

**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 12 AUGUST 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	RB2021/0962 https://rotherham.planportal.co.uk/?id=RB2019/0627
Proposal and Location	Increase in roof height, formation of rooms in roofspace with dormer windows to front and rear at 5 The Crofts Wickersley
Recommendation	Grant with conditions

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



Site Description & Location

The property is a detached 'L' shaped bungalow located towards the end of a private drive, which provides access to 4 dwellings. The property is surrounded by a mixture of detached bungalows and two storey properties located on The Crofts, Welbeck Mews to the rear, and Pinchfield Holt to the front.

This property is one of four bungalows in the immediate locality, including No. 3 The Crofts which is to the northern side and 9 and 11 Wellbeck Mews to the rear which are sited at 90 degrees to the application site. The other properties immediately surrounding the site are two storey dwellings, with No 7 The Crofts having been recently extended to form a large two storey dwelling.

The wider areas, including Quarryfield Lane and Pinchfield Holt, include a mixture of two storey houses, bungalows and dormer bungalows.

Background

The property was constructed under planning approval RB1982/1184 and there have been no subsequent planning applications since that time.

Proposal

The application seeks full planning permission to raise the roof of the bungalow, maintaining the existing eaves height and increasing the ridge height by approximately 1.3m to create rooms in the roof space with dormer windows.

The original submitted plans included three bedrooms, with two en-suite bathrooms, in the roofspace, with five dormer windows to the rear serving the bedrooms and bathrooms and an additional dormer window to the front serving one of the bedrooms.

The layout of the rear windows was initially changed to locate the en-suite bathrooms adjacent to the side boundaries, so as to reduce overlooking from habitable rooms.

The plans have subsequently been amended further such that the increase in the roof height will now only serve 2 bedrooms, both with en-suite bathrooms and walk in closets. The rear dormers serving the bedrooms have been removed, retaining the dormer windows to the en-suite bathrooms only, and incorporating two velux rooflights to the rear roofslope to the bedrooms, which are indicated to be located 1.7m from the finished floor level. The original front dormer is still proposed with an additional smaller dormer to the front to serve the second bedroom.

The existing property is constructed in artificial stone, some areas of which appears to have been painted varying colours, being cream/grey to the front and side and terracotta to the rear. The application proposes to render the whole property with a pale grey finish and to use matching grey roof tiles with new windows and doors in dark grey UPVC.

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 which was adopted by the Council on the 27th June 2018.

The application site is identified as being 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

Supplementary Planning Document - 'Householder Design Guide'. This has been subject to public consultation and adopted by the Council on 26 June 2020 and replaces the Interim Planning Guidance.

National Planning Policy Framework: The revised NPPF sets out the Government's planning policies for England and how these should be applied. It sits within the plan-led system, stating at paragraph 2 that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise" and that it is "a material consideration in planning decisions".

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched.

South Yorkshire Residential Design Guide.

The Wickersley Neighbourhood Plan (NP) has been submitted but has yet to undergo statutory consultation, examination and referendum. So while the policies in the draft NP show the intent of the Parish Council (informed by their own consultation exercise), they would be given minimal weight at this stage.

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 has been advertised by way of individual neighbour notification letters to adjacent properties. Letters of representation have been received from 7 separate households/individuals, including a ward councillor. The objections can be summarised as follows.

In response to the original plans and first window revision;

- The Application property is one of only four bungalows in this immediate area that are all overlooked and surrounded by two story houses.

