

**PARISH**

Blackwell Parish

**APPLICATION LOCATION APPLICANT APPLICATION NO. CASE OFFICER DATE RECEIVED** Single storey extensions to front and rear  
57A Alfreton Road Newton DE55 5TQ  
L Storer 57A Alfreton Road Newton DE55 5TQ  
24/00551/FUL **FILE NO.** PP-13588265  
Mr Mitchel Smith  
28th November 2024

**SUMMARY**

This is a householder planning application for the erection of single-storey extensions to the front and rear of the property. The development to the frontage will be to extend the existing porch to provide a ground-floor WC. The extension to the rear will replace the existing conservatory and will provide additional dining space for the residents.

The decision has been referred to Planning Committee as the agent of the application has confirmed that they are employed by Dragonfly which is owned by Bolsover District Council.

The application is recommended for conditional approval.

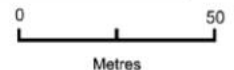
**Site Location Plan**

Date Produced: 28-Nov-2024

Scale: 1:1250 @A4



Planning Portal Reference: PP-13588265v1



## OFFICER REPORT ON APPLICATION NO.24/00551/FUL

### SITE & SURROUNDINGS

The site comprises a detached, two-storey property finished in red brick. A porch extension is present which is fronted by a concrete hardstanding, the site frontage is bound by timber fencing.



*Figure 1 - Site Frontage*

The rear of the site contains a uPVC, conservatory extension and detached garage. The rear amenity space is 'L' shaped, extending to the rear of nos.55 and 55A.



*Figure 2 - Rear of the application dwelling*

The application site is situated outside of a development and therefore is considered to be within open countryside; the site also falls within a HS2 Safeguarding Zone.

### PROPOSAL

The proposal includes single-storey extensions to the front and rear of the dwelling.

An extension to the existing front porch is proposed and will provide a downstairs WC to the dwelling. The extended porch will project a total of 3.2m from the principal elevation, and would be 2.1m in width.

The proposed rear extension will replace the existing conservatory and projects by 7.8m to the rear of the site. The extension will provide an additional dining area to the ground floor.

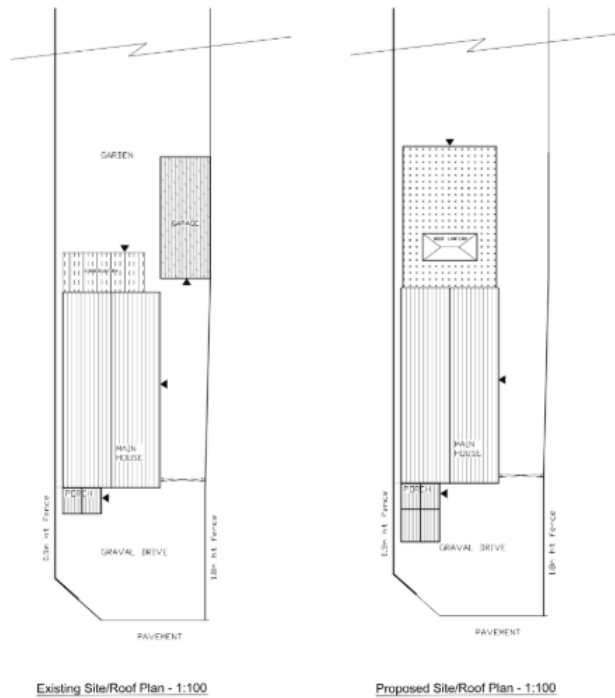
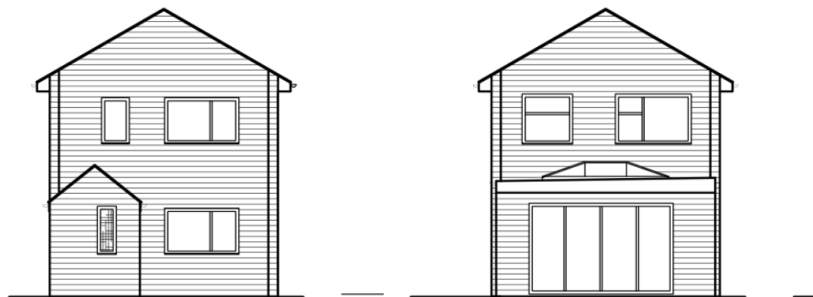


Figure 3 – Existing and proposed block plan



Proposed Front Elevation 1:100 Proposed Rear Elevation 1:100

Figure 4 - Proposed rear elevation plan

The application form states that the materials used in the development will match the existing dwelling, with concrete roof tiles used for the porch extension and a black rubber roof for the rear development.

### Supporting Documents

- Design and Access Statement
- Proposed Elevation Plans
- Proposed floor and roof plans
- Proposed parking layout

### **AMENDMENTS**

- Proposed parking layout plan received on 20<sup>th</sup> January 2025.

