

**PARISH** Shirebrook

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**APPLICATION** Construction of single & two storey extension to rear/side (revised scheme of planning permission 17/00208/FUL)  
**LOCATION** 40 Brunner Avenue Shirebrook Mansfield NG20 8RR  
**APPLICANT** Mr John Singleton 40 Brunner Avenue Shirebrook Mansfield NG20 8RR

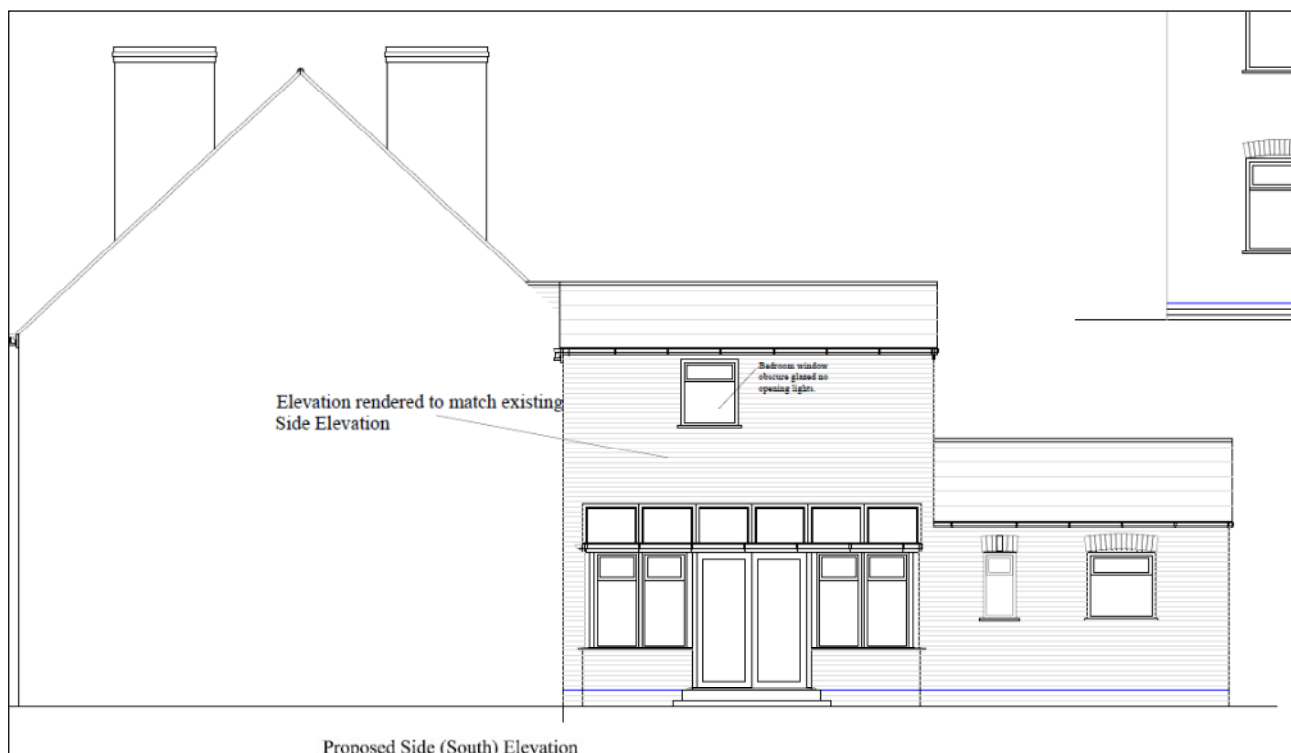
**APPLICATION NO.** 17/00374/FUL **FILE NO.**  
**CASE OFFICER** Mrs Karen Wake (Mon, Tues, Wed)  
**DATE RECEIVED** 24th July 2017

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: Cllr Anderson  
REASON: Personal circumstances of this case should make an exception to planning policy.

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### SITE

Two storey end terrace dwelling with a large side garden. 2m high wall along the site frontage and part of the southern side boundary with the outbuilding to the adjacent dwelling along the remainder of this side boundary. 2m high wall/fence along part of the rear boundary and along the northern side boundary dividing the rear yard on site from the attached dwelling. There is currently no vehicular access to the site.



