

## PLANNING COMMITTEE – 28 July 2020

**REFERENCE NUMBER:** 20/00371      Application Expiry Date: 18 June 2020 PPA  
31 July 2020

Application Type: Full Householder Planning Permission

Proposal Description: Application for side extension at (Amended Plans)  
At: Carbery Wood, Kelstedge Lane, Brockhurst, Ashover S45  
OHP

For: **Mr Simon Oxspring**

Third Party Reps: 1      Parish: Ashover Parish Council  
Ward Name: Ashover Ward

Author of Report: Case Officer Alice Lockett      Date of Report: 8 July 2020

**MAIN RECOMMENDATION: GRANT subject to conditions**



## **1.0 Reason for Report**

- 1.1 This application has been called into committee by the ward member. There has been one objection.

## **2.0 Proposal and Background**

- 2.1 This proposal is for a single storey extension to the west elevation of the existing property.
- 2.2 During the course of determining the application the plans have been amended from those originally submitted. Initially the application was for an extension into the loft with associated raised roof height and dormers, in addition a double garage building with habitable space above was proposed. A new access point was also proposed. This has now been amended to relate solely to a single storey extension of the existing bungalow with no separate garage building or new access point.

## **3.0 Relevant Planning History**

- 3.1 Permission for a two storey detached dwelling with detached garage/ancillary accommodation (revised scheme of previously withdrawn 18/01277/FL) (Amended Title/Amended Plans) on the garden area to the east of the property was refused and subsequently dismissed on appeal in May 2020

## **4.0 Consultation Responses**

- 4.1 Ashover Parish Council: expresses concern at the restricted nature of the access onto the main road from Kelstedge Lane. Additionally, Members expressed concern at the size of the proposal and its impact on surrounding countryside, together with the loss of privacy to the neighbouring property and the lack of clarification on any proposed treatment of boundaries to the property.

These aspects of the scheme are dealt with in section 7

- 4.2 DCC Highways had concerns about the original proposals but responded as follows on the amended plans:  
“The amended proposals show the existing dwelling being re-configured and extended, whilst retaining the existing access arrangements.

On this basis, providing the extended accommodation forms private, domestic, ancillary living accommodation for the existing dwelling and the existing on-site parking arrangements for residents vehicles are maintained, there are no objections in principle to the application proposals on highway safety grounds”.

## **5.0 Representations**

5.1 2 letters have been received:

- The Ward Member commented that the application is out of character and is contrary to the Ashover Neighbourhood Plan, the massing is also in question- this issue is dealt with in section 7
- The neighbour at The Cottage, Matlock Road states:
  - The boundary hedges have not been shown on the plan (Officer comment: a plan showing the hedge affected by the proposal has now been submitted. Boundary treatments are discussed in section 7)
  - A bat survey should be completed before remodelling of the bungalow (Officer comment: this planning application is now for a new build extension of the bungalow no remodelling of the existing roof space is proposed)
  - Vehicle access and exiting would be vastly increased on what is a very sight restricted road and junction with A632 (Officer comment; DCC Highways have no raised no concerns)

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

6.1 The Development Plan comprises the North East Derbyshire Local Plan and the Ashover Neighbourhood Plan.

The most relevant policies in determining this application are as follows:

### North East Derbyshire District Local Plan

BE1 General Design Principles  
GS5 Settlement Development Limits  
H5 Domestic Extensions  
T9 Car Parking Provision

### Ashover Neighbourhood Plan

AP1 Development within Limits to Development  
AP2 Development Proposals outside the Limits to Development  
AP11 Design

## North East Derbyshire District Council Local Plan (2014-2034) Publication Draft (PD)

The PD was submitted for examination in May 2018, with public hearings taking place in November/December 2018 and March 2019. The Inspector issued her interim findings in letters dated 18 February and 21 March, 2019. Following local elections in May 2019, the Council paused the Plan, pending consideration of its options around housing numbers and Green Belt release. On 27 February, 2020 the Council announced the un-pausing of the Plan to allow it to proceed to the next stage of consultation on the Main Modifications. This consultation has now taken place and it is anticipated the PD will be adopted by the end of 2020

