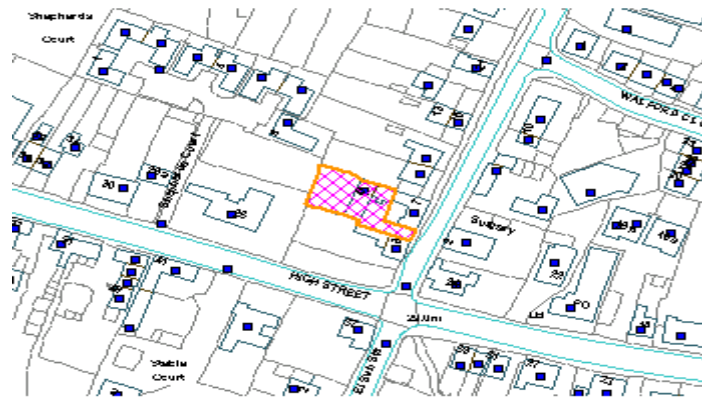


**Reference:** 15/00244/FULHH  
**Date submitted:** 25<sup>th</sup> March 2015  
**Applicant:** Mr & Mrs Reid  
**Location:** 5 Albert Street, Bottesford, NG13 0AJ  
**Proposal:** New single storey extension to rear to include demolition of existing conservatory and porch; construction of first floor bedroom above existing garage.



**Proposal :-**

The proposal comprises the addition of a first floor extension above the existing garage and a single storey element to the rear running along the shared south boundary with that of the neighbour at No 3 Albert Street, together with the projection of the porch area to the front. The additions will provide a total of 3 first floor bedrooms, 1 with ensuite and extended ground floor living accommodation to comprise an extended kitchen and dining area. Although formerly known to have been a Chapel there have been countless renovations internally and little remains of its original features and the building has never been listed, however, it is positioned within the Designated Conservation Area and village envelope for Bottesford

**It is considered that the main issues relating to the proposal are:-**

- **Impact upon the Character of the Area**
- **Impact on neighbouring properties**

The application is to be considered by Committee as it has been called in by one of the local Ward Members.

### **Relevant History:-**

There are no historic records of previous planning applications, although the current application has been amended from its original submission with the removal of another 2 storey element to the north boundary.

### **Planning Policies:-**

#### **Melton Local Plan (saved policies):**

Policies OS1 and BE1 allow for development within Village Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

#### **The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:**

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict the NPPF should prevail. It also offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- deliver development in sustainable patterns and
- re-using brownfield land.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

### **On Specific issues it advises:**

#### **Delivering a Wide choice of High Quality Homes**

- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities;
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

### **Require Good Design**

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

### **Conserving and Enhancing the Historic Environment**

- Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal
- In determining planning applications, local planning authorities should take account of:
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 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.
- Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal
- Local Planning Authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- Not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12).

In accordance with Section 72 of the Planning ( Listed Buildings and Conservation Areas) Act 1990 when considering any buildings in conservation areas special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.

### **Consultations:-**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<b>Bottesford Parish Council – object to the original plans</b>	<p>Noted</p> <p>The first storey element to the north boundary has been omitted subsequent to negotiations after concerns were raised on the impact to the neighbouring property at No 9 Albert Street.</p> <p>The Parish Council have been consulted on the amended plans, no comments have been received to date.</p>

<b>Highway Authority</b> – no comment to make.	Noted – The property is currently served by an existing narrow access from Albert Street. This is a shared access which will not be affected by the proposal. Parking will remain available for 2 cars within the site to serve the property  <b>It is considered that the proposal will not have a detrimental impact upon highway safety.</b>
<b>Ecology:</b> - No comments have been received to date.	Noted. – A note to advise the applicant can be added to the decision advising of a need for a watching brief.

**Representations:**

A site notice was posted and neighbouring properties consulted, as a result 5 letters of representation have been received to date objecting to the proposal on the following grounds;

<b>Representation</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Impact upon the character of the area</b> ;</p> <p>The size of the proposal is not in keeping with the area</p> <p>It will be an incongruous extension building in relation to its location and the Conservation area.</p>	<p>The existing site has an unusual arrangement, the existing dwelling is a semi detached single and two storey dwelling of brick and tile construction which is positioned some distance back from the highway and accessed between the two neighbouring properties, Nos 3 and 7 Albert Street. The immediate area comprises an eclectic mix of different styles and designs of character dwellings, which follow no particular building line or pattern of development. The application site is positioned directly to the rear of No 7 and screened considerably from the public realm.</p> <p>The proposed 2 storey element will be positioned above the existing garage. It will be set down and hipped to the south elevation which will appear subservient and will also have a softened appearance that is in keeping with the features of the host dwelling.</p> <p>The proposed single storey extension will project to the rear, along the southern boundary but will be screened by the host dwelling. The proposed flat roof porch extension will protrude within the courtyard drive which has no vantage point beyond the confines of the site. The proposals are considered to be sympathetic in design and in keeping with the character of the dwelling and the surrounding area.</p> <p>Although the building is said to have historic value, it is not a Listed Building. The property has undergone renovation and changes over time and little evidence remains of it being a chapel.</p> <p>It is considered that the size, location, design and</p>