### PROPOSAL

The application is for the demolition of the existing single storey off-shot and its replacement with a single storey and two extension to the side/rear. The proposed extension extends

approx 2m out to the side of the original dwelling and extends approx 10m out to the rear, approx 5m of which is two storey with the remainder being single storey. Both extensions have dual pitched roofs with the two storey element of the extension being a fairly shallow pitch. The extension is approx 4.5m wide and is set 1.5m in from the northern side boundary. It is proposed to finish the side elevations in a light coloured render. The proposal also includes a conservatory which extends approx 2m out to the side of the proposed extension and is approx 5m long with a lean-to roof.

## **AMENDMENTS**

None

## **HISTORY (if relevant)**

17/00208/FUL: Erection of a Single and Two Storey Extension to Rear/Side: Refused  
19/06/2017

## **CONSULTATIONS**

Parish Council: No comments received

DCC Highways: No objections subject to condition requiring provision of parking space within the site prior to the occupation of the extension: 4/8/2017

## **PUBLICITY**

Site notice and 8 neighbours notified. One letter of support from the resident of the attached dwelling has been submitted with the application. This letter raises the following points:

1. Supports the proposal.
2. The resident is fully aware of the impact on light to the adjacent property. The render on the side elevation has light reflecting properties and will let more light through (although no objection was raised to the extension being in brick either.)
3. The property will not be sold or rented out. It is going to be a family home and the family need more rooms for their children and to allow the whole family to live together and this is fully supported.
4. A family living next door will give peace of mind that there are neighbours who can be trusted.
5. Previous tenants of the property have been drug addicts and alcoholics which makes the resident feel unsafe.
6. Many of the properties on Brunner Avenue are rented and a lot of them are HMO's making the street run-down and dirty. A family moving next door will make the resident feel safe and mean there are other children for her grandson to play with.
7. The attached property will never be sold it will be passed on to the current resident's daughter and the property which is the subject of the application will also not be sold it will be left to the applicant's children so it will remain a family home.

## **POLICY**

Bolsover District Local Plan (BDLP)

Policies GEN 1 (Minimum requirements for development) & GEN 2 (Impact of Development on the environment) of the Bolsover District Local Plan

