

**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 25th FEBRUARY 2021**

The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.

Application Number	RB2020/1990 https://rotherham.planportal.co.uk/?id=RB2020/1990
Proposal and Location	Demolition of outbuilding and erection of two storey and first floor side and rear extensions, incorporating dormer window, and single storey rear extension, Clyde Cottage, Doncaster Road, Eastwood
Recommendation	Grant Conditionally

This application is being presented to Planning Board due to the number of objections received.



Site Description & Location

Clyde cottage comprises a large detached dwelling with its front elevation facing north, overlooking the large garden which includes a detached garage to the north and other flat roofed side buildings on site. The dwelling is a historic dwelling which has been heavily modernised over recent decades with white render and a large roof terrace to the side and rear.

In the 1970s and 1980s adjoining land was developed out for housing, enclosing the dwelling. The property is accessed via a long private drive accessed off Doncaster Road.

To the west of the site are residential properties on St Johns Close, to the north are residential properties on Finlay Road whilst to the east and south are residential properties on Eastwood Vale.

Background

RB2005/1752 - Outline application for demolition of outbuilding and erection of a dwellinghouse - WITHDRAWN

RB2006/0718 - Demolition of outbuilding and erection of two storey & single storey front & side extension and detached triple garage – WITHDRAWN

RB2007/0721 - Demolition of outbuilding and erection of two storey & single storey front & side extension and detached triple garage – REFUSED

01

The Council considers that the proposed extension, which would more than double the size of the original floor area of the original property, would have a materially adverse effect on the amenities of the adjacent residential properties on Eastwood Vale by virtue of its excessive scale, length and massing in close proximity to the boundaries of these properties and would result in a development that would have an overly dominant impact on the principal rear windows of these properties. This conflicts with the advice in Supplementary Planning Guidance: Housing Guidance 1: Householder development which indicates extensions should be of a good design and should be modest in scale.

02

The Council further considers that the development is of an unsympathetic design that would have an overly dominant appearance on the street scene and is therefore contrary to UDP Policy ENV3.1 'Development and the Environment' which requires development to make a positive contribution to the environment.

RB2012/1384 - Erection of boundary wall / fence and gazebo - GRANTED CONDITIONALLY

Proposal

The application is for the demolition of an existing outbuilding and the erection of a two storey and first floor side extension, single storey rear extensions, as well as a dormer window to rear.

The new two storey extension will be 5.8m wide and 7.4m high. The applicant has indicated that the extension will be built in render with a matching tile roof. It is also noted as a result of the scheme that the existing roof terrace will be removed. It would also extend out to the rear and a single storey extension would be attached to the rear of it. The first floor rear extension would effectively be over the existing balcony area and would be in the form of a continuation of the rear roof slope of the two storey house and would incorporate a small dormer window.

The applicant has indicated that the rear wall of the existing outbuilding will be retained and capped off, to provide a new boundary wall with the neighbours.

The applicant has submitted a Planning Statement which states that:

- Boundary walls & fences

Are unaffected by the proposals, & will remain as existing. At the front, the existing garden and rear and side patio will form the private amenity space.

- Effect on neighbouring properties

The proposal has no adverse effects on neighbouring residential amenity or property and that of the surrounding area, nor any transport or highway issues. There is no overlooking nor worsening of the existing situation. In fact, the proposals will greatly improve the overlooking situation due to the current roof terrace which is to be removed.

- Design

The applicant is keen to improve the accessibility, quality and thermal efficiency of this property for the family. The ridge of the 2 storey extension has been set down from the main roof and the frontage set back in accordance with the guidance on domestic extensions.

Development Plan Allocation and Policy

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document (adopted June 2018)

The application site is located within a Residential area in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policies:

CS28 'Sustainable Design'
SP55 'Design Principles'

Other Material Considerations

Householder Design Guide Supplementary Planning Document (June 2020)

The revised NPPF came into effect in February 2019. It states that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise."

The Local Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Publicity

The application was advertised by way of neighbour letters and site notice. 6 Letters of objection have been received, the objectors state that:

- I already feel I have no privacy within my bedroom as there is a window that is directly looking into my window, if this house was to go ahead I will again have even less privacy, this house will overlook my garden and I will lose more privacy. I purchased this house for the reason of the privacy within my garden.
- I am concerned on what the damage to the rear wall will be once the outdoor building is removed, this is the wall that separates our properties. If the wall was to be damaged and lowered it would harm my privacy.
- Noise disturbance during construction phase.
- The applicants drive is supposed to be a public right of way for use by other residents.
- There are a lot of traffic movements during the day and night from the property.
- Loss of sunlight and view from neighbouring properties.
- A similar scheme has previously been refused in 2007.

1 objector has requested the right to speak, and another objector has requested that their letter is read out on their behalf.

Consultations

RMBC- Highways: No objections.

Appraisal

The site is located within a Residential area as identified on the adopted Local Plan and as such the principle of the development is acceptable. The main issues to be considered in the determination of this application are:

- Visual impact on the appearance of the property.
- Neighbouring amenity.
- Other issues raised by objectors.

Visual impact on the appearance of the property.

Core Strategy CS28 'Sustainable Design' requires development to make a positive contribution to the environment by achieving an acceptable standard of design.

