

PLANNING COMMITTEE – 29 June 2021

REFERENCE NUMBER: 21 /00344/FLH Application Expiry Date: 29 June 2021
Application Type: Householder Planning Permission

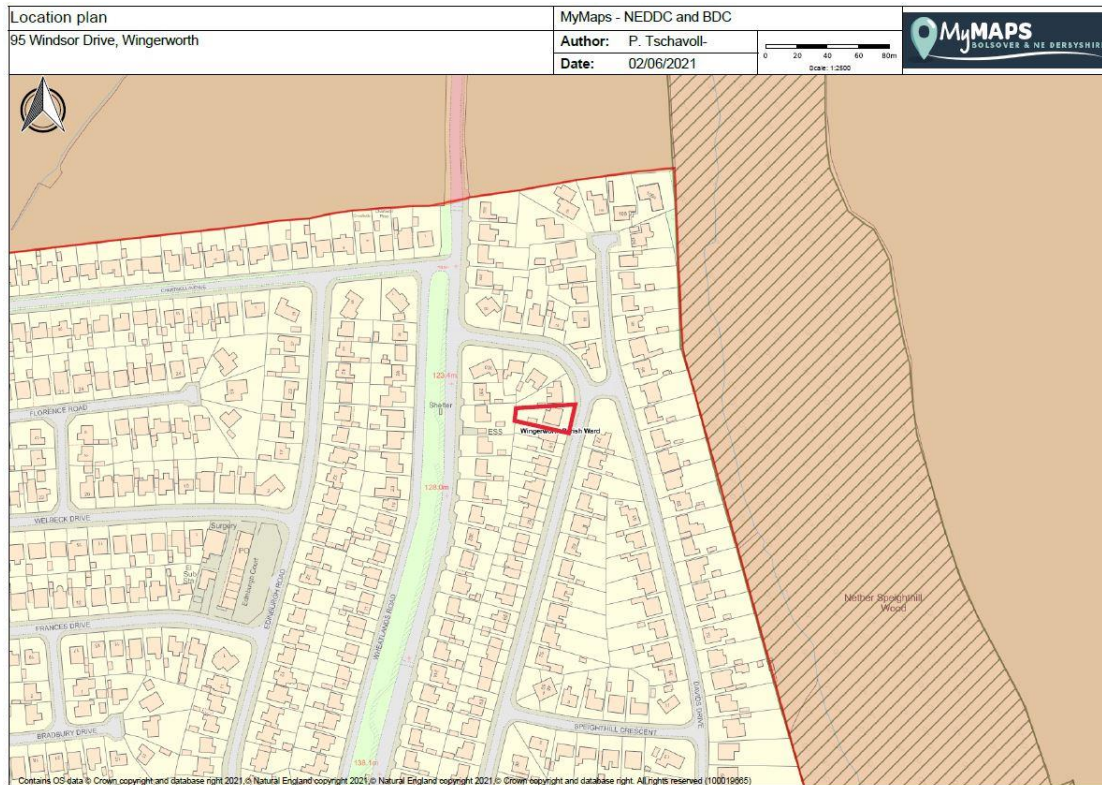
Proposal Description: Proposed loft conversion with 2no front dormers, 1no rear dormer, and hips converted to gables. Single storey rear extension
At: 95 Windsor Drive, Wingerworth, Chesterfield, S42 6TQ

For: Mrs. Samantha Richmond, 75 New Road, Wingerworth, S42 6UJ

Third Party Reps: 2 **Parish:** Wingerworth Parish
Ward Name: Wingerworth Ward

Author of Report: Philipp Tschavoll-Selenko **Date of Report:** June 2020

MAIN RECOMMENDATION: REFUSE



1.0 Reason for Report

- 1.1 Councillor Ruff has requested that this planning application be determined at Planning Committee as the proposal would not meet/sit with the street scene and would have an adverse effect on the neighbouring properties (loss of light and loss privacy) due to the proposed height and rear windows.
- 1.2 The Planning Committee is required to determine the application.