The most relevant policies from the PD in respect of determining this application are as follows:

LC5 Residential Extensions

SS7 Development on Unallocated Land within Settlement with defined

Settlement Development Limits

SCD12 High Quality Design and Place Making

### **7.0 Planning Issues**

#### Principal of Development



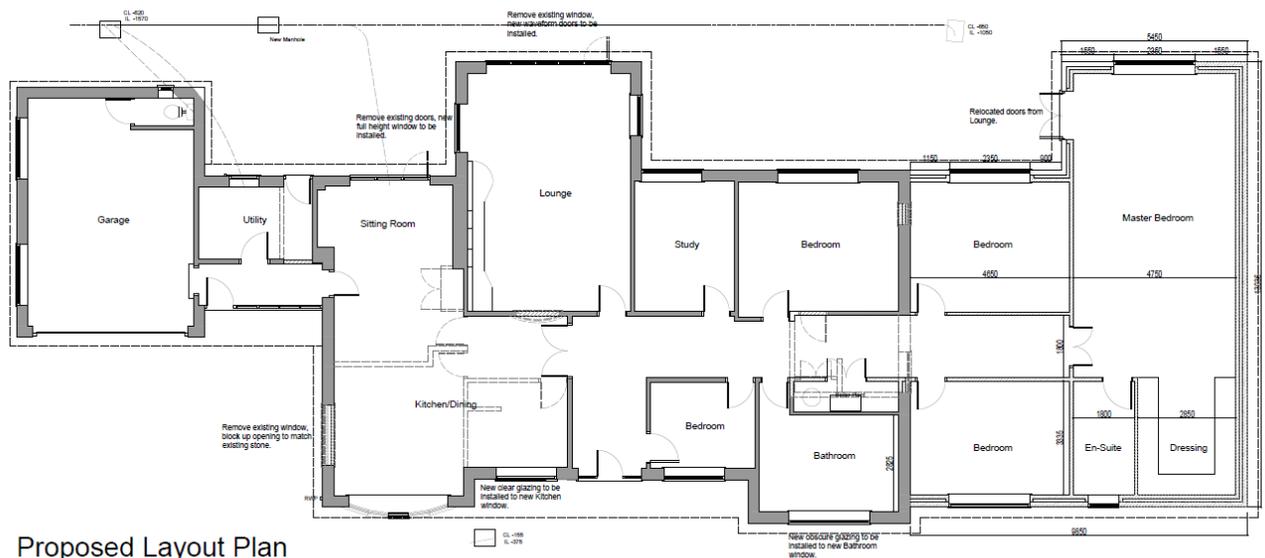
**Figure 1 Carbery Wood as viewed from Kelstedge Lane**

- 7.1 Carbery Wood is a detached single storey property located within the settlement development limits for Kelstedge where policy GS5 accepts development in principle providing that it is not detrimental to the character and appearance of the site and its surrounding environment and would not have a detrimental effect on the amenities of neighbouring occupiers.

Therefore, subject to the consideration of those issues the construction of an extension in this case is acceptable.

## Design and Impact on the Street Scene

7.2 Carbery Wood is a relatively modern detached bungalow set within a large curtilage. The garden is bounded by a stone wall to Kelstedge Lane (north) and a large well established hedge on the boundary with the A623 Matlock Road (east). The rear boundary (south) is formed of a mixture of large deep hedgerow and sparser areas which are fenced. The western boundary is fenced and borders onto a wooded area. The bungalow sits down into the site and although it has a large footprint it does not appear dominant and therefore Officers consider it makes a positive contribution to the character and appearance of the area.



**Figure 2 the application is for an additional wing to the existing bungalow**

7.3 The proposal is for an extension to the western elevation of the existing bungalow. The proposal would add a 9.85m wide extension to the property, this will be just over 13m deep at the deepest part and the roof height will be the same as existing. The proposal would create three new bedrooms, one en suite, and dressing room areas. At the rear the extension would seek to mirror the existing property with an additional extended gable at the back. The proposal would be constructed of materials to match the existing.

