

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

PLANNING REGULATORY BOARD

VISIT OF INSPECTION – THURSDAY, 19TH FEBRUARY, 2015

- 1. RB2014/1296 - Increase in roof height to form two storey dwelling house including single storey rear extension and flue to side (amendment to RB2014/0809) at 20 Manor Way, Todwick for Mr. S. Wilkinson.**

Requested By:- Ward Councillors Beck, Watson and Whysall

Reason:- To allow Members to consider the scale of this proposed development and its impact on neighbouring properties.

<u>No.</u>	<u>Application</u>	<u>Area</u>	<u>Arrival</u>	<u>Departure</u>
1.	RB2014/1296	Todwick	9.25 a.m.	9.45 a.m.

Return to the Town Hall for approximately 10.30 a.m.

SITE VISIT NO. 1 (Approximate time on site - 9.25 a.m.)

Application Number	RB2014/1296
Proposal and Location	Increase in roof height to form two storey dwelling house including single storey extension and flue to side (amendment to RB2014/0809) at 20 Manor Way, Todwick S26 1HR
Recommendation	Grant subject to conditions



Site Description & Location

The site of application is a large detached bungalow set on an unconventionally shaped plot. The bungalow is set back from the road, Manor Way, behind a pair of semi-detached houses Nos. 22 & 24 Manor Way. The property is located roughly adjacent to the other immediately neighbouring property No. 18 Manor Way. It has a relatively large front garden whilst to the rear is Todwick Manor House which includes the Scheduled Ancient Monument of Todwick Manor moated site.

The design of the property is individual and the streetscene of Manor Way is mixed with bungalows and houses of varying sizes and designs.

Background

RB1979/4032: Outline for 1 dwelling - GRANTED CONDITIONALLY 24/01/80

RB1980/3316: Split level bungalow - REFUSED 22/01/81

Reason for refusal

01

The Local Planning Authority considers that the erection of the dwelling proposed would be inappropriate in this location, and detrimental to the amenities of the locality and to the occupiers of the adjacent dwellings by virtue of its size, siting and design.

RB1981/0268: Bungalow - REFUSED 11/03/81. The reason for refusal was as for RB1980/3316.

RB1981/0617: Bungalow & single garage - GRANTED CONDITIONALLY 23/04/81

RB2014/0809: Increase in roof height to form two storey dwelling house including single storey rear extension and chimney to side

- WITHDRAWN 06/08/14

Proposal

The proposal is to raise the roof height of the bungalow to form a two storey dwelling house. The first floor extension would be set back from the front of the property and would measure 11.2 metres in width and 9.2 metres in depth. The height to the eaves of the first floor extension would be 5.2 metres with an overall ridge height of 6.8 metres.

The first floor extension would be set at an angle away from the boundary with neighbouring property No. 22 Manor Way with a minimum distance of 3.4 metres and a maximum distance of 4.8 metres to the boundary. The first floor extension would be set against the boundary with No. 18 Manor Way.

The roof would be hipped with a tiled finish. The walls would be brick to match the existing bungalow.

The proposal also includes a single storey front and side extension that would wrap around the side and front of the dwelling adjacent to the boundary with No. 22 Manor Way. The extension would have a maximum depth of 12 metres and a maximum width of 6.2 metres with an eaves height of 2.6 metres and a ridge height of 3.7 metres.

The proposal includes a single storey rear extension which would be positioned adjacent to the boundary with No. 18 Manor Way. The extension would have a dual pitched roof and would present a blank elevation to the neighbouring property. The extension would project 7.5 metres with a width of

4 metres. The height to the eaves would be 2.6 metres with the height to the ridge of the roof of 4 metres.

The plans have been amended during the course of the application process by setting the first floor element of the extension away from the boundary with No. 22 Manor Way by a minimum distance of 3.4 metres.

The applicant has further amended the plan since the first report was prepared for the Planning Board on 29th January 2015, to include an additional 2 No. car parking spaces which could also be used as a turning area on the site.

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 'saved' policies from the Unitary Development Plan (UDP).

The application site is allocated for *residential* purposes in the UDP, (and also adjacent to a Scheduled Ancient Monument of Todwick Manor House). For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

CS23 'Valuing the Historic Environment'
CS28 'Sustainable Design'

Unitary Development Plan 'saved' policy(s):

ENV2.1 'Statutorily Protected Sites'

Other Material Considerations

Interim Planning Guidance - 'Householder Design Guide'. This has been subject to public consultation and adopted by the Council on 3rd March and replaces the adopted Supplementary Planning Guidance 'Housing Guidance 1 – Householder development' of the UDP.