NPPF

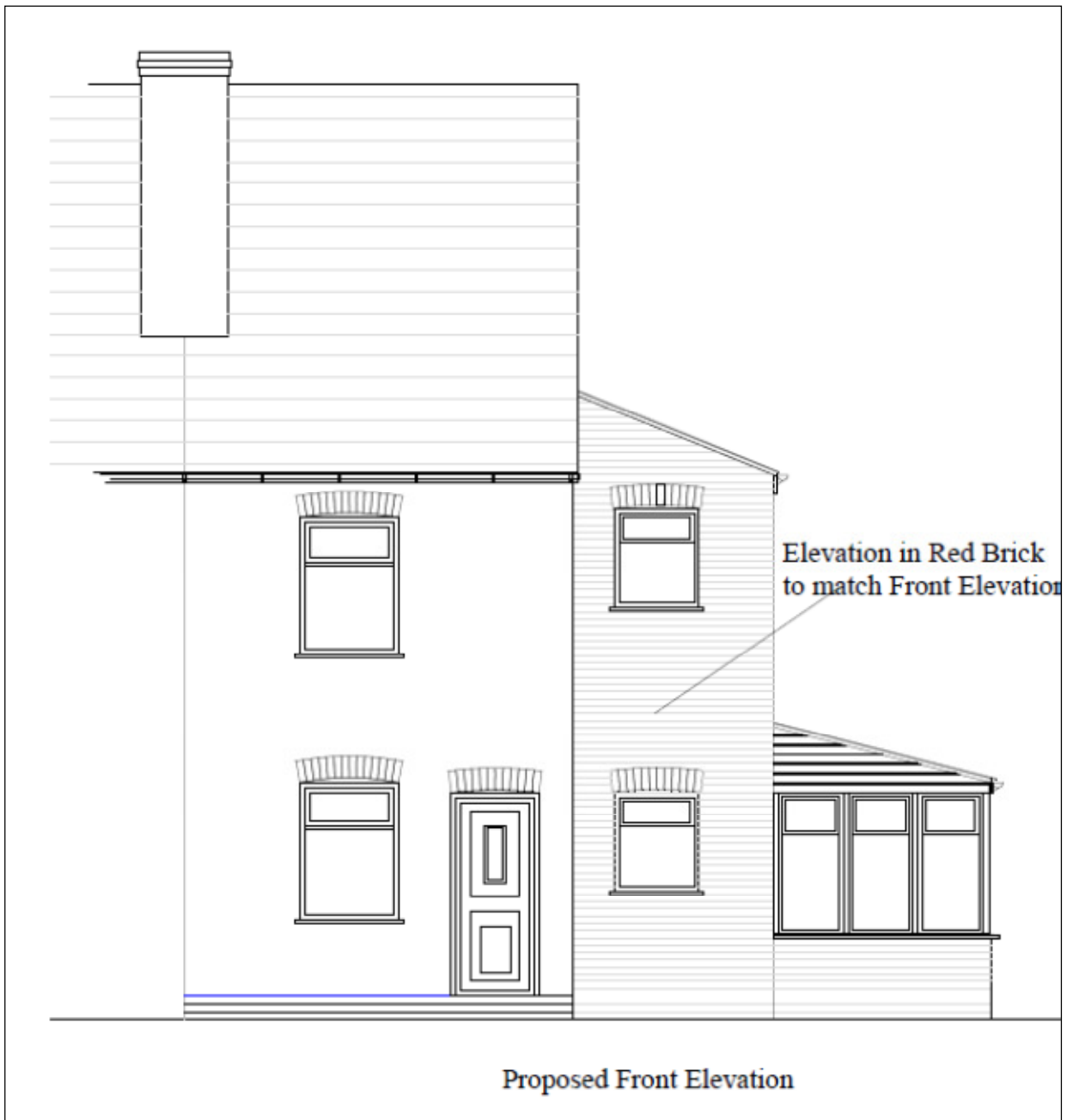
Supports sustainable development but paragraph 17 requires local planning authorities to seek high quality of design and pay particular attention to securing a good standard of amenity for all existing and future occupants of land and buildings.

Other (specify)

Successful Places a Guide to Sustainable Housing Layout and Design

**ASSESSMENT**

The site is within the settlement framework in a predominantly residential area. The application is a re-submission of a previously refused proposal. The current proposal has been amended from the previously refused proposal by slightly lowering the eaves level of the two storey extension and by reducing the roof pitch of the extension. It is also proposed to render the sides of the extension in light reflecting render rather than the red brick previously proposed.



The street scene is made up of a series of terraced properties of quite uniform design. Some the properties have single storey extensions but the proposal would be the only two storey extension in the immediate vicinity such that it could appear out of character in the street scene. However, the side garden to the dwelling to the southern side of the site has planning permission for a two storey dwelling which removes the side garden and therefore that uniformity of spacing of the blocks of terraces. In addition, the proposed side extension and conservatory are set back towards the rear of the site and appear clearly subservient to the main dwelling. On this basis the proposal is not considered to appear unduly prominent in the street scene and is considered to be in keeping with the original dwelling and the street scene in terms of character, scale, design and appearance.

