



Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 11/07/2023

COMMITTEE DATE 06/12/2023 **WARD** Hucknall North

APP REF V/2023/0115

APPLICANT Mrs Jennifer Warren

PROPOSAL Single Storey front and side extension

LOCATION 10 Thoresby Dale, Hucknall, NG15 7UG

WEB-LINK https://www.google.com/maps/place/10+Thoresby+Dl,+Hucknall,+Nottingham+NG15+7UG/@53.0387261,-1.199994,19z/data=!3m1!4b1!4m6!3m5!1s0x4879c000947c9c0b:0x6cfd0be5951f5c55!8m2!3d53.0387261!4d-1.1993489!16s%2Fg%2F11c1g_twbd?entry=ttu

BACKGROUND PAPERS A, B & F

App Registered: 01/03/2023

Expiry Date: 25/04/2023

Consideration has been given to the Equalities Act 2010 in processing this application.

This application was originally referred to Planning Committee by Cllr Rostance to discuss the circumstances of the applicant and end of life care. It was subsequently deferred at Planning Committee to seek amendments in respect of the design of the extension and clarification as to how it has been constructed to meet requirements for a wheelchair-user.

SUPPLEMENTARY REPORT

The Application

Planning Permission is being sought for a flat-roofed, single storey extension to the front and side of the property. The application is retrospective as the extension has already been built at the property without the benefit of planning consent.

A decision on the application was deferred by Planning Committee in July to allow the applicant to provide amendments following concerns raised by members over the design, layout and siting of the extension, as well as to demonstrate that the extension can be comfortably used by a wheelchair user through compliance with Part M of Building Regulations 2010.

This supplementary report relates only to changes made to the application since the decision to defer this application. Please see the main report attached towards the end for the context of the application and main considerations raised previously.

Amendments to Planning Application

Officers contacted the agent immediately following the committee to reiterate the points raised by members and to request that an amended scheme be submitted that overcome these issues. A response was received from the agent which stated that they were looking at various options. Despite repeated requests it was not until 9th November that an amended scheme was received. These amended plans show the following changes have been made:

- The height of the extension has been reduced by approximately 0.4m with the removal of the parapet
- The existing roof arrangement has been altered, showing the addition of fascia and soft trim.
- A small section of brick slip has been included on the front elevation, below the shower room window.

Design and Layout:

When the application last appeared before members, significant concerns were raised over the siting, scale and design of the extension and the impact this has over the existing street scene and visual amenity of the area. It was discussed during the meeting that alterations could be explored with the extension to reduce some of these concerns, such as the incorporation of a pitched roof and the inclusion of brick slips on the exterior walls to replace the white rendered walls.

The amended plans that have been received show that only a very limited attempt has been made to overcome the issues previously raised. The changes to the roof and the addition of a small section of brick slip are considered to not make any noticeable change to the existing appearance of the extension or overcome the concerns already identified.

In addition, the revised plans show that no attempt has been made to change the overall siting, scale or layout of the extension, which would continue to appear as a contrived and inappropriate addition to the front of the dwelling.

Although clarification was sought from the agent as to how the proposal would meet Part M of Building Regulations since it is claimed to be essential to provide facilities for a wheel chair user with limited mobility, no additional information has been submitted as part of the amended plans to substantiate how the proposal will meet the

needs of a wheelchair user. While it is acknowledged Part M is not a statutory requirement for extensions to be built to, it does provide clear guidance on what is required in the design of a development to ensure dwellings can be comfortably used by wheelchair users. As no information has been forthcoming on this aspect and given the internal layout remains unchanged between the two sets of plans, it is concluded this has not been satisfactorily addressed.

Conclusion:

Officers have sought to work proactively to help overcome the issues raised when this application was taken to the previous planning committee, however significant time has passed and with little attempt made by the applicant to respond to the issues identified by both members and officers. It is recognised that there may be a need to extend the property, but this should not come at the expense of the character and appearance of the area and a decision should now be made to determine the proposal on the basis of current information.

Overall, it is clear from the amended information that only limited alterations have been made to an already poorly designed scheme and as such there is no change to the conclusions reached in the earlier agenda report. Consequently, it is recommended that the application, as amended, is refused planning permission.