2.0 Proposal and Background

- 2.1. The application site comprises of an existing brick built bungalow which is set back and slightly elevated from Windsor Drive. To the south of the site, there is a row of 2-storey semi-detached dwellings and to the north there is a loft converted bungalow with two dormers to the front and one to the back. Opposite of the application site, there are further bungalows both along Windsor Drive and the adjacent Davids Drive. The site also features a drive way along the southern boundary of the site which leads to a car port and a garage.
- 2.2. Construction works are currently taking place on site with the demolition of a conservatory including a wall to the adjacent kitchen and construction of a single storey rear extension.
- 2.3. The planning application seeks permission for a loft conversion incorporating 2no front dormers, 1no dormer running the full width of the roof to the rear, and the existing roof hips converted to gables. The application also includes for a single storey rear extension.
- 2.4. The proposal would raise the existing roof line by 1.0m. The roof of the proposed dormer to the rear would sit 0.4m below the new roof line and the proposal would create a converted loft with a total height of 5.4m from ground level. This would allow for the creation of two new bedrooms and two new bathrooms accessed by a new staircase. The proposed materials would include new tiles to match the existing roof tiles and dark wood cladding on the sides of the proposed dormers to the front and dark wood cladding on both sides of the proposed gables and loft conversion and to the back.

3.0 Relevant Planning History

- 3.1 There is no relevant planning history for the application site.

4.0 Consultation Responses

- 4.1. Councillor Ruff objects to this application on the grounds of the impact on the street scene. She considers it would be totally out of keeping and would be a blight for the neighbours. Whilst other properties have been extended in the loft space these have been done sympathetically to the property and surrounds.

5.0 Representations

- 5.1. The Site notice expired on 17 May 2021 and three neighbouring properties were notified on 23 April 2021.
- 5.2. The neighbours at 97 Windsor Drive strongly object to the proposal and have raised the following concerns:
- The sides and rear walls will be built higher than that of a dormer bungalow to look like a house which will have an overbearing impact on their own property. This proposal would not be in keeping with those dormer bungalows at Windsor Drive and Davids Drive.
 - Due to the height and the design of the rear half of the development this will have a severe and significant impact on lighting to their kitchen.
 - The proposed side walls will not be gables. The proposal not only raises the ridge by 1000mm, it also raises the rear half of the existing roof by up to 2620mm.
 - The proposal will result in five first floor windows to the rear elevation which will significantly overlook neighbouring properties, in particular theirs.
 - The cladding on the side and rear elevations, with the combination of size and style, will make this look like a shed on top of a traditional bungalow.

6.0 Relevant Policy and Strategic Context

- 6.1. The Development Plan comprises the North East Derbyshire Local Plan (2005) and the Wingerworth Neighbourhood Plan.
- 6.2. With regards to the North East Derbyshire Local Plan the most relevant policies to this application are considered to be as follows:
GS5 – Settlement Development Limits
H5 – Domestic Extensions
T9 – Car Parking Provision
- 6.3. In respect of the Wingerworth Neighbourhood Plan 2014-34 the most relevant policy to this application is W12: Design Principles.
- 6.4. With regards to the emerging North East Derbyshire Publication Draft Local Plan 2014-2034 (PDLP) the Local Plan Examination is well

advanced and public hearings took place in November/December 2018 and March 2019. Following the hearings, the Inspector has identified a number of Main Modifications which have been consulted upon between November 2020 and January 2021. It is expected the Plan will achieve adoption in summer 2021. The PDLP is therefore at an advanced stage and should be attributed weight accordingly in decision making.

- 6.5. The most relevant policies in respect of determining this application are:
SS7: Development on Unallocated Land within Settlements with defined Settlement Development Limits
LC5: Residential Extensions
- 6.6. Other relevant policy documents include the Supplementary Planning Document – Successful Places 2013 with specific regards to chapter 3.11 - Amenity.
- 6.7. The overarching aims of the National Planning Policy Framework (NPPF) are also material in the assessment of this application.