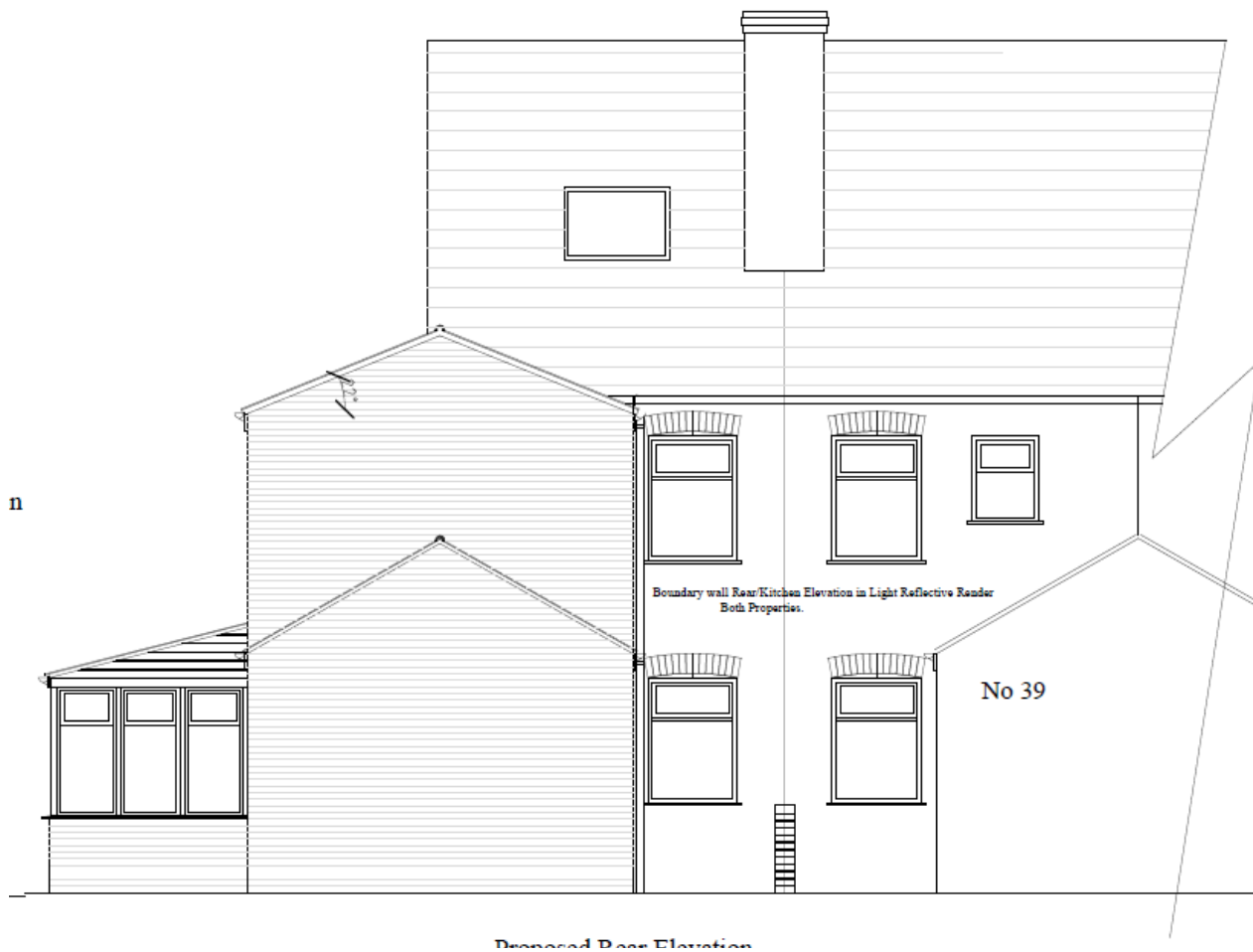
There is currently no off-street parking on site. The application form states a new vehicular

access is to be provided and this is indicated as a gap in the boundary wall on the plans, although this access would not require planning permission. The proposal changes a three bedroom dwelling into a four bedroom dwelling, resulting in a requirement for an additional parking space to be provided on site. There is room within the site to provide parking on site for several cars but since the development only requires one additional space it is only considered reasonable to condition the provision of one on-site parking space. Subject to such a condition the proposal is not considered to be detrimental to highway safety and is considered to meet the requirements of Policy GEN 1 of the Bolsover District Local Plan.

The extension is set well away from the dwellings to the front and rear of the site and is screened from the dwelling to the rear by the high hedge to the rear boundary of the dwelling to the east of the site. The extension is set in from the side boundary to the dwelling to the south and neither the current dwelling to the south or the dwelling previously approved have principal room windows in the side elevation. The ground floor windows in the southern side of the proposed extension are screened by the boundary treatment and the first floor window is not the main window to the bedroom and can be required by condition to be obscure glazed and fixed.

