

Item No. 1.6

Ref. No. [DMPA/2022/0624](#)

Valid date: 09/05/2022

Applicant: Sam Elgie

Agent: Wilson Architects Ltd

Proposal: The erection of a proposed roof and rear extension at 3 Fishpond Lane, Egginton, Derby, DE65 6HJ

Ward: Etwall

Reason for committee determination

This item is presented to the Committee at the request of Councillor Lisa Brown based on local objection.

Site Description

The site lies within the Settlement Boundary of Egginton and is host to a large detached two storey dwelling set 32m back from the highway by a hard surfaced parking area and driveway. To the east of the property lies a sizeable garden area containing a substantial amount of vegetation with a number of outbuildings present also.

The surrounding area consists of a range of property sizes including detached two storey properties and two storey terrace dwellings, some located a significant distance from the highway and other located just off it. The architectural design of the properties varies also with some properties supporting red brick and others painted white brickwork. To the south of the site lies playing fields and Egginton Primary School lies approximately 120m south east of the site.

The proposal

The application seeks permission to raise the roof of the existing single storey element to create a two storey element along with adding a further two storey rear extension at the front and at the rear of the property.

Applicant's supporting information

Submitted with the application is;

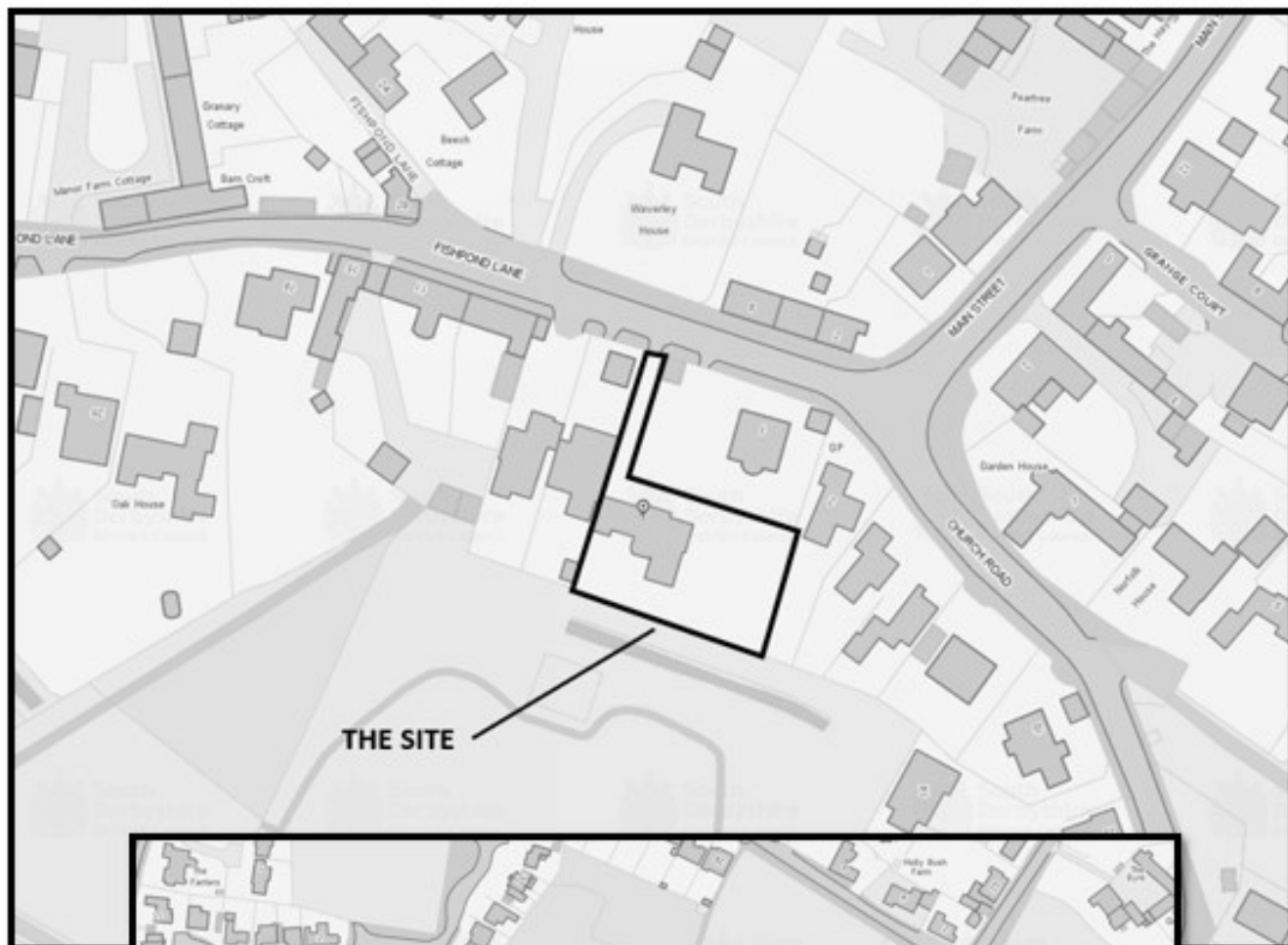
- Existing Elevations
- Existing Floor Plans
- Proposed Ground Floor Plan
- Proposed First Floor Plan
- Proposed Site Plan
- Proposed Elevations
- Photo Montage

