

## PLANNING COMMITTEE – 25<sup>th</sup> JULY 2023

**Reference Number:** 23/00457/FLH      **Application expiry:** 30/07/2023

**Application Type:** Householder

**Description:** Proposed single storey rear extension and loft conversion with creation of low-level garden retaining wall to form patio area.

**At:** 38 Central Drive Wingerworth Chesterfield S42 6QL.

**For:** Mr Philip Delaney

**Third Party Reps:** None

**Parish:** Wingerworth

**Ward:** Wingerworth

**Report Author:** Curtis Rouse

**Date of Report:** July 2023

**MAIN RECOMMENDATION:** Approval



*(Figure 1: Location plan for application site)*

### 1.0 Reason for Report

1.1 This planning application is reported to the Planning Committee as the applicant is an employee at North East Derbyshire Council working within the Planning team.

### 2.0 Proposal and Background

#### Site Description

2.1 The application property is a detached, single storey dwelling with garden space to the front and rear and a driveway to the side (east).

- 2.2 There are two nearby neighbouring properties (36 and 40 Central Drive). Both are detached two storey dwellings.
- 2.3 The application site is located within the defined settlement development limit for Wingerworth.



*(Figure 2: View of application site from the front)*



*(Figure 3: View of application site from the rear)*

## **Proposal**

- 2.4 The application seeks consent for a single storey flat roofed rear extension with the development incorporating a loft conversion with the formation of a low-level garden retaining wall to form a patio area. Figure 4 below illustrates the proposed plans.
- 2.5 The proposed extension will create a garden room to the rear and the loft conversion will provide additional space for two new bedrooms. Matching

materials will be used. 3 new rooflights will be incorporated into the roof on the rear elevation with two proposed on the front elevation. The agent has confirmed that the new rooflights could be installed under permitted development and so do not form part of the planning application as such. The roof of the building will not be otherwise altered or raised.



Figure 4: Existing and proposed plans)

## Amendments

- 2.6 A plan was submitted to show both the existing and proposed front elevations. However, this plan makes no substantive amendments to the proposal.

## 3.0 Relevant Planning History

There is no planning history in relation to this property.

## 4.0 Consultation Responses

- 4.1 **Parish Council** No comments raised.

- 4.2 **Ward Member** No comments raised.

- 4.3 **Highways Authority (HA)** “There would appear to be no material impact on the public highway and therefore the Local Highway Authority has no comments to make.”

## 5.0 Representations

- 5.1 The application was originally publicised by way of neighbour letters and the display of a site notice adjacent to the site. A site notice was placed to the front of the property on 12 June 2023.

- 5.2 No comments have been received.

## **6.0 Relevant Policy and Strategic Context**

The Development Plan comprises the Local Plan and the Wingerworth Neighbourhood Plan. The policies most relevant to this application are as follows:

### **6.1 North East Derbyshire Local Plan 2014-2034 (LP)**

SS7 Development on Unallocated Land within Settlement with defined Settlement Development Limits  
LC5 Residential Extensions  
SDC12 High Quality Design and Place Making  
SDC3 Landscape Character

### **6.2 Wingerworth Neighbourhood Plan (NP)**

W1 Wingerworth Settlement Development Limit  
W12 Design Principles

### **National Planning Policy Framework (NPPF)**

6.3 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

### **Other Material Planning Considerations**

6.4 Successful Places Interim Planning Guidance adopted December 2013.

## **7.0 Planning Issues**

### **Principle of Development**

7.1 The application site is located within the settlement development limit for Wingerworth as set out in the Local Plan.

7.2 Local Plan (LP) policy LC5 supports extensions to dwellings providing they are in keeping with the existing property and street scene in terms of their style, proportion and materials and should avoid significant loss of privacy and amenity for neighbouring residents.

7.3 Within settlement development limits, LP policy SS7 and NP policy W1 supports development that is not detrimental to the character and appearance of the site, its surrounding environment, and where it would not have a detrimental effect on the amenities of the other neighbourhood occupiers.

7.4 LP policy SDC12 and NP policy W12 require development proposals to respond positively to local character and context to preserve and, where possible, enhance the quality and local identity of existing communities and their surroundings; create good design which is well-related to its site and surroundings in terms of its layout, form, height, massing, scale, plot size, elevational treatment, materials, streetscape, and rooflines which effectively integrate buildings into their local setting; include well designed boundary treatments and landscaping; protect the privacy and amenity of neighbouring occupiers; and maintain or enhance important heritage assets.

