

Delegated officer's report	Officer: CF
Application ref. 9/2019/0700	
THE ERECTION OF EXTENSIONS AT 29 CHESTNUT WAY REPTON DERBY	
Valid date:	01/07/2019
Consults expired:	30/07/2019
EIA development?	☐ Yes ☒ No
Habitats development?	☐ Yes ☒ No

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Responses to consultations

None

Responses to publicity

None

Planning history

9/2018/0820 – The erection of extensions and alterations. Conditionally approved.
 9/2016/0981 - The erection of extensions and alterations. Conditionally approved.
 9/2009/0670 - The erection of extensions and alterations. Conditionally approved.

Development Plan Policies

2016 Local Plan Part 1: S2, SD1, SD3, BNE1, BNE4, INF2
 2017 Local Plan Part 2: H27, BNE7

National Guidance

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

Local Guidance

Design Guide Supplementary Planning Document (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 issue(s) central to the determination of this application is/are:

- Design and the visual amenities of the area;
- Amenity of neighbours;
- Parking and highway safety; and
- Impact on existing trees.

Planning Assessment

Design and the visual amenities of the area

Policy BNE1 highlights the importance of new development being visually attractive, appropriate and of a high standard of architectural quality. Policy H27 specifically relates to new residential extensions and householder development stating that such development 'will be permitted provided that the proposals: are of a scale and character in keeping with the property, and the general character of the area'. The Design SPD at Appendix A provides more detailed guidance on matters of scale, character and form, position and materials.

The proposed extensions at this detached dwelling are:

- A part first floor (over the existing garage), part two storey side extension with a single storey extension between it and the rear elevation of the existing dwelling.
- A single storey front extension.
- An open front porch/canopy.

The proposals are similar in size and form to those approved previously at the property (and not implemented) albeit reverting back to the more traditional approach of the 1st and 2nd approved schemes rather than the 3rd scheme, which followed a more modern approach. These previous approvals are a material consideration in the determination of the current application.

The part first floor, part two storey side extension would sit slightly forward (around 1.5m) of the existing dwelling by virtue of the siting of the existing attached garage. The single storey front extension would sit slightly forward of the existing garage. These projecting elements would not be out of keeping with the loose building line created by the front elevation of dwellings on this side of the street.

The roof over the side extension would be partly a continuation of the dwelling's existing hipped roof, which has a ridge line running parallel to the road, and a hipped roof running front to back over the full depth of the new first floor. This ridge line of this part of the roof would be at 90 degrees to and slightly lower than the ridge of the original dwelling. The design and massing of this extension and the single storey extensions would not overwhelm the existing dwelling and would be in keeping with the varied style of dwellings along the street. The elongated width of the dwelling would be similar to other extended properties nearby and still retain a suitable gap between the dwelling and the nearest neighbouring dwelling to the north west (No.27). The full depth of the side extension would also be partly obscured by No.27.

The existing dwelling is brick and tile. It is proposed that the ground floor of the two storey rear extension would be brick to match the existing dwelling but the new first floor element and the proposed single storey front extension would be finished in render. The small rear extension would have a flat roof and mainly glazing elevations. Render would introduce a new external material into the dwelling's existing palette, but this would be acceptable given the dwelling's context. The mix of brick and render is a feature of both some original and extended/remodelled dwellings along Chestnut Way. A condition would be required, however, to secure a suitable render finish and the stated matching bricks and roof tiles.

In conclusion, it is considered that the design and materials of the extensions and porch would appear well designed and suitably in keeping with the character and appearance of the area subject to the condition regarding materials. The proposed development would, therefore, suitably comply with the relevant Local Plan Policies and the Design SPD in terms design and visual amenity. The development will have no impact on the nearby conservation area given the distance involved and intervening vegetation.

Amenity of Neighbours

Policies SD1, BNE1 and H27 seek to protect the privacy and amenity of existing and future occupiers, with specific 'Distance Guidance' contained within the Design SPD.

The scale and position of the extensions relative to neighbouring dwellings is such that they would not have an overbearing impact on neighbouring dwellings nor cause a material loss of light to any primary neighbouring windows. In this respect, the part first floor, part two storey extension would not be within a 45 degree line of any primary windows at the neighbouring dwellings, in accordance with the Design Guide regarding the potential for two storey extensions to overshadow neighbouring windows.

In terms of potential overlooking of the garden, the Design Guide does not provide a prescribed minimum distance and instead states that *'Although most houses overlook neighbouring rear gardens to some extent, areas closest to main windows are where occupants most value privacy. The impact of new development on such private outdoor areas will, therefore, be assessed on the merits of each case'*.

The single storey rear extension would include side facing windows (i.e. bi-fold doors). These would not, however, result in the overlooking of the neighbouring garden given the existing boundary treatment and the fact that these are ground floor windows only and at some distance from the boundary.

In conclusion, subject to the aforementioned condition, it is considered that the proposal suitably complies with the relevant Local Plan Policies and the Design SPD in terms of neighbours' amenity.

Highway Safety

Policy INF2 requires that appropriate provision is made for safe and convenient access, and that parking provision should have regard to parking standards. The Design SPD strongly encourages the provision of parking spaces per dwelling, and recommends that four spaces be provided for homes of four bedrooms or more.

The property is within a large plot and the finished scheme (which would result in 5 bedrooms) would have suitable parking in the form of the retained double garage and frontage parking for at least 3 cars. As the parking requirement is met without the garage bays it would be inappropriate to attach a condition to prevent the garage being converted to additional living accommodation at a later date. An informative can mention the potential to change the surfacing of the access drive from gravel to a bound surface to avoid the deposition of loose material on the highway but without compromising sustainable drainage and the health of the TPOd tree at the front of the plot (see below).

In conclusion, the proposed scheme would meet the parking standards in the Design Guide and have no adverse impact on highway safety, in accordance with a requirement of Local Plan Policy INF2 and the parking requirement of the Design SPD.

Impact on Existing Trees

The extensions would not have an adverse impact on any existing trees including the canopy or root protection area of the large TPOd poplar tree towards the front of the site, such that the requirements of Policies BNE4 and BNE7 would not be compromised. The revised application provides details of how the tree will be protected during the construction phase and this can be secured by condition, with it being stated that the fencing shall be erected before site clearance/groundworks/deliveries occur and that nothing shall be stored or allowed to remain within the fenced off area. An informative can stress that the planning permission does not authorise any works to the protected tree.

Recommendation

- ☐ Approve without conditions
- ☒ Approve subject to conditions
- ☐ Approve subject to conditions and planning obligation
- ☐ Refuse

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).

Recommendation made:	17/08/2019	
Recommendation agreed:	20/09/2019	Agreed by: APS