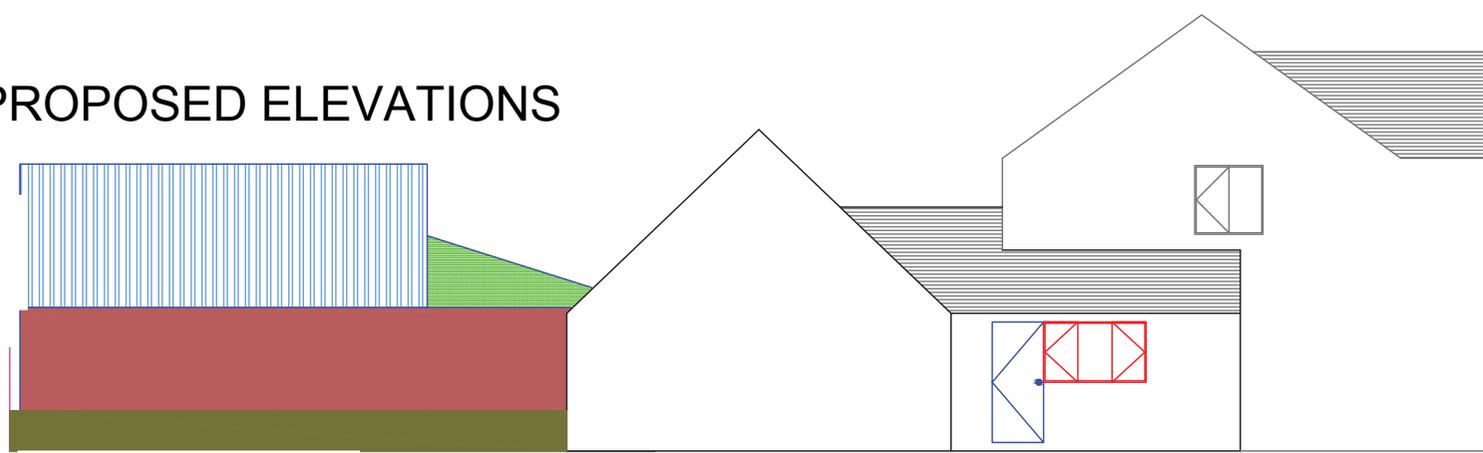
Proposed Side Elevation (West Facing)



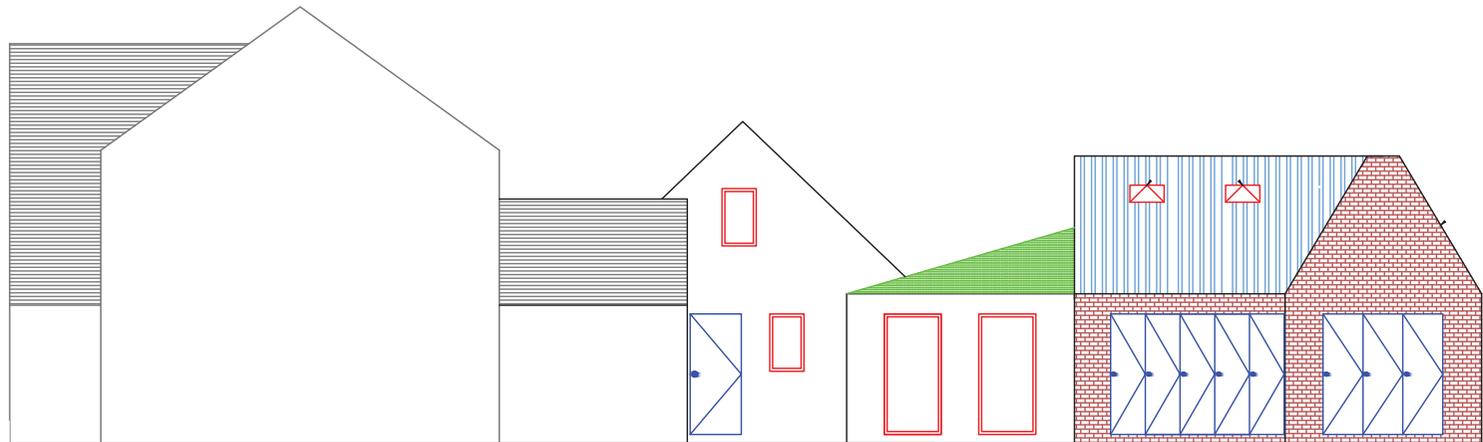
Proposed Rear Elevation (South Facing)

PA/2017/364 PROPOSED ELEVATIONS

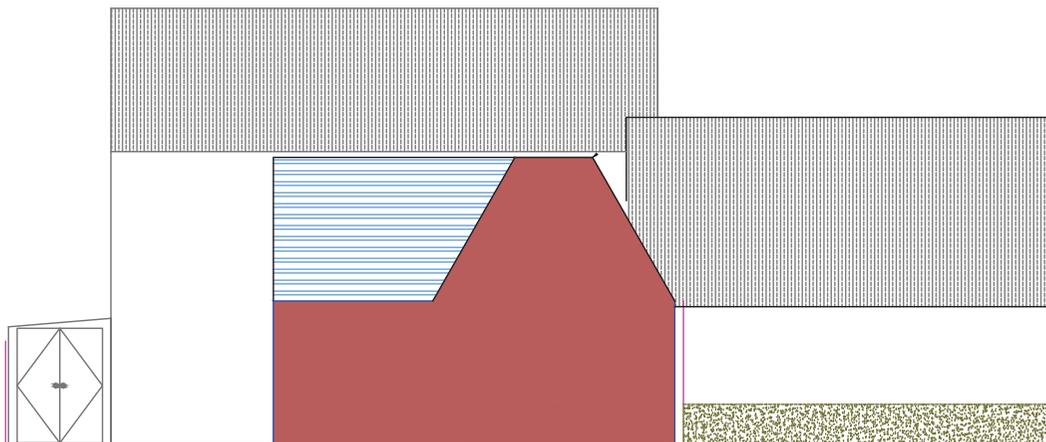
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Proposed Side Elevation (East Facing)



Proposed Side Elevation (West Facing)



Proposed Rear Elevation (South Facing)