

**REPORT TO THE PLANNING REGULATORY BOARD  
TO BE HELD ON THE 23 APRIL 2015**

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

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<b>Application Number</b>	<b>RB2015/0049</b>
<b>Proposal and Location</b>	<b>Two storey side and rear and first floor rear extension at 34 Queensway, Moorgate</b>
<b>Recommendation</b>	<b>Grant subject to conditions</b>



### **Site Description & Location**

The application site comprises of a detached dormer bungalow located at the end of a cul de sac on Queensway in the Moorgate area.

Properties on Queensway and the wider Moorgate area are of various architectural styles and scale. The adjacent property No.32, is to the south of the site and projects forward from the application property by approximately 3.8m. The other neighbouring property, No.36 is to the north of the site and at a slightly higher land level

The application property itself is a large bungalow with a flat roof dormer window on the front elevation and a two storey gable feature projecting forward from the house. There is a small single storey flat roof extension that projects 2.2m from the rear of the property and an integrated garage with hard standing providing 2 parking spaces to the front of the property. There is no boundary treatment to the front of the site whilst the rest of the site is enclosed with timber fencing.

## **Background**

RB1975/1085 – House with integral double garage – Granted

## **Proposal**

The applicant is seeking planning permission for the erection of a two storey side and rear extension and a first floor extension over the existing single storey rear extension.

The proposed two storey extension projects 2.25m from the side elevation and it is set back from the building line by approximately 3.1m. The pitched roof of the extension follows the roofline of the property and extends 2.25m beyond the rear of the house to match the existing single storey extension.

The proposed additional first floor extension is located over the existing single storey extension and an external disabled access ramp access with a 1m high handrail is also proposed to the .

## **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. For the purposes of determining this application the following policies are considered to be of relevance:

### Core Strategy

CS28 '*Sustainable Design*'

## **Other Material Considerations**

Interim Planning Guidance (IPG) - 'Householder Design Guide'. This has been subject to public consultation and adopted by the Council on 3<sup>rd</sup> March 2014 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 27<sup>th</sup> 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 Unitary Development Plan and Core Strategy policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

## **Publicity**

Neighbouring properties were notified in writing.

7 representations have been received and are summarised as following:

- Additional bedroom would result in more people living in and visiting the property and subsequently increase the parking demand.
- There have been parking issues in the cul de sac as a result of the applicant and there are a large number of cars parked on the kerb particularly at weekends and in the evenings. Vehicles often double park, parking on kerbs and obstructing driveways.
- The applicant previously objected to the resident parking scheme and stated in the objection letter that they are a large family with high parking demand
- The existing garage is not used for parking purposes
- The frequent movement of vehicles results in general disturbance throughout the night
- All the vehicles are parking on Queensway outside the resident parking scheme hours
- The proposed alteration would greatly enlarge the property and have a detrimental effect on the character of the house which currently is well proportioned and consistent with the plot size.
- The height and close proximity of the two storey extension would be overbearing and restrict the daylight to No.36 and its rear garden
- permission was previously refused for having a consulting rooms in the house on the grounds that it would be a breach of the restrictive covenants and would cause additional vehicles on Queensway
- breach of the deeds where the resident of the application property has caused nuisance to the estate

## **Consultations**

Streetpride (Transportation and Highways): No objection subject to a recommended condition

Streetpride (Ecology): No objection subject to a recommended condition

## **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 main considerations in the determination of this application are:

- Principle of development
- Design and Visual Amenity
- Residential Amenity
- Highways Issues
- Other Considerations

### Principle of development

The application site is within a residential area and as such the principle of extending the property is acceptable subject to compliance with relevant policies and a number of criteria contained within the Householder Design Guide.

In essence, any extension or alteration should be in keeping with the character and appearance of the host property and should not have a detrimental impact on the amenity of neighbouring occupiers. In assessing the proposal, consideration has been given to the requirements of the relevant sections of the NPPF, Core Strategy CS28 'Sustainable Design' and the relevant guidance contained IPG 'Householder Design Guide'.

### Design and visual amenity

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 NPPF at paragraphs 17, 56 and 64 details the great importance to the design of the built environment and good design is a key aspect of sustainable development which should contribute to making places better for people.

Core Strategy policy CS28 'Sustainable Design' states 'Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping. Design should take all opportunities to improve the character and quality of an area and the way it functions' which seeks to ensure that all development make a positive contribution to the environment by achieving an appropriate standard of design.

The Council's IPG 'Householder Design Guide' also states that 'Two storey side extensions should generally be set back by a minimum of 0.5m at first floor level on the front elevation, with the roof set down and back from the main body of the house. This is in order to create a subservient extension...In addition the roof style of the extension should match that of the host property.

Whilst the roof of the extension is not set down from the roof of the host property, the extension is set back 3.1m from the front of the house and is only 2.25m in width compared to the 13m width of the existing house. As such, it is considered that the proposed extension would result in a subservient addition to the existing property and is not considered to result in the property being disproportionate to the plot size.

Given the existing house already has a 2 storey forward projecting gable feature to the front, it is considered that the extension would not be visually prominent in the street-scene and is proposed to be in materials to match the existing house so would not result in any adverse impact on the character and appearance of the property itself.

When adding a two storey rear extension the Council's IPG 'Householder Design Guide' also states that 'the extension should not be a disproportionate addition to the host property and in general should not exceed 3m if close to a shared boundary or 4m elsewhere. It should also include a similar roof design.'