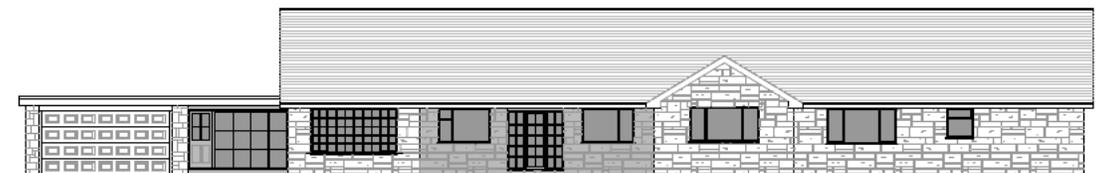
7.4 Originally the proposal sought an increase in roof height, an extension into the loft and a two storey garage building. However, the garage was considered similar to the structure which was deemed to be dominant and

out of keeping by the inspector of the new dwelling dismissed on appeal and so, after discussion between the Officers and agent the proposal has been changed to seek simply a single storey extension of the bungalow.

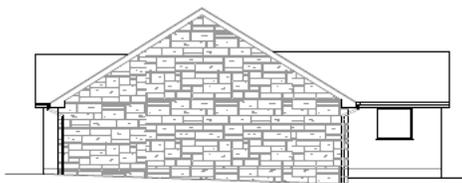
- 7.5 The proposal will be visible from surrounding roads including Kelstedge Lane and the A623, Chesterfield to Matlock Road.
- 7.6 Policies GS5(a), BE1(a) and H5 of the Local Plan and policy AP11(a) &(b) of the Ashover Neighbourhood Plan seek to ensure new development is sympathetic to its surroundings.



Proposed Rear Elevation



Proposed Front Elevation



Proposed Side Elevation (West)



Proposed Side Elevation (East)

**Figure 3 proposed elevations**

- 7.7 The proposal would extend the bungalow laterally and result in an elongated roof line. However, the bungalow already presents such an appearance and as the bungalow is set down into the site, backed by a variety of agricultural buildings and bounded to the west by trees Officers consider that the extension will be sympathetic to the prevailing character of

the site (see Fig 4 below). Further, by maintaining gardens to the front, rear and east of the bungalow any sense of over development of the site will be reduced.



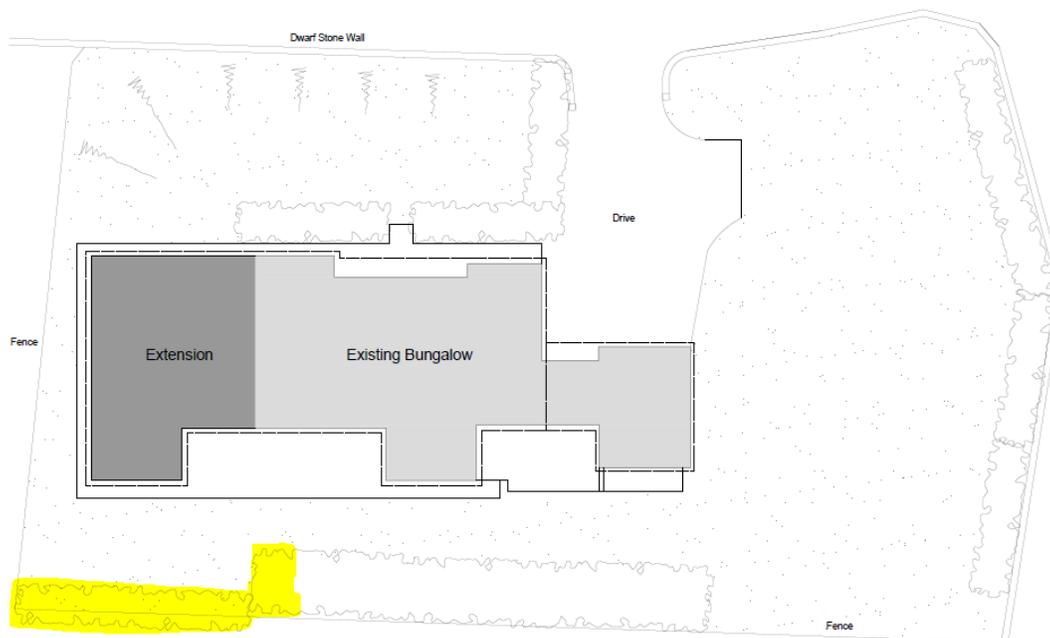
Figure 4 Carberry Wood from the A623 Matlock Road

- 7.8 This conclusion is re-enforced by the design and materials proposed which mirror the existing property.