- The proposal has five dormer windows which will overlook neighbouring properties.
- The proposal is an over development of the property, which has little curtilage for a five bedroom dwelling. Clearly the proposal is driven by maximising the profit of redevelopment of the plot and not the needs of an individual.
- In Rotherham's Core Strategy document it was noted that residents over 65 is on the increase. Most of our older generation tend to live in bungalows. The loss of yet another bungalow in Wickersley means the diversity of this village will decrease due to the large number of bungalows disappearing and becoming "super exec" homes. The age bracket age 40-64 is projected to decrease which would be the most likely age range buying this extended property. It doesn't make sense to raise this to a two-storey property, when the availability of single level properties is in decline in Wickersley.
- The Core Strategy also notes that there is an increase in single person households, including those over 65. We are not addressing that problem by building large housing, when it is adequate housing for our population that is required.
- There are currently 4 bungalows at right angles, with low/little fencing between them, allowing the neighbours to chat and be part of a wider community. The change of 1 in the middle to become a house, gives a sense of isolation and loss of community amenity to those left in the bungalows.
- The building will be detrimental to the character of the area, being out of place in a group bungalow setting. The finish of render does not fit in with the surrounding houses being made of stone or brick.
- The Council's Householder Design Guide states that it is not the Council's usual practice to support bungalows being altered into 2-storey houses, as in most cases this would have a serious effect on neighbours amenity and on the appearance of residential areas. It also states that any design should minimise the effect on neighbours' properties by overshadowing and overlooking... which this plan certainly does not minimise with 5 windows overlooking more than 1 property resulting in loss of privacy and increased overlooking.
- I also believe that the house will overshadow my garden.
- We have already lost most of our privacy to both garden aspects from the building work at 7 The Crofts, and at the front by No. 2 Pinchfield Holt. Already have to deal with incessant noise from building work, vans running etc
- Why are they being allowed to raise the roof when we were not allowed when we extended our property in 2009.
- The proposal is an over development of the property, which has little curtilage for a five-bedroom dwelling.
- Loss of view towards Sheffield due to the proposed vertical extension of 5 The Crofts
- Our property will still be overlooked despite the redesign of the windows. We will also lose light due to the dwelling increasing in height. Our bungalow (No3) and No5 were built at the same time, by

the same builder, using the same materials. The bungalows compliment each other. Changing No5 from a single storey building to a two story building will remove the character of the two properties forever.

- The purchaser of No5 has bought the property with no intention of living in it. The purchase is for profit which we have no objection to, however, it should be carried out with consideration for others.
- The new owner may wish to change the upstairs windows in the future.
- Inappropriate for any alterations to a property to have windows which look directly into other people's bedroom windows. As such, I think a bathroom/ frosted window to the front of the property would be the only course of action, if the proposal were to be agreed.

Additional comments received following receipt of final amended plans;

- My house looks directly on to the property in question and the amended plans now contain two windows which will directly face the bedroom windows in our property. On the original plans submitted, we had one dormer window overlooking our bedroom window, but now we have two due to objections about loss of privacy in gardens and privacy to other adjacent properties.
- The neighbouring house at 7 The Crofts is currently being extended resulting in loss of all privacy to my garden, and indeed some privacy to bedroom and kitchen.
- My house is now the only one losing privacy by these changes. I hope the planning board will consider all neighbours as they make their decision and not consider us to be the "fall guys" in order to "potentially" placate any other objectors.
- No increased privacy. The velux windows can be opened and looked through, as can the bathroom windows.
- With the raising of the roof. It will mean our outlook from our front facing living room and bedroom will be worsened.

The following objections have been received from a Wickersley Ward Councillor;

"Six neighbouring properties have already filed objections to the application, a significant number in the locality, and all cite relevant planning considerations. As a Borough Councillor, I would restate and reaffirm these and request that the application be rejected on the following grounds:

- Incompatibility with national and local planning policy The National Planning Policy Framework (NPPF) requires that upward extensions only be permitted where these are consistent with the prevailing height and form of neighbouring properties . Householder Design Guide applies this principle to planning in Rotherham, stating that upward extension should only be permitted where new first floor windows will be more than 21 metres from those of existing dwellings to the front, side or rear.
- The property specified in the application sits between single-storey bungalows. If extended as proposed, it will no longer be consistent with neighbouring properties. Furthermore, I understand that, if extended as

set out in the application, the new first floor windows to the rear will not be more than 21 metres from those of neighbouring properties on Welbeck Mews, Wickersley.

- Loss of privacy- Virtually all objections filed by neighbouring residents have cited the principal consideration of privacy.
- Outlook/sense of enclosure - Aside from their privacy, neighbouring residents indicate that an upward extension of the property concerned will make them feel more enclosed within their own property, hemmed in and with a reduced outlook.
- Light - An upward extension of a bungalow set amidst similar properties is likely to have an impact on light to neighbouring properties and this is reflected in an objection filed by an immediate neighbour.
- It is clear the application would have a profound negative impact on several neighbouring properties and their occupants if granted. It would result in a cumulative loss of amenity. The application should be rejected.

Two objectors and the applicant have requested the Right to Speak at the Meeting.

