

**PARISH** Clowne Parish

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**APPLICATION** Single storey extension to the rear  
**LOCATION** 88 Boughton Lane Clowne Chesterfield S43 4QF  
**APPLICANT** Ms Julie Welch & Mr Gordon Willoughby 88 Boughton Lane Clowne  
Chesterfield S43 4QF  
**APPLICATION NO.** 22/00125/FUL **FILE NO.**  
**CASE OFFICER** Amelia Carter  
**DATE RECEIVED** 7th March 2022

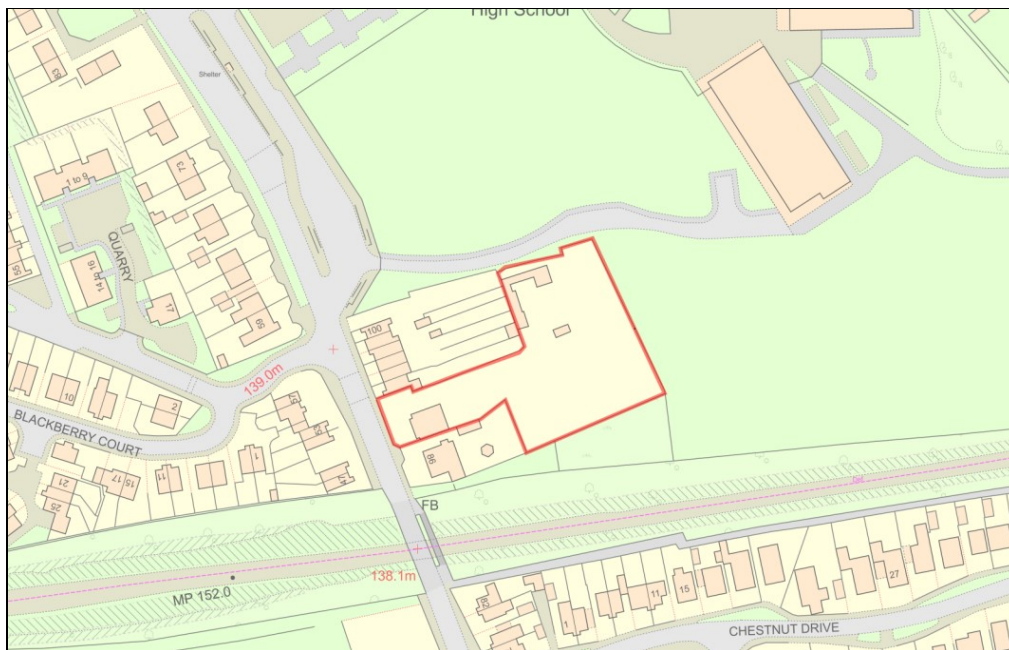
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## **SUMMARY**

A householder application for an extension to a dwelling house. The main issues for consideration are the principle of the development, the visual appearance, any impacts on residential amenity and impacts on highway safety.

The application is to be determined at planning committee due to the applicant being an employee of Bolsover District Council.

## **Site Location Plan**



## **SITE & SURROUNDINGS**

A single storey dwelling with a hipped roof, red bricks and white upvc windows. There is a garden to the front which is bounded by a hedgerow and fence. There is a vehicular access to the rear with off street parking for at least two vehicles. There is an existing flat roof extension to the rear of the dwelling and a large rear garden. The dwelling is surrounded by residential dwellings on either side; the High School grounds bound the site on the rear boundaries. The

rear boundaries are bounded by a fence and a hedgerow/shrubs.



## **BACKGROUND**

None.

## **PROPOSAL**

Single storey extension to the rear to provide a larger living space. The extension will project to the rear by 4m and extend the width of the house, it will have a flat roof lit by a roof lantern. Glazing is proposed on the rear elevation and the north side elevation. No openings are proposed on the south side elevation. A range of shrubs will need to be removed to facilitate the construction of the extension.

## **AMENDMENTS**

None.

## **EIA SCREENING OPINION**

The proposals that are the subject of this application are not Schedule 1 development but they are an urban development project as described in criteria 10b of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

However, the proposals are not in a sensitive location as defined by Regulation 2 and by virtue of their size and scale, they do not exceed the threshold for EIA development set out in Schedule 2.

Therefore, the proposals that are the subject of this application are not EIA development.

## **HISTORY**

None.