Sites and Policies Document Policy SP55 'Design Principles' states: "All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings." It adds that: "Proportionate to the scale, nature, location and sensitivity of development, regard will be had to the following when considering development proposals (amongst others):

a. the setting of the site, including the size, scale, mass, volume, height, orientation, form, and grain of surrounding development"

The Council's Householder Supplementary Planning Document state that: "The size and design of extensions should be subsidiary to the existing dwelling and allow the original building to remain dominant. Matching roof styles should be used in any new extension proposals.

It is important that an extension is in proportion with the existing house. In general, it should not dominate the house by being bigger, higher or set forward (towards the street). Extending a house in that way will make it look unbalanced and incongruous, particularly if neighbouring houses are similar in design and regularly set out.

It is usually preferable for an extension to be subordinate in scale to the original house. A lower roofline, and setting back the extension behind the house's building line, will allow the existing house to remain dominant."

The NPPF at paragraph 124 states: "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." Paragraph 130 adds: "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.”

The host dwelling is set within a backland location and is not readily visible from any public vantage points. The extension has been designed to accord with the above guidance and polices being subservient to the host dwelling with a small set back and recessed roof. The two storey element does not exceed more than half the width of the host property (measured at ground floor) and the rear dormer will be tile clad to reduce its visual appearance. As such subject to appropriate materials the scheme will be acceptable.

Neighbouring amenity

The South Yorkshire Residential Design Guide states that: For the purposes of privacy and avoiding an ‘overbearing’ relationship between buildings, the minimum back-to-back dimension (between facing habitable rooms) should be 21 metres.

The supporting text to Policy SP55 ‘Design Principles’ at paragraph 4.330 states: “Supplementary Planning Document: Householder Design Guide (March 2014) provides information to households wishing to alter or extend their property.”

The Council’s Householder Supplementary Planning Document refers to householder extensions though is considered relevant in this instance and states that: “Planning permission may be granted for an upward extension on a detached bungalow in certain circumstances:

(ii) where new habitable room windows at first-floor level would be more than 21 metres from habitable room windows of existing dwellings to the front, side or rear and more than 10m away from a neighbours boundary.”

The proposed extensions have been specifically designed to ensure no first floor habitable room windows overlook neighbouring dwellings. The first floor habitable window is proposed to the front (north) of the extension overlooking the applicant’s driveway and large detached garage and garden area.

Those windows to the side and rear at first floor level are all obscure glazed and as such will not result in overlooking of No.3,5 & 7 Eastwood Vale. The applicant has indicated that a 1.8m high wall will be retained to the eastern boundary once the outbuilding in that location is demolished, which will prevent any overlooking of the neighbours from ground floor windows. Furthermore it should be noted that the proposal replaces a first floor terrace, therefore removing an existing significant element of overlooking.

Turning to the massing of the extension, it is more than 10m measured on a 45 degree angle from the nearest habitable room window at 3 Eastwood Vale and is set a minimum of 14m off the rear elevation of Nos 5 and 7 Eastwood Vale, and clear of a 25 degree line taken from the rear elevation of these properties.

As such the proposal is acceptable in terms of neighbouring amenity and accords with the policy and guidance referred to above.

Other issues raised by neighbours

In terms of the other issues raised by the objector, the driveway is private and any issue regarding joint access is a civil matter. The proposed extensions would not impact on this driveway.

Turning to vehicle movements the applicant and his son both drive vans as they work in retail, but the business does not operate from Clyde Cottage. The applicant has a large close family, who prior to Covid restrictions would visit frequently. The site has ample turning and manoeuvring facilities and the proposed extensions would not impact on these.

Concern has been raised in respect of noise and general disturbance during construction of the extensions and this is somewhat inevitable for most extensions built throughout the Borough. The site has space on site to accommodate delivery vehicles.

Finally in terms of the 2007 refusal, this was a significantly larger scheme that would have created an L shaped dwelling, building over the existing detached garage. As such this submission overcomes those previous design and neighbouring amenity concerns.

Conclusion

In conclusion having regard to the above it is considered that the proposed extensions would not result in an unacceptable impact on neighbouring amenity and would comply with the Council's Policy and Guidance.

Conditions

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

(Amended Elevations DE0319/07a) (Received 10/10/2019)

(Site Layout DE0319/07b) (Received 10/10/2019)

Reason

To define the permission and for the avoidance of doubt.

03

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details provided in the submitted application form. The development shall thereafter be carried out in accordance with these details.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity

04

The proposed first floor side and rear elevation windows and windows in the rear roofslope shall be obscurely glazed and fitted with glass to a minimum industry standard of Level 3 obscured glazing and be non-openable, unless the part(s) of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason

In the interests of the amenities of the occupiers of adjoining properties.

05

The eastern wall of the outbuilding to be demolished shall be retained to a minimum height of 1.8m and capped in a suitable manner, the details of which shall be submitted to and approved by the Local Planning Authority, and the approved details shall be implemented before the development is brought into use and the wall thereafter maintained.

Reason

In the interest of neighbouring amenity.

Positive and proactive statement

Whilst the applicant did not enter into any pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and did not require any alterations or modification.