- 7.5 LP policy SDC3 requires proposals for new development will only be permitted where they would not cause significant harm to the character, quality, distinctiveness or sensitivity of the landscape, or to important features or views, or other perceptual qualities such as tranquillity. Development should be informed by, and be sympathetic to, the distinctive landscape areas identified in the Derbyshire Landscape Character Assessment and the Areas of Multiple Environmental Sensitivity (AMES).
- 7.6 Therefore, subject to an assessment of the application in respect of any impacts it may have on either the character of the area or the amenity of neighbours the proposal is in principle acceptable.

### **Impact on the Character of the Area.**

- 7.7 The application seeks consent for a rear extension, measuring 4.3 metres in length, 6m in width and with a height of 2.6m, and the formation of an associated patio area contained by a retaining wall. 5 roof lights are also proposed ((3 on the rear elevation and 2 on the front) but these constitute permitted development under any other circumstances and so do not form part of the planning application as such. There will be no increase in the roof height of the property. The extension would be constructed out of matching materials.
- 7.8 The surrounding area comprises a mix of property types and the addition of an extension to the rear of the property is not considered to impact on the character of the area as, due to its single storey nature, it will be invisible from the road to the front of the property and in any case will be constructed of matching materials and have a flat roof.
- 7.9 Officers conclude, for these reasons, that the application will not have a negative impact on the character or appearance of the site, or its surrounding environment.

### **Impact on Neighbour Amenity and Privacy**

- 7.10 LP policy LC5 requires development to avoid significant loss of privacy and amenity for the residents of neighbouring properties.
- 7.11 In terms of the impact on the privacy and amenity of neighbouring residents the properties most likely to be impacted by the development are 36 Central Drive to the east and 40 Central Drive to the west.



***(Figure 5: View from rear of application site towards 36 Central Drive)***



***(Figure 6: View from rear of application site towards 38 Central Drive)***

- 7.12 The proposal seeks consent for a single storey rear extension with a flat roof. The site is bounded by a mature hedge to the west (Figure 6 above) and a 2-metre-high fence/mature hedge to the east. There is also a detached garage to the rear of the property too (Figure 5 above).
- 7.13 The extension passes the 45-degree test as defined in “Successful Places”. This, coupled with the mature boundary features and the screening impact of the garage leads Officers to conclude there would be no detrimental impact from the extension on the amenity of either neighbour.
- 7.13 Permission is not sought for the rooflights facilitating the extension, but as they face front and rear, Officers are of the view these would not impact the amenity of the neighbours in any case. Two side facing windows are proposed, one facing east in the rear extension and one facing west to afford light to a bedroom. However, as they are both ground floor windows, Officers conclude that there would be no detrimental impact as they face either towards a blank elevation of the adjoining property and/or any impact would be mitigated by the mature boundary features.

- 7.14 Officers conclude there would be no adverse impact on the amenity of neighbouring properties for these reasons.

### **Highway Safety Considerations**

- 7.15 The proposal will not impact on the level of parking on site and the Highway Authority have raised no objections. As such it is not considered that the proposed development would result in an unacceptable impact on highway safety.

### **Other Matters**

- 7.16 There are not considered any other matters relevant to the consideration of this application.

## **8.0 Summary and Conclusion**

- 8.1 Overall, Officers conclude that the proposed development, will not detract from the surrounding area and will respect the character of the original dwelling.
- 8.2 Officers are also satisfied that the impact on neighbouring residents and highway safety would be acceptable.
- 8.3 It is concluded, therefore, that the proposed development complies with the policies of the Development Plan and there are no other material matters that outweigh that conclusion.

## **9.0 Recommendation**

- 9.1 That planning permission is **APPROVED** subject to the following conditions:

### **T1 (Full Condition)**

The development hereby permitted shall be started within three years from the date of this permission.

**T1R Reason** - To comply with the provision of Section 91 (as amended) of the Town and Country Planning Act 1990.

### **T5 (Submitted Plans)**

The development hereby approved shall be carried out in accordance with the details shown on drawing numbers PL\_01 A received 06/06/2023; unless otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures.

**T5R Reason-** For clarity and the avoidance of doubt.