Consultations

RMBC (Transportation Infrastructure Service): Raise no objections.

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 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.
- Residential 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"

This approach is also echoed in National Planning Policy in the NPPF. The NPPF 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: Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

The NPPF further adds at Paragraph 134;

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

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." (This has been superseded by the adopted version June 2020)

The Councils adopted Householder Design Guidance states;

“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 or support the raising of the roof of an existing semi-detached or terraced house / bungalow. 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:

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

Where the raising the roof or 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 and not appear out of place in the street-scene. 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. Dormers should be modest in size, relative to the size of the roof, and should be designed to reflect the architectural character of the house. Dormer cheeks should be clad in tiles or slates to match those on the roof. The dormers should not project above ridge level, and should be small proportionate pitched roofed dormers rather than flat roofed.”

Objections to the proposal have been received from the occupiers of several properties surrounding the site, stating that the building will be detrimental to the character of the area, being out of place in a group bungalow setting, and that it would not comply with local and national policies which requires that upward extensions only be permitted where these are consistent with the prevailing height and form of neighbouring properties.

The properties immediately surrounding the site consist of a bungalow to the north which is of a similar (mirrored) design and is located at a slightly higher land level, a small bungalow to the east, which is also at a higher land level, and two storey dwellings to the southern and western sides. In the wider locality there is a wide variety of house types, including dormer bungalows, with no uniformity of design.

Having assessed the existing streetscene and the design of properties locally it is not considered that an increase in the ridge height of this property by approximately 1.3m, whilst retaining the existing eaves height, or the introduction of two relatively small pitched roof dormer windows would look out of place in the streetscene. As such, it is considered that the proposal

would comply with the requirements of the Householder Design Guidance in this respect.

With regard to the proposed materials, the existing property is constructed in artificial stone which appears to have been painted varying colours, being cream/grey to the front and side and terracotta to the rear. The application proposes to render the whole property with a pale grey finish and to use matching grey roof tiles with new windows and doors in dark grey UPVC.

The properties in this area are mainly constructed in stone or brick, and objections to the proposed use of render have been received. However there are several properties with a render finish in the local area and taking into account the appearance of the existing walls it is considered that it would be preferable to have a quality rendered finish rather than a mixture of coloured mis-matched stonework.

Taking all of the above into consideration it is considered that the amended proposal is acceptable in design terms and would comply with the Councils adopted Policy and guidance in this respect.

Residential Amenity

The NPPF states planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

The adopted Householder Design Guidance states that planning permission may be granted for an upward extension on a detached bungalow where new habitable room windows at first-floor level and above would be more than 21 metres from habitable room windows of existing dwellings to the front, side or rear and more than 10 metres away from a neighbour's boundary.

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.

Local Plan Policy SP55 notes that development proposals will be required to demonstrate that they have appropriately taken account of and mitigated against any site constraints which may have a detrimental impact upon amenity, including privacy, direct sunlight or daylight.

Objections in regard to the original plans have been received from nearby occupiers with regard to potential loss of privacy from the dormer windows which could result in increased overlooking of neighbours' properties and private garden areas and overshadowing from the increase in roof height. The plans have subsequently been amended to take account of neighbours' concerns and to ensure compliance with the above policies and guidance in terms of required spacing distances.

The dormer windows to the rear are now to serve bathrooms only and whilst they do meet the required spacing distances they would be located close to the boundaries of neighbouring properties and could increase the overlooking of existing private garden areas if they were to be clear glazed in the future. As such it is recommended that a condition be attached to any approval granted requiring these to be obscure glazed and non-opening below 1.7m from the finished floor level, and to require they are retained as such to prevent any future internal changes to the layout.

The proposed roof lights are indicated to be fitted so that the bottom is 1.7m from the finished floor level to prevent any direct overlooking of adjacent properties and it is also recommended that a condition be imposed preventing any additional windows or roof lights being fitted in the raised roof area without the prior approval of the Local Planning Authority.

Whilst the amended plans are considered to address the issues raised by most of the neighbouring residents in terms of overlooking it is acknowledged that they introduce a second dormer window to the front which faces the rear elevation of the properties on Pinchfield Holt, and further objections have been received from the occupier of 3 Pinchfield Holt, whose rear elevation faces the front of the site.