The proposed rear extension only projects 2.25m to the rear and is not disproportionate to the host property. It also has a roof design similar to the original house and as such, it is considered that the proposal is of an acceptable design which ensures the development will comply with the requirements of the NPPF, NPPG, Core Strategy policy CS28 'Sustainable Development' and the guidance stated in the IPG 'Householder Design Guide'.

#### Impact on amenity of neighbouring residents

With regard to the impact on neighbouring amenity, the Council's Interim Planning Guidance 'Householder Design Guide' for 'adding a two storey rear extension states '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)... For the purposes of privacy and avoiding an 'overbearing' relationship, a minimum distance of 21m between facing habitable room windows should be maintained. A two storey extension should also not come within 12m of a ground floor habitable room window of a neighbouring property.'

Given the siting and projection of the extension, it is considered that the proposal would not have any impact on No 32 by way of overbearing, overshadowing or overlooking as the side extension is on the opposite side.

In addition, the rear elevation of the extension is approximately 12m away from the rear boundary of Nos.24 and 26 Queensway and as such would not result in any overlooking or overdominance to the these properties. There are also high trees to the rear boundary adjacent to No.26 Queensway and the distance between the rear elevations of the proposed extension and No.26 is more than 21m.

The proposed extension is however adjacent to No.36 Queensway. Whilst there is a habitable room window at No.36 Queenway facing towards the application site, the proposed extension is not directly in front of this window and as such will not cause any additional overshadowing than what may already be experienced. No.36 has no window on its gable side elevation and the proposed extension does not project beyond the building line to the rear of this property. It is therefore considered that the proposed extension would not result in a detrimental impact on the residential amenity of the neighbouring property by way of overbearing, overshadowing or overlooking.

As such, it is considered that the proposed extension would not result in a detrimental impact on residential amenity in the locality and is in accordance with paragraph 17 of the NPPF and the requirements of the Council's adopted IPG.

### Highway issues

The proposal results in an extra bedroom being provide at the site and would make this a 6 bedroomed house. 6 no. bedrooms, is not covered specifically by the Council's Parking Standards. However, it is considered that 3 no. car parking spaces would be the appropriate level of provision within the site.

The existing block paved area to the front of the property is currently able to accommodate 2 vehicles. It is therefore recommended that this area should be extended to provide an additional car parking space which is coved by a recommended condition.

As such, and subject to a condition requiring this to be undertaken before the extension is brought into use, it is considered that the impact of creating an additional bedroom to the property would not warrant a reason for refusal of planning permission on highway grounds.

### Other considerations

The application site is identified as being within a bat zone and a bat report has been submitted with the application. The survey extent and methods are appropriate and the results of the survey work are accepted. No evidence of roosting bat species was found although one element of the building was found to have low potential for bat presence. A method statement and recommendations for mitigation and biodiversity gain are provided, it is considered that the proposed methods for working and the mitigation recommendations are appropriate and a condition is therefore recommended to ensure such works are incorporated with the development.

## Response to representations

Whilst the representations have made reference to the proposed development having the potential to result in more vehicles being parked on Queensway, there are clearly occasions where cars parked on Queensway are not related to the applicant and these parking issues should not prejudice the opportunity for extending the application property as proposed. There is a resident parking scheme that allows for up to 2 no. permits per dwelling (9am to 4pm, Mondays to Fridays) for residents / visitor's vehicles to be parked within Queensway, the area is also patrolled by Enforcement Officers and offenders can be ticketed. Furthermore, the cul de sac including the turning area, is capable of accommodating some on-street parking without prejudicing road safety or obstructing other accesses during the time that falls outside the restricted hours.

It is acknowledged that the applicant has a large family with a dependant relative living in the property. Whilst there is a taxi vehicle belonging to the resident of the application property, it is not considered that there is a change of use of the site and it is not uncommon for single taxis to be parked at private residential properties.

Other matters raised in the representations do not form part of the material planning considerations in determining a planning application.

## **Conclusion**

Having regard to the above it is concluded that the proposal would not harm the living conditions of neighbouring properties and has been designed to reflect the character and appearance of the existing property. It is therefore considered to be in compliance with the relevant paragraphs of the NPPF, policies of the UDP and Core Strategy and the guidance detailed within the adopted IPG. For the reasons detailed in this report the application is therefore recommended for approval with conditions.

## 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 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 CS28 'Sustainable Design'.



03

Before the extension is brought into use, a plan shall be submitted to and approved by the LPA which shows an additional car parking space provided to the front of the site and this shall be constructed before the development is brought into use and thereafter retained.

Reason

To ensure the provision of satisfactory garage/parking space and avoid the necessity for the parking of vehicles on the highway in the interests of road safety.

04

Before the development is brought into use, that part of the site to be used by vehicles shall be constructed with either;

a/ a permeable surface and associated water retention/collection drainage, or;

b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that each dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity and in accordance with UDP Policy HG5 'The Residential Environment'.

05

Prior to the commencement of development, a bat protection strategy, including a schedule for implementation, shall be submitted to and approved by the Local Planning Authority. The strategy should include all detailed listed in Section E of the 'Preliminary Roost Assessment Report' (Access Ecology, March 2015) and shall thereafter be implemented in accordance with the approved statement before the development is brought into use.

Reason

In the interests of the ecology of the area and in accordance with UDP3.2 'Minimising the Impact of Development.'

## **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.