## **CONSULTATIONS**

### Bolsover District Council Engineers

1. The sewer records show a public sewer within the curtilage of the site (plan enclosed). The applicant should also be made aware of the possibility of unmapped public sewers which are not shown on the records but may cross the site of the proposed works. These could be shared pipes which were previously classed as private sewers and were transferred to the ownership of the Water Authorities in October 2011. If any part of the proposed works involves connection to / diversion of / building over / building near to any public sewer the applicant will need to contact Severn Trent Water in order to determine their responsibilities under the relevant legislation.
2. All proposals regarding drainage will need to comply with Part H of the Building Regulations 2010. In addition, any connections or alterations to a watercourse will need prior approval from the Derbyshire County Council Flood Team, who are the Lead Local Flood Authority.

### Clowne Parish Council

No comments received.

*All consultation responses are available to view in full on the Council's website.*

## **PUBLICITY**

Site notice and 5 neighbours have been individually notified. No representations have been received.

## **POLICY**

### Local Plan for Bolsover District ("the adopted Local Plan")

Planning law requires that applications for planning permission be determined in accordance with policies in the adopted Local Plan, unless material considerations indicate otherwise. In this case, the most relevant Local Plan policies include:

- SS1 (Sustainable Development)
- SS3 (Spatial Strategy and Distribution of Development)
- SC11 (Environmental Quality (Amenity))
- SC1 (Development within the Development Envelope)
- SC3 (High Quality Development)
- ITCR11 (Parking Provision)

### National Planning Policy Framework ("the Framework")

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. The Framework is therefore a material consideration in the determination of this application and policies in the Framework most relevant to this application include:

- Chapter 2: Achieving sustainable development

- Paragraphs 47-48: Determining applications
- Paragraphs 55-58: Planning conditions and obligations
- Paragraph 119, 120, 122 and 123: Making effective use of land
- Paragraphs 126-132 and 134: Achieving well-designed places

### Supplementary Planning Documents

*The Council's supplementary planning guidance on affordable housing is relevant to this application stating that the Council will normally expect 10% affordable housing on a scheme of the size. However, this guidance also says the Council will accept a minimum of 5% affordable where the reduced number is justified by the viability of the proposed development.*

## **ASSESSMENT**

### **Key issues**

It is considered that the key issues in the determination of this application are:

- the principle of the development
- the landscape and visual impact of the proposed development
- the impact on residential amenity
- whether the development would be provided with a safe and suitable access and impacts on highway safety

These issues are addressed in turn in the following sections of this report.

### Principle

The development is acceptable in principle given it is located within the development envelope of Clowne as set out in the Policies Map in the Local Plan for Bolsover District and in accordance with policy SC1 in the local plan.

### Landscape and visual impact of the proposed development

The street scene is made up of dwellings which vary in design and scale (terraces, two storey semi-detached dwellings and bungalows) such that there is no strong established character.

The proposed extension is relatively large and combined with the existing rear extension, will result in a total increase of the internal floor space by approximately 100%. The extension is located to the rear of the dwelling such that the proposal will not be visible from public land. The flat roof extension does not tie in well to the hipped roof design of the host building; however, there is no harm to the character and appearance of the area given the location of the extension to the rear of the dwelling. Overall, no strong argument can be made on the harm to the character of the area and the development is considered to be broadly compliant with policy SC3 in the local plan (High Quality Development).

### Residential Amenity

The proposed extension is limited to a single storey and therefore it is considered to have a minimal impact on neighbouring dwellings. On the southern boundary there are no windows proposed. The side facing window on the northern side elevation is not considered to result in any overlooking given there is already a 1.8m brick/fence on the common boundary which would prevent any overlooking. Overall, there are considered to be no significant impacts on residential amenity and the development is considered to be compliant with policy

SC3 in the local plan.

### Access

The access to the dwelling and parking provision will not be affected by the proposals and similarly they do not result in a need for additional car parking spaces by creating additional accommodation. The proposed development is not considered to impact on highway safety and therefore it is considered to be compliant with the framework and the local plan.

### Conclusion

The development is acceptable in principle due to its location within the development envelope of Clowne. The development will have an acceptable external appearance and will not have any significant impacts on neighbouring dwellings. The site has a safe and suitable access which will not be impacted by the development. In conclusion, the development is considered to be compliant with the policies in the local plan.

## **RECOMMENDATION**

**The current application be APPROVED subject to the following conditions:**

### **Condition(s)**

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development must be carried out in accordance with the approved plans submitted with the application (received 15th June 2022).
3. The external wall and roof materials used in the development shall be of the same type, texture and colour as those used in the existing building with the exception of the proposed roof material which will be felt.

### **Equalities Statement**

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e. “the Public Sector Equality Duty”).

In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic

### **Human Rights Statement**

The specific Articles of the European Commission on Human Rights (‘the ECHR’) relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this 'balancing exercise' in the above report, officers are satisfied that the potential for these proposals to affect any individual's (or any group of individuals') human rights has been addressed proportionately and in accordance with the requirements of the ECHR.