National Planning Policy Framework: The NPPF came into effect on March 27th 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that "Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

The NPPF states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

The Core Strategy/Unitary Development 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 has been advertised by letter to neighbouring residents and in the press and site notice as affecting the setting of a Scheduled Ancient Monument of Todwick Manor House moated site. The amended plans have also been advertised by letter to neighbours and objectors. In total 18 objections have been received, including one from Todwick Parish Council and all immediately neighbouring properties. Further correspondence has been received which confirms that all the objectors retain their objections following the submission of the revised plans. One neutral representation has been received.

The comments raised from objectors shall be summarised below:

- The scale and mass of the extension in proximity to the boundary with neighbouring properties would appear overbearing and would overshadow neighbouring properties' gardens namely Nos 22 & 24 Manor Way.
- The amended plans do not overcome the concerns of immediately neighbouring residents in terms of overshadowing and overbearing impact.
- The scale and design of the extension is completely out of character with its surroundings and would harm the surrounding area.
- The design of the extensions would be an eyesore and look like a factory not a residential property.
- The extensions would harm the setting of the adjacent Scheduled Ancient Monument of Todwick Manor House moated site.
- The extension would cause additional traffic and parking at the property which could be hazardous as cars could be parked on a bend in the road in front of the property.
- The parking and access arrangements should be altered to allow for cars to enter and leave in a forward gear.
- The extension would overlook neighbouring properties.
- The proposals have the hallmark of a property developer with no consideration for local people. The extension would cause local people considerable distress.
- The extensions could devalue neighbouring properties.
- The extension could lead to flooding as there are flooding problems in the local area.
- The dwelling would spoil the view from neighbouring properties.
- There would be disruption caused during the construction of the extension to local residents.

The neutral representation stated that the appearance of the dwelling has been improved since the previous withdrawn application. The representation goes on to suggest making alterations to the parking and turning arrangements at the property to avoid highway safety problems.

The Council has received 9 Right to Speak requests from objectors.

Appraisal

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The application seeks full planning permission to extend a residential property within a residentially allocated area. The principle of extending a dwellinghouse is generally supported in the Council's policies and the Interim Planning Guidance.

However all such development needs to accord with the relevant design criteria and should be in keeping with the character and appearance of the host dwelling and the locality and should not have a detrimental impact on residential amenity.

Therefore matters to be considered as amounting to material considerations in the determination of this application include:

- The visual impact on the host dwelling and the locality.
- Impact on the setting of the adjacent Scheduled Ancient Monument.
- The impact on adjacent occupiers.
- Highway implications
- Flooding

Visual impact on host dwelling and the locality:

In assessing the proposed design of the extension in relation to the existing property and the surrounding area, Policy CS28 – Sustainable Design states that; "Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well designed buildings within a clear framework of routes and spaces. Development proposals should be

responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping.”

The NPPF notes at paragraph 56 that: “The Government attaches great importance to the design of the built environment. 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 64 adds 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.”

The National Planning Policy Guidance (March 2014), notes that “Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations.”

The NPPG further goes on to advise that: “Local planning authorities are required to take design into consideration and should refuse permission for development of poor design.”

The Interim Planning Guidance - ‘Householder Design Guide,’ advises that extensions should be constructed in matching materials to match the host property. Bricks and stonework should be coursed and pointed to match the existing details. Tiles should match the existing tiles in terms of material, texture, size and colour.” It adds that:

“It is not the Council’s usual practice to support bungalows being altered to two-storey houses, as in most cases this would have a serious effect on neighbours’ amenity and on the appearance of residential areas. The Council will consider such proposals for “upward extensions” very carefully, having regard to the following guidelines:

Planning permission may be granted for an upward extension on a detached bungalow in certain circumstances (amongst other things):

(i) where the dwellings in an area are of varied types, with little uniformity of design and layout, and there is already a mix of single storey and two-storey dwellings, and

Furthermore, the most appropriate design solution will depend on the design of the property and neighbouring properties. It may be appropriate to create a “dormer bungalow”, by building a more steeply-pitched roof with dormer windows in it.”

