

The application seeks planning permission for a two storey side extension to the dwelling.

The application site is located within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map.

The application site also contains a number of mature trees covered Tree Protection Order No.8.

The application has been called in to Committee by two Councillors due to residents' concerns, particularly about the oppressive nature of the proposals and loss of amenity of a neighbouring property.

**The statutory 8 week determination period for the application expired on the 30<sup>th</sup> January 2018**

### **RECOMMENDATION**

**REFUSE for the following reasons:**

1. The proposed development, by virtue of its size, design and location would be unduly dominant when viewed from the first floor bedroom window and rear amenity space of the adjoining dwelling thereby causing an unacceptable loss of light, outlook and privacy, and would have overbearing impact, to the detriment of the living conditions of the occupiers of that property. The development would therefore be contrary to the Council's adopted Space Around Dwellings Supplementary Planning Guidance, Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document, and guidance regarding amenity within the National Planning Policy Framework.

2. The proposed extension by virtue of its size, appearance and location would not be subordinate to the design of, and would result in a harmful impact to the character and appearance of, the original dwelling and the wider street scene. The proposal would therefore be contrary to the requirements and guidance of the National Planning Policy Framework (2012), saved Policy H18 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the advice found in the adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010).

### **Reason for recommendation**

The proposed two storey side extension by virtue of its size, design and location would have an unacceptable impact on the character and appearance of the existing dwelling and the street scene. In addition it would result in an unacceptable loss of amenity to the occupiers of the adjoining property. As such, the proposal would not comply with the relevant policy and guidance.

### **Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with this application**

This is not considered to be a sustainable form of development and so does not comply with the provisions of the National Planning Policy Framework.

### **KEY ISSUES**

The application is for planning permission for the erection of a two storey side extension to the dwelling. The proposed extension would be constructed in facing brick and roof tiles to match the main dwelling.

Sufficient parking space would remain available within the site and as such the proposal does not raise any highway safety concerns. The application site is located within the Newcastle Urban Area where the principle of extending a dwelling is accepted, subject to detailed consideration of the following matters;

1. Design of the proposal and impact upon the streetscene and wider character of the area
2. Whether the proposed development would adversely affect the residential amenity of neighbouring dwellings
3. Any adverse impact upon protected trees.

#### Design and Impact upon Character of the Area

Policy CSP1 of the Core Spatial Strategy outlines how the design of new development is assessed which includes amongst other requirements the need to promote and respect the areas character and identity.

Paragraph 56 of the National Planning Policy Framework (NPPF) states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Saved policy H18 of the Local Plan relates specifically to residential extensions and indicates that the form, size and location of an extension should be subordinate in design to the original dwelling to be extended and the extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or setting.

R23 of the Urban Design Supplementary Planning Document (SPD) states that extensions to dwellings should be well designed and contribute positively to the townscape character.

The proposed two storey extension would be sited on the footprint of the existing single storey garage. The roof of the proposed extension would tie into the existing roof line and would have the same ridgeline as the existing roof. In addition the proposed extension is not set back from the existing front elevation at the point where it is attached to existing dwelling. The span of the already large dwelling would increase significantly and would be prominent in views from the street scene on Brampton Road. As such the proposed extension does not include any of the design features that contribute to an extension having a subordinate appearance, and it is considered would detract from the character of the original dwelling and from the street scene.

In summary, the proposal is not considered to comply with saved policy H18 of the Local Plan, or design guidance within the adopted SPD and the NPPF, and would have an unacceptable impact upon the street scene of Brampton Road.

#### Impact upon Residential Amenity

The Framework states within paragraph 9 states that pursuing sustainable development involves seeking positive improvements in peoples quality of life, including improving the conditions in which people live, work, travel and take leisure. The impact upon the amenity of surrounding residents has to be taken into consideration. Paragraph 17 sets a core planning principle that planning should seek to secure a good stand of amenity for all existing and future occupants of land and buildings.

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on development including the need for privacy, daylight standards, and environmental considerations.

The SPG indicates that where new buildings are to be sited close to the principal windows of existing properties they should be designed so that there is no obstruction to daylight beyond a 45° angle measured horizontally and vertically from the mid pint of the nearest principal window. The proposed extension would be sited adjacent to the boundary shared with No.32 Brampton Road and would intercept the 45° line when measured horizontally from the first floor bedroom window of the adjoining property. Whilst the 45° line is not be intercepted when measured vertically given the orientation of the extension and its proximity to the adjoining wind it is considered that it would unacceptably affect the level of light and outlook afforded to the dwelling and is therefore unacceptable.

The proposed extension would be sited close to the side boundary of the adjoining property at a distance of approximately 15m from the rear elevation of that property, sited at an offset angle. The proposed extension would be viewed from the rear amenity space of next door and as the two storey gable of the extension would run almost the entire length the neighbours rear garden it is considered that this would be overbearing and result in an unacceptable overshadowing of that rear garden space. In terms of privacy, the proposed extension would have bedroom windows to the front and rear at first floor level that would result in some overlooking to the neighbouring dwelling, reducing privacy to their amenity space.

No other neighbouring dwellings would be adversely affected by the proposal.

The development is considered to fall contrary to advice on residential amenity within the NPPF and the SPD.

#### Impact on protected trees

Policy N12 within the Local Plan states that development should not result in the harm or loss of significant trees, and that their protection will need to be identified prior to development taking place on site.

The application site a tree protected by TPO 8 to the front of the application site, and also a number of matures trees within and beyond the application site itself. It would appear that the siting of the proposed two storey extension is such that it will not adversely affect the trees. The views of the Landscape Development Section have been sought to confirm whether that is the case and any comments received will be reported.

## **APPENDIX**

### **Policies and Proposals in the approved Development Plan relevant to this decision:-**

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

ASP5: Newcastle and Kidsgrove Urban Areas

CSP1: Design Quality

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

H18: Design of Residential Extensions, where subject to planning control

T16: Development – General parking requirements

N12: Development and the Protection of Trees

### **Other material considerations include:**

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

[Supplementary Planning Guidance/Documents](#)

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

### **Relevant Planning History**

17/00408/FUL	Conversion & extension of existing garage including glass link to main dwelling. Alterations to vehicle access on Brampton Road & Sunny Hollow	Permitted 2017
15/01075/FUL	Retention of new gate, log store and permeable driveway	Permitted 2016
10/00564/FUL	Detached garage	Permitted 2010

### **Views of Consultees**

The **Landscape Development Section** has been consulted and any comments received will be reported.

### **Representations**

One letter of objection was received which is summarised below

- Loss of light and overbearing impact of the extension when viewed from principal windows to neighbouring property.
- Rear garden area of No.32 is small and would be completely overshadowed
- Design of extension is overly dominant in terms of scale and bulk
- Out-of-character with the area as dwellings on Brampton Road are centrally situated within plots, this would be off centre.

### **Applicant/agent's submission**

The application documents are available for inspection at the Guildhall and via the following link  
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00976/FUL>

Background Papers

Planning File  
Development Plan

Date report prepared

16<sup>th</sup> January 2018