7.0 Planning Issues

- 7.1. The planning issues relevant to the proposal are whether the proposal accords with the policies of the Development Plan, i.e. is it acceptable in principle, its potential impact on the amenity of existing residential property occupiers, its impact on the street scene and the local character and car parking provision.
- 7.2. Each matter is considered in detail below.

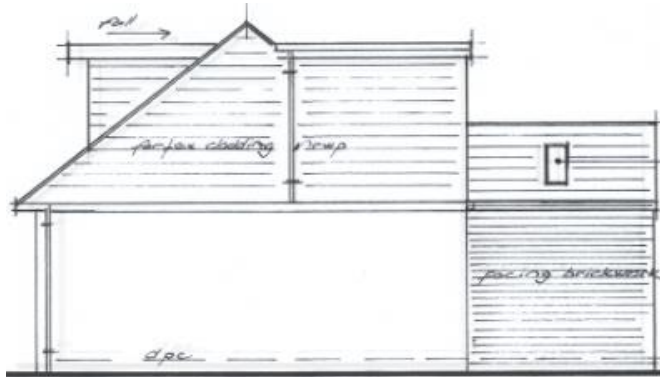
Principle of Development and Application of Policy

- 7.3. With regards Policy GS5 of the adopted Local Plan and Policy SS7 of the PDLP the application site is situated within the Settlement Development Limits of Wingerworth where the principle of development is acceptable provided it is not contrary to other policies in the Local Plan.

Effect on neighbours

- 7.4. The neighbours at 97 Windsor Drive are concerned that the sides and rear walls will be built higher than that of a dormer bungalow to look like a house which will have an overbearing impact on their own property. They further state that the rear half of the existing roof will be raised by up to 2.6m which will have a severe and significant impact on lighting to their kitchen. These concerns are also raised by Councillor Ruff.
- 7.5. 97 Windsor Drive which is situated to the north of the application site sits ca. 0.75m lower than the application property and the closest distance between both properties is at the back where they are as close as 2.3m. Although the proposed loft conversion extends back 3.3m from the current

roof apex it does not project over the existing wall of the ground floor. The roof of the proposed loft conversion would also sit 0.4m below the new roof line which gives the proposed loft conversion a total height of 5.4m from ground level (see below).



Side elevation of proposed loft conversion facing 97 Windsor Drive

- 7.6. 97 Windsor Drive has one side facing kitchen window on the ground floor (see photo below) but there are no other windows to the side. As the neighbouring property sits ca. 0.75m lower and to the north of the application property it is acknowledged that there would be some reduction of natural light to the side facing kitchen window due to the proposed loft conversion. However, the kitchen of the neighbouring property has another window facing the rear garden to the west and a French door to the north. It is therefore the Officer's view that overall there would be enough natural light getting into the kitchen and so the impact of the extension would not be harmful in this regard.



View from the application site to 97 Windsor Drive & view from the street of both 95 & 97 Windsor Drive

- 7.7. The neighbours at 97 Windsor Drive are also concerned that the proposal will result in five first floor windows to the rear elevation which will significantly overlook neighbouring properties and especially their own property.

- 7.8. The proposed loft conversion would create two new bedrooms with on-suite bathrooms accessed by a new staircase. This would include two new bedroom windows, two new bathroom windows and one staircase window.
- 7.9. The application property sits in an angle of ca. 16° to the neighbouring property of 97 Windsor Drive. It is considered that from the new bedroom window closest to the neighbouring property limited views into the garden of 97 Windsor Drive would be possible. However, the garden is already overlooked from other neighbouring properties.
- 7.10. The nearest other dwelling to the back of the application site, 292 Langer Lane, is positioned above and at a slight angle to the application property and would be well separated from the proposed loft conversion. The proposed loft conversion would create two additional bedroom windows, but with a separation distance of around 36m, it is not considered that this would result in any significant overlooking according to the Successful Places SPD.
- 7.11. This planning issue should be assessed against Policy H5 of the adopted Local Plan and against Criterion c) of Policy LC5 of the PDLP, which both seek to protect neighbouring residents from significant loss of privacy and amenity. Given the distance between houses and their orientation it is not considered there is either an unacceptable loss of privacy or loss of light from this development to cause significant harm to the amenity experienced by neighbouring residents and therefore the development complies with Policy H5 and with Criterion c) of Policy LC5.