It is noted that Manor Way is characterised by a mix of bungalows and two storey houses with the immediately neighbouring properties being a detached bungalow to the south, a further bungalow beyond that, and then a row of detached two storey houses. To the north of the application property is a pair of semi detached chalet style properties. It is considered that in principle the

raising of the roof height and the formation of a two storey dwelling is acceptable in principle in this location.

With regards to the design of the extensions it is noted that they would radically alter the character and appearance of the property and it would appear as a completely different dwelling within the streetscene of Manor Way. The extensions, owing to their sheer size, cannot be considered to be subservient to the original bungalow. It is noted that the extensions have been considerably revised since the first application was submitted reducing the height and mass of the extensions and pulling the first floor extension away from the boundary with No. 22 Manor Way.

It is considered that the extensions are acceptable in design terms owing to the fact that the dwelling is set back from the road with the first floor extensions set further back still on the property (approximately 25m from the road). It is considered that the property does not appear visually prominently within the streetscene of Manor Way and neither would the proposed extensions.

As such, it is considered that the design and appearance of the extensions would not harm the character and appearance of the property or the surrounding area and would comply with Policy ENV28 'Sustainable Design,' the guidance in the Interim Planning Guidance on 'Householder Design Guide,' as well as the advice contained within the NPPF and the recently issued National Planning Policy Guidance (NPPG).

Impact on the setting of the adjacent Scheduled Ancient Monument.

With regards to the impact on the setting of the adjacent Scheduled Ancient Monument of Todwick Manor House moated site UDP Policy ENV2.1 'Statutorily Protected Sites' states "Development or changes of use which would adversely affect the interest, fabric or setting of a statutorily protected site will not be permitted."

In addition, Core Strategy Policy CS23 'Valuing the Historic Environment' states that: "Rotherham's historic environment will be conserved, enhanced and managed, in accordance with the principles set out below: Proposals and initiatives will be supported which conserve and enhance the heritage significance and setting of the borough's heritage assets, specifically those elements which contribute to the distinct identity of the borough."

In addition, the NPPF further notes at paragraph 132 that: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting."

With regards to the setting of the above Scheduled Ancient Monument it is considered that the extension would not harm views to or from the site, owing

to its relationship to surrounding properties and relative relationship to the site. Furthermore, it is considered that the extensions would not harm the setting of the Scheduled Ancient Monument over and above the presence and proximity of the host property, and indeed the remainder of the housing development of Manor Way.

Taking account of the above, it is therefore considered that the proposal would accord with the provisions of UDP Policy ENV2.1 'Statutorily Protected Sites', and Core Strategy Policy CS23 'Valuing the Historic Environment,' as well as the advice contained within the NPPF.

Residential amenity issues:

The NPPF states that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. Amongst these 12 principles, it states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and building.

In respect of converting bungalows to houses the Interim Planning Guidance - 'Householder Design Guide,' notes that planning permission may be granted for an upward extension on a detached bungalow in certain circumstances, including:

"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 neighbour's boundary. Where an upward extension is considered acceptable in principle, it is essential that it be designed to minimise the effect on neighbours' properties by overshadowing and overlooking."

The Interim Planning Guidance 'Householder Design Guide' further gives guidance upon overshadowing matters and notes: "Extensions should not overshadow neighbouring properties to an unreasonable degree. The Council will take account of the orientation and position of neighbours' windows in relation to the extension. Where an extension would be likely to significantly reduce the amount of sunlight and/or daylight casting a shadow over private amenity space or entering the window of a habitable room (such as a kitchen, living room or bedroom) planning permission may not be granted."

The guidance further advises on outlook issues that: "An extension close to either a habitable room window of a neighbouring property, or to its private garden, should not have an overbearing effect on that property or an unreasonable effect on its outlook." With regard to the proposed increase in height the guidance states that: "Increased overlooking of neighbours' properties can be a problem, especially with a bungalow where dormer windows in the loft can overlook previously private areas. The Council will be critical of all proposals which have a significant effect on neighbours' privacy."

The Interim Planning Guidance provides guidance in respect of two storey rear extensions and on how these can impact on neighbours, though its

principles can be applied generally. It notes that: "Two storey rear extensions should be designed so as not to come within a 45° angle of any neighbouring habitable room window (measured from the centre of the window)."