The applicant has also confirmed in writing

- the property will be used as a family home and not a HMO.
- the plant/laundry room will be used a family utility room.
- To eradicate any concerns to our neighbours we are happy to build our extension a step in so not to bother the boundary

Saved to S: Drive

**DMPA/2022/0624- 3 Fishpond Lane, Egginton,
Derby, DE65 6HJ**



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South Derbyshire District Council, LA 100019461.2020

Relevant planning history

9/2013/0359 - The erection of an extension - Approved August 2013.

9/1998/0645 - The installation of a pitched roof on the garage and a conservatory at the rear of the detached dwelling - Approved.

Responses to consultations and publicity

Highways: - No objections.

Three letters of objection have been received from members of the public raising the following concerns:

- The proposal offends by nature of its scale and impact, the use of this property as a dwelling of multiple occupation being inappropriate for the residential area concerned, and impossible to provide sufficient parking provision without great local disturbance. I hope your Planning Dept will oppose the application.
- We object to this proposed development due to the scale and over-development of a property that has had previous extensive development.
- Development seems to be excessive and overbearing to one side (towards No5) as where the plot has sufficient space to the opposite side and with some creativity could make a more sensible project.
- Our main concerns relate to proposed angle of new roof to the side adjacent to our property (bathroom) will result in excess water fall onto narrow passageway between properties on our side and with potential damp issues. Current fascia and guttering hang over the boundary onto our property and with excessive rain, guttering currently cannot cope with fall and overflows. Proposed New roof pitch is taller so we will assume water fall will be far greater and excess water will overflow.
- extension to rear of current garage far exceeds the current building line of the neighbouring properties and will also result in a lack of natural light into our kitchen and dining room especially in the winter months. The plans show proposed extension at the side to the back of the garage (bedroom 6) as a continuous wall however there is an existing brick dividing wall which belongs to us and unless removed will not allow this continuation.
- proposed new two storey entrance will have a potential detrimental effect on light into our dining room, where light is currently quite poor.
- proposed development into a large six bedroomed property with insufficient parking available up a narrow driveway will cause issues with potential excess parking on the road in front of our property and adjacent properties making access difficult.
- proposed situation of a plant /laundry room on the boundary wall next to our property (dining / kitchen) will result in potential machinery ie heat pumps etc .excessive noise..
- we are concerned about the potential lack of privacy into our garden with the proposed rear terrace which will overlook our garden.
- The proposed extension to this property completely overlooks our bedroom and lounge. The design is completely out of character with the other properties in the area as the bungalow is enclosed within the original Egginton Hall walls and the access and parking for a 6 bedroom property is also completely unsuitable. Overall, this application is unsuitable and finally we would point out this property has already been extended by nearly 100% of its original footprint.

Relevant policy, guidance and/or legislation

The relevant policies are:

2016 Local Plan Part 1: S2 (Presumption in Favour of Sustainable Development); SD1 (Amenity and Environmental Quality); SD2 (Flood Risk); and BNE1 (Design Excellence).
2017 Local Plan Part 2: H27 (Residential Extensions and Other Householder Development).

National Guidance:

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Local Guidance:

- South Derbyshire Design Guide SPD (Design SPD)

Planning considerations

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- Design
- Impacts on amenity
- Highway Impacts
- Flood risk

Planning assessment

Design

The proposed development would be set back from the public highway by 32m and would not be visually intrusive within the street scene. The extensions would include raising the roof height of the existing single storey element to create a second storey as well as a two-storey rear and front extension.