With regard to the front dormer windows and the impact on the occupants of existing properties that surround the site, it is noted that spacing distances between the front habitable room windows and both the rear boundaries and rear elevations of surrounding properties satisfy the requirements outlined within the South Yorkshire Residential Design Guide. There is at least 21 metres between principle elevations and at least 10 metres between principle elevations and rear boundaries. The distance between the habitable windows of No. 3 Pinchfield Holt and the new dormer windows is estimated to be between 25m and 28m.

The property at 3 Pinchfield Holt has also been increased in height including the creation of two additional bedrooms with rear facing windows under a planning approval granted in 2008 (RB2008/0035). There is also a substantial hedge to the rear of No. 3 Pinchfield Holt which screens most of the view into the rear garden, following the sight lines from the new windows. Therefore whilst there may be a perceived increase in overlooking from the new dormer windows they are considered to be of a sufficient distance away such that it is not considered that they would result in any significant increased loss of privacy to the occupiers of that property, which is already overlooked to some extent by No. 7 The Crofts.

With regard to the proposed increase in roof height, this would mainly impact on the occupiers of No. 3 The Crofts. The applicant's property is located to the southern side of No. 3 The Crofts and the issue of loss of light from the increased roof height has been raised by the occupier of that property. In this instance, the maintenance of the existing eaves height, the differing land levels and the distance between the properties are considered to be relevant factors which mitigate any impact from the raising of the ridge height. Whilst

there is a window in the gable elevation of No. 3 facing the site, previous plans submitted for that property indicate that this is a secondary window to that room which has been added by the occupiers and taking this into consideration it is not considered that the increase in height would result in a significant loss of light to that room.

The proposals are not considered to appear overbearing or oppressive when viewed from neighbouring properties or from within adjacent private rear gardens due to the spacing distances and land levels and it is not considered that the development would give rise to any significant overshadowing or loss of direct sunlight and / or natural daylight to habitable room windows.

Taking all of the above into account the proposals are considered to comply with both national and local policies and guidance in terms of the potential impact on neighbouring residents.

Other issues raised by objectors

With regard to the possible shortage of bungalows and suitable housing for older people in the future it is acknowledged that Core Strategy 3.0.3 Housing refers to Rotherham's overall population and the estimate that in the future there is likely to be an increasing number of one person households and fewer large households. Whilst this will have implications for future housing development sites the Core Strategy also outlines the need to improve housing quality to provide a choice of dwellings of different size, type and affordability. The alterations to this property are considered to improve the overall quality of the property.

Objections also refer to the applicant's motives for increasing the size of the dwelling relating to profit rather than need. This is not a planning consideration and cannot be taken into account.

It has been requested by an objector that the proposed dormer windows to the front are obscure glazed, however this would not comply with the Householder Design Guidance which states that "A proposal which results in any habitable room without the provision of a sufficient outlook will normally be refused. High level windows / roof lights or obscurely glazed windows do not provide a sufficient outlook to a habitable room and result in a poor standard of amenity." As noted above, the inclusion of dormers on the front elevation is considered acceptable.

Objections also refer to the loss of the view from their property to Sheffield and the motorway which they state would be significantly impacted by the proposed vertical extension of 5 The Crofts, however there is no private "right to a view" that the planning system should protect. An individual's view over neighbouring land of some distant object, building or scenery, as distinct from his or her more immediate dominance by a building, is not a material consideration.

Conclusion

In conclusion and having regard to the above it is considered that the proposed alterations would achieve an acceptable design in relation to the existing streetscene and would not result in an unacceptable impact on neighbouring amenity and would comply with the Council's Policy and Guidance. The application is recommended for approval subject to the conditions 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)

Amended plans TC14 -3 Rev B received 22 July 2021.

Reason

To define the permission and for the avoidance of doubt.

03

Notwithstanding the submitted plans the rendering of the external walls shall not take place until details of the colour and finish to be used have been submitted or samples have been left on site, and the details/samples have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

Reason

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

04

The materials used in the external surfaces of the dormer window extensions hereby approved shall be of a similar appearance to those used in the construction of the existing roof.

Reason

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

05

The dormer windows and velux rooflights on the rear elevation of the roof slope facing Welbeck Mews 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.

06

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows, rooflights or openings shall be inserted into the raised roof hereby approved.

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.