It is noted that letters of objection have been received from all neighbouring residents who share a common boundary with the property. It is also noted that both the immediately neighbouring properties have objected in terms of the extensions appearing overbearing against the boundary and overshadowing them.

With regards to overbearing impact it is noted that the first floor extension would be located at an approximate minimum distance of 12 metres from the nearest first floor habitable room window on the neighbouring property No. 22 Manor Way (the ground and first floor windows of this property closest to the boundary serve bathrooms/toilets). It is accepted that, notwithstanding the set back of the first floor element of the extension, it would lead to some overshadowing of the rear garden area of this property. Whilst this is the case it is noted that around half of the private garden area of this property would be unaffected by the proposals. It is also noted that it would lead to some overshadowing, though to a significantly lesser degree to the rear garden area of No. 24 Manor Way. It is considered that on balance the proposals are acceptable in amenity terms in terms of overshadowing and would not harm the amenity of the private garden area of No. 22 Manor Way to such a degree that it would warrant a reason for refusal.

With regards to overlooking it is noted that the proposed first floor windows on the front elevation of the property would all serve non habitable rooms. However, owing to their position behind the rear elevation of No. 22 Manor Way it is considered reasonable to require them to be obscure glazed 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, so as to protect the residential amenity of the occupants of this property.

The neighbouring property at No. 18 Manor Way is separated from the application site by a driveway and the property itself is angled away from the applicant's property. Furthermore, it is noted that the proposed extensions would be sited to the north of No. 18, thereby reducing the impact on direct sunlight to that property. Finally it is also noted that owing to the orientation of the two properties the first floor and single storey rear extensions would not breach a 45 degree line if measured from the rear elevation of No. 18. In view of the above it is not considered that the extensions would lead to a loss of natural light or lead to overshadowing to such a degree that it would harm the residential amenity of the occupants of this property.

It is noted that the residents of the Manor House to the rear of the property have objected in terms of overlooking from the windows to the rear of the property. However, it is noted that the windows would not directly overlook this property and would be located in excess of 10 metres from their private

garden area. As such, it is considered that the proposals would not harm their residential amenity in terms of overlooking.

Taking all of the above into consideration the proposals are not considered to have a significant impact on the residential amenity of adjacent occupiers by way of overbearing impact or loss of privacy and would therefore accord with the advice contained in the NPPF and the Interim Planning Guidance.

Highway issues:

It is noted that local residents have raised concerns about the extension in terms of highway safety, mainly in terms of additional parking at the property. The applicant has submitted an amended plan which shows an additional car parking area on the site for 2 vehicles. With regard to highway issues, Streetpride (Transportation & Highways) Unit does not consider that the proposal would have any detrimental impact in terms of highway safety as the proposed development allows for adequate vehicle parking provision at the property.

Other issues raised by objectors

It is noted that local residents have objected to the application on the grounds of potential flooding from the construction of the proposed extension. They have noted that the area is prone to localised flooding. Whilst this is acknowledged it is noted that the site is not within a flood zone area and is not susceptible to overland flooding and the surface water discharge at the property is a matter for Building Regulations approval which is considered to adequately cover this issue.

It is noted that local residents have objected to the proposal in terms of loss of view, and possible devaluation of neighbouring properties. Whilst this is noted these are not material planning considerations and cannot be taken into account with regards to the determination of this application.

It is noted that neighbouring residents have raised concerns about potential noise and disruption during the construction stage of the development. Whilst this is accepted it is noted that this would be only for a temporary period and is not a reason for refusal of the application.

Conclusion

In conclusion, it is considered that the proposed extension by virtue of its size, scale, design, height, siting and location would have no adverse impact on the character and appearance of either the host dwelling or the existing streetscene and would not be detrimental to the residential amenity of adjacent occupiers by being overbearing or over dominant or result in any loss of privacy by way of overlooking.

Accordingly it is recommended that planning permission be granted subject to the suggested conditions as set out below.

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)

(Location Plan)(Received 25/09/2014)

(Amended Elevations & Layouts)(received 17/12/2014)

(Proposed Site Plan)(received 17/12/2014)

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 match those used in the existing building.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with Core Strategy Policy CS28 Sustainable Design.

04

The window(s) on the first floor front elevation facing west 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 unless otherwise agreed in writing with the Local Planning Authority.

Reason

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

POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.