Recommendation: Refuse planning permission, for the following reason:

Reason for Refusal:

The proposed siting and design of the extension is at odds with the existing dwelling and represents an obvious, incongruent addition to the property. It is therefore considered there would be a significant detrimental visual impact on both the existing property, and the wider street scene. The application is therefore contrary to policies ST1(a), ST2(b) and HG7(a) of the ALPR (2002), Part 12 of the NPPF (2021) and the Residential Extensions Design Guide Supplementary Planning Document (SPD) (2014).

COMMITTEE DATE 26/07/2023 **WARD** Hucknall West

APP REF V/2023/0115

APPLICANT Mrs Jennifer Warren

PROPOSAL Single Storey front and side extension

LOCATION 10 Thoresby Dale, Hucknall, NG15 7UG

WEB-LINK https://www.google.com/maps/place/10+Thoresby+Dl,+Hucknall,+Nottingham+NG15+7UG/@53.0387261,-1.199994,19z/data=!3m1!4b1!4m6!3m5!1s0x4879c000947c9c0b:0x6cfd0be5951f5c55!8m2!3d53.0387261!4d-1.1993489!16s%2Fg%2F11c1g_twbd?entry=ttu

BACKGROUND PAPERS A, B, C, D, E & K.

App Registered: 01/03/2023

Expiry Date: 25/04/2023

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Cllr Rostance to discuss the circumstances of the applicant and end of life care.

The Application

Planning Permission is being sought for a flat-roofed, single storey extension to the front and side of the property. The application is retrospective as the extension has already been built at the property without the benefit of planning consent.

The extension is used as a ground floor shower room. It has been stated by the planning agent that an occupier of the property has health issues and is anticipated to have limited mobility in the future, requiring a downstairs bathroom.

Please see the 'Site History and Context' section below for a detailed explanation as to the planning history of the site.

Consultations

A site notice has been posted together with individual notifications to nearby properties.

The following responses have been received:

Ashfield District Council Contaminated Land

- The site is within the ground gas buffer zone of historic Environment Agency landfills to the south (infilled mill pond) and an infilled railway cutting to the east. A condition is recommended in respect of gas protection measures.

Local Lead Flood Team

- No objection, however recommends the use of a flood resilient door to compliment the other flood resilient measures proposed.

Environment Agency

- The development falls within flood zones 2 and 3. Refer to standing advice.

Severn Trent Water

- No bespoke comments provided on this application. Soakaways should be considered as primary method of surface water disposal. If not possible other sustainable methods should be considered.
- Use or reuse of sewer connections to the public system will require an application to the company.
- Suggested informative for public sewer records.

No representations have been received from nearby residents in respect of this application.

Policy

Under the Planning and Compulsory Purchase Act 2004, section 38(6) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, the starting point for decision-making are the policies set out in the Ashfield Local Plan Review 2002 (saved policies). The National Planning Policy Framework (NPPF) is a material consideration.

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

Ashfield Local Plan Review (ALPR) (2002) as amended by 'saved policies' 2007:

ST1 – Development.

ST2 – Main Urban Area.

HG7 – Residential Extensions

National Planning Policy Framework (NPPF) (2021):

Part 12 – Achieving well designed places.

Part 14 – Meeting the challenge of climate change, flooding and coastal change.

Supplementary Planning Documents

Residential Extensions Design Guide 2014

Relevant Planning History

V/2022/0121 – Single Storey Side and Front Extension, Rendering to Elevations – Refused

Site History and Context:

The site includes a semi-detached, two storey property accessed from Thoresby Dale, Hucknall. The surrounding context is predominantly residential in nature.

This proposal was first submitted to the Council in March 2022 under application reference V/2022/0121. The only difference between the 2022 application and the current application is that the former also sought permission for render to the whole property. The scale, siting and design of the extension is the same between the two applications.

During the assessment of the 2022 application, officers had contacted the applicant and their planning agent on multiple occasions to inform them that the proposal was not considered acceptable due to significant concerns over the placing of a large, flat roofed, rendered extension to the side and front of the dwelling. Officers also made alternative suggestions for development that would meet the needs of the applicant without detracting from the appearance of the street scene and host property. This included amongst other suggestions to propose an extension to the side and/or rear of the dwelling, where the visual impact would be reduced. There are considered to be many alternatives to the current proposal which could have been supported which would not be visually detrimental.

The agent's response was that an extension elsewhere on the property would be more difficult to build due to the existing room layout and window outlook and would not be changing the proposal or withdrawing the application. They noted they would be willing to remove the rendering of the dwelling from the application and officers requested

amended plans. After a significant amount of time, no new information was submitted, and the application was decided under delegated powers.