#### Impact on Neighbours

- 7.9 The most affected property is The Cottage, located close to the Matlock Road itself. Concern has been expressed that the proposal will have views over the garden most closely associated with the house, including the decking area.
- 7.10 However, the amended proposal is for an addition to the building at the western end of the property, approximately 40m away from The Cottage. Unlike the plans first submitted there are now no extensions proposed into the loft area and no dormer windows. The extension at the western end of the property does have a limited potential to view the furthest end of the

garden to The Cottage, (the part least associated with the house) but in this case the boundary is formed by a 3m tall, thick hedge (Fig 6 below). Whilst Officers believe the relationship between properties without the hedge is likely to prove acceptable, Officers recommend that in granting permission the hedge shown coloured yellow in Fig 5, i.e. that relating to the extension, is conditioned to remain in perpetuity, thereby removing any impact from the extension on the garden to the Cottage.



**Figure 5 Site plan including boundary treatments**

7.11 The neighbour at The Cottage has requested that all the hedges around the property be conditioned to remain as part of any planning permission granted. However since this application only proposes development on the west side of the building it is considered it would be inappropriate and unreasonable to condition the retention of boundary treatments beyond those immediately behind and associated with the proposed extension.



**Figure 6 a large hedge separates Carbery Wood from its neighbour The Cottage**

7.12 Officers conclude that the proposal does avoid any significant loss of privacy and amenity for residents of neighbouring properties in accord with policy H5 of the local Plan.

### Highways

- 7.13 Policy T9 of the Local Plan requires that proposals have regard to the maximum parking standards which for a property of this size would be 2 spaces. The County Highways asked for space for 3 cars to park and space to turn allowing cars to exit onto Kelstedge Lane in a forward gear.
- 7.14 The neighbour and parish council have both expressed concern about the impact of a potential increase in cars as the property is changed from a 3 bedroom to 6 bedroom property.
- 7.15 County Highways were concerned that the original proposal had no space for 3 cars to park and turn and were also concerned about site lines from the potential new access point.
- 7.16 The submitted plans have removed these problems as space is available for cars to park and turn in the existing layout and the existing access

point has satisfactory site lines given the low speeds expected of cars travelling along Kelstedge Lane, from the east in particular. As such the proposal meets the requirements for County Council Parking and access to the highway and policy T9 of the Local Plan.

## **8.0 Summary and Conclusion**

- 8.13 This proposal seeks consent for a single storey side extension to the west of the existing property. The plans considered have been amended from those originally submitted which proposed an increase in roof height and a separate garage building.
- 8.14 The amended proposal uses a design and materials which is considered in keeping with the existing building and not out of keeping with the existing building, the street scene or the surrounding area. Although the proposed extension could possibly overlook the end of the garden of The Cottage this can be prevented by the retention of the large hedge between the properties.
- 8.15 In conclusion local and national planning policy aims to encourage development within development settlement limits which is in keeping with the surrounding area and does not significantly infringe on the privacy and amenity of neighbours. It is Officers' opinion that this proposal is in keeping with the property, street scene and surrounding area, maintains the privacy of neighbours and does not significantly affect the amenity of any neighbour. As a result it is recommended that this proposal be approved.

## **9.0 Recommendation**

### **9.1.1 GRANT Planning Permission subject to the following conditions**

1. The development hereby permitted shall be started within three years from the date of this permission
2. The development hereby approved shall be carried out in accordance with the submitted plans, unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.
3. The hedge between Carbery Wood and the rear garden of The Cottage (circled in red on the attached plan (appendix1) shall be maintained at a height of 3m in perpetuity.