The extension includes ground floor windows in the northern side elevation facing the attached dwelling (no. 39 Brunner Avenue), but these windows are no closer than the windows in the existing off-shot and will be partially screened by the boundary treatment. The first floor window in the northern side elevation serves an en-suite and can be conditioned to be obscure glazed with only a top opening light. Subject to such conditions the proposal is not considered to result in a significant loss of privacy to the residents of the attached dwelling over and above the existing situation.

The rear extension is within 1.5m of the boundary to the attached dwelling and extends 5m out to the rear at two storey level and a further 5m out to the rear at single storey level. The attached dwelling has a kitchen window facing the site, only 1.5m from the site boundary and a lounge window in the rear elevation immediately adjacent to the site boundary (see plan, overleaf). The proposed extension is slightly lower than the previously refused extension with a shallower roof pitch and is proposed to be finished in light reflecting render. However, this is not considered sufficient to address the concerns about the previous proposal. The extension is still considered to result in a significant loss of daylight to these two principal rooms contrary to the requirements of the Councils Housing Layout and Design guidance and is considered to have a significant, overbearing, oppressive impact on the outlook from these two rooms. On this basis the proposal is considered to result in a significant loss of amenity for residents of the attached dwelling contrary to the requirements of Policy GEN 2 of the Bolsover District Local Plan and the BDC housing layout and design guidelines.



The resident of the attached dwelling (no.39) has expressed that she fully supports the proposal and understands the potential impact on her outlook and daylight but would like the extension to be approved as it means family can live next door. However, the council cannot control future ownership or occupation of the property. The proposal remains contrary to the council's adopted policies and guidelines and the personal circumstances of the applicant are not considered sufficient to overcome this and the approval of the proposal contrary to these guidelines would make it difficult to apply these guidelines to other developments. The accommodation required could be accommodated in a side extension which could be designed not to impact on neighbouring properties which would still provide the applicant with the accommodation required and still leave adequate garden and parking space on site.

### Conclusion

The extension is not considered to be detrimental to the character and appearance of the street scene and, subject to suitable conditions, is not considered detrimental to highway safety or harmful to the privacy of residents of adjacent dwellings. However, the significant loss of daylight to the attached dwelling and the overbearing, oppressive impact on the outlook from the attached dwelling is considered to result in such a significant loss of amenity for residents of the attached dwelling contrary to the requirements of Policy GEN 2 of the

Bolsover District Local Plan and the BDC housing layout and design guidelines, that the proposal should be refused.

### **Other Matters**

Listed Building: N/A

Conservation Area: N/A

Crime and Disorder: N/A

Equalities: N/A

Access for Disabled: N/A

Trees (Preservation and Planting): N/A

SSSI Impacts: N/A

Biodiversity: N/A

Human Rights: N/A

### **RECOMMENDATION**

Refuse for the following reason:

1. The rear extension is within 1.5m of the boundary to the attached dwelling. The attached dwelling has a kitchen window facing the site, only 1.5m from the site boundary and a lounge window in the rear elevation immediately adjacent to the site boundary. The proposed extension is considered to result in a significant loss of daylight to these two principal rooms contrary to the requirements of the Councils Housing Layout and Design guidance and is considered to have a significant, overbearing, oppressive impact on the outlook from these two rooms. On this basis the proposal is considered to result in a significant loss of amenity for residents of the attached dwelling contrary to the requirements of Policy GEN 2 of the Bolsover District Local Plan and the BDC housing layout and design guidelines.

### Statement of the Decision Process

The proposal does not comply with the policies and guidelines adopted by the Council. The personal circumstances of the applicant and his neighbour have been considered but the loss of light and oppressive impact of the proposal which is contrary to the policies and guidelines adopted by the council cannot be ignored as a result of these circumstances. The required accommodation could be provided to the side of the property which would provide for the personal circumstances whilst meeting the council's policies and guidelines. The decision has been taken in accord with the Policies of the Local Plan and the guidelines of the National Planning Policy Framework.



**Location Plan**  
scale 1:1250