Street scene

- 7.12. The neighbours at 97 Windsor Drive are also concerned over the proposed cladding on the sides and the rear of the application property. Councillor Ruff states that the proposed loft conversion would be totally out of keeping and would be a blight for the neighbours.
- 7.13. The proposed gables and loft conversion would feature dark wood cladding on both sides and to the back of the property as well as to the sides of the front dormers. The use of dark wood cladding on both sides of the proposed gables and loft conversion would clearly contrast with the existing brick wall of the ground floor as the proposed cladding is up to 2.6m high from the eaves and up to 7.5m wide from the front to the back.



Exemplary image of the proposed dark wood cladding provided by the applicant

- 7.14. The application property also sits in an angle to the neighbouring property at 97 Windsor Drive which makes the north facing side of the application property more visible from the street. However, the street scene of Windsor Drive and of adjacent Davids Drive is dominated by brick built properties, either bungalows or semi-detached houses. They sometimes incorporate tiles or cladding but these elements are subordinate to brick walls at the front and sides of these houses. Put simply, brick is the dominant feature.



Street view image of Windsor Drive (Google Maps)

- 7.15. Whilst existing bungalows along Windsor Drive and Davids Drive were converted and extended in the past, this was mostly done in keeping with the street scene and the local character i.e. converting hipped roof to gables with new brick walls on the sides.

- 7.16. This issue should be assessed against Policy H5 of the adopted Local Plan, against Criterion a) of Policy W12 of the Wingerworth Neighbourhood Plan and against Criterion b) of Policy LC5 of the PDLP, which require extensions to be in keeping with the property and the street scene in terms of their style, proportion and materials. Given the proposed dark wood cladding on both sides of the gables and the loft conversion it is considered this would not be in keeping with the application property or the street scene and therefore the development is contrary to Policy H5, to Criterion a) of Policy W12 and to Criterion b) of Policy LC5.

Car parking provision

- 7.17. The proposed loft conversion would add another two bedrooms to the existing two bedrooms in the ground floor which in total adds up to 4 bedrooms. Currently, there is a drive way up to the property and there is a car port with two parking spaces along the south side of the property. There is also an existing garage further to the back of the property.
- 7.18. This issue should be assessed against Policy T9 and the Council's car parking standard of the adopted Local Plan, which requires for a 4 bedroom dwelling two car parking spaces. Given that there are three car parking spaces in total there would be sufficient car parking provision and therefore the development complies with Policy T9.

8.0 Summary and Conclusion

- 8.1. The application of a dark wood cladding on both sides of the proposed gables and loft conversion would clearly contrast with the existing brick built property, the street scene and the local character of brick built houses.
- 8.2. In light of the comments above it is considered that the proposed dark wood cladding on both sides of the gables and loft conversion would not be in keeping with the property nor the street scene and therefore the development is contrary to Policy H5 of the adopted North East Derbyshire Local Plan (2005), to Criterion a) of Policy W12 of the Wingerworth Neighbourhood Plan and to Criterion b) of Policy LC5 of the PDLP.
- 8.3. In all other respects it is considered the proposal is acceptable.

9.0 Recommendation

- 9.1. **REFUSE** Planning Permission subject to the following reason:
- 9.2. The dark wood cladding on both sides of the proposed gables and loft conversion would be at odds with the existing brick built property, the street scene and the local character of brick built houses. The dark wood

cladding would not be in keeping with the property nor the street scene and therefore fails to comply with Policy H5 of the adopted North East Derbyshire Local Plan (2005), with Criterion a) of Policy W12 of the Wingerworth Neighbourhood Plan and with Criterion b) of Policy LC5 of the PDLP.