The extensions whilst increasing the bulk of the property, would largely be built on the existing footprint of the dwelling. The front and rear extensions would increase the footprint of the building, however they could be accommodated within the plot without appearing excessive or cramped within site. The extensions and additions would integrate well within the site and would not be at odds within the surrounding area.

The design of the dwelling is clearly modern with the use of white render and dark grey composite cladding in place of red brick. Whilst some flat roof elements have been added to the roof design, overall, the pitched roof design remains. The surrounding properties vary in size and design and the site does not lie within a Conservation Area and is situated a good distance back from the street scene. It is considered the design and materials used on the property are acceptable and refusal on design could not be justified in this instance. The development is considered to be in accordance with Policies S2 and BNE1 of the Local Plan.

Impact on Amenity

The properties most likely to be impacted by the proposal are No. 1 and No. 5 Fishpond Lane.

The proposed property lies 15m from the rear elevation of No. 1 and 4.6m from the shared northern boundary. A 1.8m fence will be placed on the northern boundary and these distances

are considered to be acceptable in preventing any detrimental loss of privacy to the rear garden of No. 1.

The property will be built on the western boundary shared with No. 5. Development on this boundary will remain single storey in nature with the roof sloping away from the boundary. No windows are proposed on the side elevation and the roof lights would be located high in the roof slope so that any potential overlooking would be minimal.

The proposed property is set back further south than No. 5 and any views from the rear terrace would only be at the very bottom of the garden of No. 5 and would mainly be overlooking the adjacent playing fields. Overall, it is considered the single storey side extension would not result in any harmful overbearing impact to No. 5 and no detrimental loss of privacy would result from the proposed development. The development is considered to be acceptable, and in accordance with Policy SD1 of the Local Plan.

Highways

Ample space is available on site for parking of 2/3 cars and no changes are proposed to the existing access. Highways have raised no objections and the proposed would not result in any harmful impact to highway safety in this instance.

Flood Risk

The application site is within an area at risk of flooding. However, the limited extensions to the footprint on the building will not add to this risk to any significant degree. EA standing advice applies to extensions in areas at risk of flooding whereby the extensions should be designed to incorporate flood resilience measures. This can be included as a condition.

Other Matters

The neighbour at No. 5 has raised some concerns on the shared boundary wall on the western boundary. The applicants are happy to step the extension in to avoid this wall being impacted at all from the development. This can be conditioned to ensure the wall is not impacted in any way.

The plant room as labelled on the plans will be a utility room where a washing machine and dryer will be installed. This is for domestic use and no excessive noise will arise from this use and therefore raises no concerns.

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation

Approve subject to the following conditions:

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with drawing(s) ref. Location Plan 22,031 - P - 001, Existing Floor Plans & Block Plan 22,031 - P - 101 A , Existing Elevations 22,031 - P - 102 A, Proposed Site Plan 22,031 - P - 106, Proposed Ground Floor Plan 22,031 - P - 103 A, Proposed First Floor Plan 22,031 - P - 104 A, Proposed Elevations 22,031 - P - 105 unless as otherwise required by condition attached to this permission or following approval of an application made pursuant to Section 96A of the Town and Country Planning Act 1990.

Reason: For the avoidance of doubt and in the interests of achieving sustainable development.

3. Other than where specified on the approved plans/drawings, all external materials used in the development shall match those used in the existing building in colour, coursing and texture unless, prior to their incorporation into the development hereby approved, alternative details are first submitted to and approved in writing by the Local Planning Authority pursuant to an application made in that regard, whereafter the approved alternative details shall be incorporated into the development.

Reason: In the visual interest of the building(s) and local distinctiveness.

4. The development hereby permitted shall, as a minimum, have (a) floor levels set no lower than existing levels and (b) flood proofing incorporated where appropriate and practicable. Any flood proofing shall, once installed, be retained and maintained in working order.

Reason: To reduce the risk from flooding to the proposed development and its future occupants.

5. The dwelling hereby approved shall be used as a single residential property and not be used or converted into a HMO at any time in the future.

Reason: To safeguard the amenities of nearby occupiers and in the interests of highway safety.

6. Before any development is commenced confirmation of any alterations to the existing boundary wall shared with No. 5 Fishpond Lane shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment approved shall remain thereafter.

Reason: In the interests of protecting the amenity of the area and adjoining occupiers.