In respect of the 2022 application, the reason for refusal was as follows:

1. The proposed siting and design of the extension and the use of render would appear at odds with the existing dwelling that would be an obvious, incongruent addition to the property. It is therefore considered there would be a detrimental visual impact on both the existing property, and the wider street scene. The application is therefore contrary to policies ST1(a), ST2(b) and HG7(a) of the ALPR (2002), Part 12 of the NPPF (2021) and the Residential Extensions Design Guide Supplementary Planning Document (SPD) (2014).

Despite the clear advice of the local planning authority that the development would be unlikely to be granted consent, no alternative application came forward and no appeal against the refusal was submitted. The extension was then built without permission. According to the application form submitted with the current application, this was undertaken in November 2022. The current application was submitted in March 2023, now seeking retrospective permission for the extension.

Visual Amenity

The importance of good design is stressed in the NPPF, with the creation of high-quality designs and spaces being a fundamental element of the planning process. Paragraph 130 notes that development should function well and add to the overall quality of the area, not just for the short term, but the lifetime of the development, are visually attractive as a result of good architecture and layout and are sympathetic to the surrounding area. Additionally, paragraph 134 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Likewise, policy HG7(a) of the ALPR 2002 states that development should only be granted permission where it does not adversely affect the visual amenity of the locality.

The front of the dwelling is usually the most sensitive in design terms to any alteration, with the proximity of the dwelling to the highway and appearance of the elevations visible from the road being essential elements in defining the character of the street scene. The extension has the appearance of a rectangularly shaped, white rendered addition with a flat roof, which does not relate at all with the roof pitch, window arrangement and red brick walls of the host dwelling. Similarly, there are no comparable examples of anything remotely similar within the surrounding street scene, which is characterised by semi-detached, two storey dwellings constructed overwhelmingly from red bricks. Where extensions have been visibly added to the front elevations, this often takes the form of small, subservient additions built from matching materials.

The importance of local area design codes and guides is considered to be of crucial importance in achieving well-designed areas in accordance with paragraph 128 and 129 of the NPPF. In considering the Council's own adopted Residential Extensions Design Guide, officers hold the development represents a contrived and inappropriately designed addition that significantly detracts from the appearance of the nearby street scene. It is recognised that there may be a requirement to improve the life of the disabled occupier at the property. However, members are reminded that developments should function for the foreseeable future, and this should not come at the expense of the character and appearance of the area.

Flood risk

The property falls within flood zones 2 and 3, therefore the requirements of standing advice are that the property is protected by using flood resilient measures. If approved, it is recommended that an informative be added to the decision to ensure the owners are fully aware of the implications and the measures necessary to address the issues.

Residential Amenity:

As part of the application, an assessment has been made in respect of any impacts upon the amenity of nearby residents, namely in respect of overshadowing, overbearing and privacy issues.

In considering these issues and the development outlined in the application, officers are satisfied that no detrimental overshadowing or overbearing, nor loss of privacy would arise, given the siting and scale of the development relative to nearby properties.

Conclusion:

Officers have provided extensive advice to the applicant before they moved into the property and before any works were carried out which would have resulted in a scheme that could have been supported and provide the accommodation required. Officers are sympathetic to the applicant's circumstances and have always been willing to support developments, where appropriate, that seek to improve the quality of life of potential occupiers. However, decisions must be made on the basis of material planning considerations and the proposal outlined here represents a clear incongruous addition that would result in an overall detrimental impact upon the character and appearance of the area. Whilst every application should be decided on its own merits, the same proposal has already been refused planning permission at the address. No attempt has been made in this retrospective submission to overcome any of the issues that officers previously raised and the works have been carried out

with full knowledge that it would be in flagrant breach of the planning regulations and the decision previously taken.

Therefore, based on the above, it is recommended that this application is refused planning permission.

Recommendation: Refuse planning permission, for the following reason:

Reason for Refusal:

The proposed siting and design of the extension is at odds with the existing dwelling and represents an obvious, incongruent addition to the property. It is therefore considered there would be a significant detrimental visual impact on both the existing property, and the wider street scene. The application is therefore contrary to policies ST1(a), ST2(b) and HG7(a) of the ALPR (2002), Part 12 of the NPPF (2021) and the Residential Extensions Design Guide Supplementary Planning Document (SPD) (2014).