<p>The rear extension will overhang the boundary to the south with the neighbour at No 3 Albert Street</p> <p>We will be upset if the tree and fence are damaged as we do not want them disturbed.</p> <p>Concerned the existing foundations to the garage are not sufficient and scaffold will need to be erected on our garden close to the shed.</p> <p>Reservations concerning the construction of the porch and a party wall between that of the applicant and No 9 Albert Street.</p> <p>The garage will be converted to habitable accommodation</p> <p>The ecology survey is flawed</p>	<p>construction material would not adversely impact on the character and appearance of the immediate area and would further preserve and enhance that of the historic environment and wider Conservation Area and is considered to comply with the said policies OS1 BE1 and the NPPF</p> <p><b>It is considered that the proposals would not have a detrimental impact by virtue of its mass, scale and design on the streetscene and will continue to preserve and enhance the Conservation Area in accordance with Policies OS1, BE1 and the NPPF.</b></p> <p>Consideration has been given to the realignment of the single storey element, which can now be constructed within the site without the guttering overhanging the adjoining property</p> <p>The concerns raised are not of a planning consideration but that of the Party Wall Act and therefore a civil matter between the neighbours</p> <p>The construction and foundations are a consideration of Building Control Regulations and are not a material planning consideration</p> <p>The plans detail an integral garage of which can be considered as a parking allocation with a width of 3 metres as stated by the Highways Standing Advice. There is however sufficient parking for a 3 bed house within the site that should the garage be used otherwise as a habitable room, there would not be a perceived harm and it would not therefore be considered reasonable to condition this use or remove permitted development rights from it.</p> <p>An ecology survey has been submitted and LCC Ecology have been consulted. Their response is awaited.</p>
<p><b>Design:</b></p> <p>Materials don't match</p>	<p>The submitted application states that materials will match that of the host dwelling and can be conditioned accordingly</p>

<p>Ground floor window to the south garage elevation is not correctly shown</p>	<p>Although incorrectly positioned on the existing plans the main consideration is of the proposed changes The location of existing windows has been noted and this particular window is proposed to be bricked up.</p> <p>The site lies within the conservation area and the proposals are considered to preserve and enhance the character and appearance of the Conservation Area.</p> <p><b>The proposal is therefore considered to comply with Saved Local Plan policies OS1 and BE1, which allow for development within the village envelope provided that the form, character and appearance of the settlement are not adversely affected, the form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality, together with the NPPF which states new development should contribute positively to the distinctiveness, safeguarding the character of the area.</b></p>
<p><b>Impact upon neighbouring properties:</b></p> <p>There will be brickwork all the way down the garden boundary</p> <p>Velux roof flights to the south single storey extension will overlook the neighbour to No 3</p> <p>Window to the first floor east elevation looks toward first floor bedroom at No 3</p>	<p>The boundary currently comprises the side gable of the existing garage and boundary fence. The length of the proposed single storey extension along this boundary can be considered extensive at 9.7 metres, However the single storey extension has been designed to have a low roof line, at 3.8 metres to pitch, and due to the distance, scale and location from No 3 it is not considered to reduce the residential amenities of this neighbour by reason of loss of light, privacy, overlooking or overbearing. The same can be said for the rooflights which are of an upward facing aspect.</p> <p>The relationship between these windows would be slightly off set, having an approximate separation distance of 10 metres and are regarded as not to be primary living areas. The relationship is considered acceptable.</p> <p>The location, orientation and separation distance of the extension, in relation to any neighbouring property is otherwise acceptable whereby the proposals would not impact upon the residential amenity to any significant degree</p> <p><b>The proposals would not have an undue adverse impact on the residential amenities of neighbouring properties.</b></p>

## **Conclusion**

The application site lies within the village envelope and designated Conservation Area for Bottesford and thus benefits from a presumption in favour of development under policies OS1 and BE1. The proposed extensions by virtue of its scale, size, massing and materials are considered acceptable and complies with the policies OS1 BE1 and the NPPF whereby the proposal does not demonstrably harm the character and appearance of the conservation area, or reduce the residential amenities of the neighbouring properties by reason of loss of light, privacy, overlooking or overbearing. Furthermore sufficient parking remains available within the site. Accordingly the proposal is recommended for approval subject to the conditions set out below.

### **RECOMMENDATION:- Permit :**

1. The development shall be begun before the expiration of three years from the date of this permission.
- 2 All external materials used in the development hereby permitted shall be of the same type, texture and colour as those used in the existing building.
- 3 The development hereby permitted shall be constructed strictly in accordance with the amended plan submitted (Drawing No 15ALB03 Rev E) received via email dated 19th May 2015

### Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

| ~~3.2.~~ To ensure a satisfactory standard of external appearance.

| ~~5.3.~~ For the avoidance of doubt.

Officer to contact: **Deborah Wetherill**

**Date: 12<sup>th</sup> June 2015**