### **EIA SCREENING OPINION**

The proposals which are subject to this application are not EIA development.

### **HISTORY**

BLA/1969/0206          Granted Conditionally          Carry out extension at rear

### **CONSULTATIONS**

Blackwell Parish Council

**13/12/2024:** No objections.

DCC Highways

**21/01/2025:** No objections to the development as there appear to be no material impact on the public highway.

Engineers

**13/01/2025:**

1. The sewer records do not show any public sewers within the curtilage of the site. However, the applicant should 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.

HS2

**10/01/2025:** No objections in planning terms but recommend an informative note is appended to any granted planning permissions.

### **PUBLICITY**

The application has been advertised by way of a site notice and neighbour notification letters.

The site notice was posed on 03/12/2024 and required comments by 24/12/2024.

Neighbour notification letters posted on 28/11/2024 and required comments by 19/12/2024.

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
- SS9 Development in the Countryside
- SC2 Sustainable Design and Construction
- SC3 High Quality Development
- SC9 Biodiversity and Geodiversity
- SC11 Environmental Quality (Amenity)
- 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 (paras. 7 – 14): - Achieving sustainable development.
- Paragraphs 48 - 51: Determining applications.
- Paragraphs 56 - 59: Planning conditions and obligations.
- Paragraphs 131 – 141: Achieving well-designed places.

### Supplementary Planning Documents

#### *Successful Places: A Guide to Sustainable Housing Layout and Design, Adopted 2013:*

The purpose of the Successful Places guide is to promote and achieve high quality residential development within the District by providing practical advice to all those involved in the design, planning and development of housing schemes. The guide is applicable to all new proposals for residential development, including mixed-use schemes that include an element of housing.

#### *Local Parking Standards:*

This document relates to Policy ITCR11 of the Local Plan by advising how the parking standards contained in appendix 8.2 of the local plan should be designed and implemented with development proposals. This SPD does not revise the standards contained in the Local Plan but does provide suggested new standards for parking matters not set out in the Local Plan, such as cycle parking. The design supersedes the parking design section included within the existing Successful Places SPD (2013).

## **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 residential amenity impact of the proposal*
- *the impact of the development on biodiversity*
- *whether the development would be provided with a safe and suitable access;*
- *the impact of the development on the local road network; and*
- *the impact of the development on the HS2 safeguarding zones*

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

### Principle

The site is situated outside of the designated development envelope and therefore is classed as open countryside regarding adopted Local Plan policies. Policy SS9 is the adopted Local Plan's strategic policy which seeks to restrict urban forms of development in the countryside, where these would not be appropriate or sustainable and not in accordance with the Local Plan's Spatial Strategy.

As such, it states that development proposals in the countryside will only be granted planning permission where it can be demonstrated that they fall within a number of stated categories. These relate to the re-use of previously developed land, the re-use of redundant buildings that make a positive contribution to the local area, the retention or enhancement of a community facility, development necessary to the operation of land-based businesses, small scale employment related to a suitable countryside sector, a building that is of exceptional quality or innovative design or development in accordance with a made Neighbourhood Plan.

It is noted that the stated categories do not include extensions to existing buildings located in the countryside and this could be interpreted as meaning that proposals in the countryside, for extensions to existing dwellings would not comply with policy SS9. However, this is not the strategic purpose of policy SS9 as stated above.

Whilst policy SS9 is silent on the matter of existing buildings located in the countryside it is considered that limited and proportionate extensions or alterations to an existing building can be treated as being compliant with the strategic purpose of policy SS9.

In reaching this view, it is noted that policy SS10 – Development in the Green Belt, treats limited and proportionate extensions or alterations to an existing building in the Green Belt as being acceptable. In light of this, it is considered that taking a different approach for extensions to existing buildings in the countryside would be illogical.

As to whether proposed extensions are limited and proportionate, it is noted that policy SS9 requires all cases where development is considered acceptable to respect the form, scale and character of the landscape, through careful location, design and use of materials. In assessing this, it is considered that policy SC3 – High Quality Development, and the design guidance provided by the adopted Successful Places SPD should be utilised.

The proposal is considered to contain proportionate extensions, which would be in-keeping with the surrounding residential setting, and character and appearance of the main dwelling, and therefore are compliant with aims of policy SS9 of the Local Plan for Bolsover District.

### Visual Impact of the Proposed Development

Alfreton Road is made up of a series of residential properties which vary in appearance, scale and material finish, there is also a relatively inconsistent building line.

The proposed rear extension will not be visible from public spaces and therefore poses no impact on the character and appearance of the streetscene.

The porch extension is situated to the frontage of the dwelling, and it therefore holds some level of prominence with the streetscene. However, as there is no uniformity to the appearance of the surrounding setting and given that the materials proposed will match the main dwelling, the extension to the existing porch is will not result in undue visual harm to the surrounding setting.

On this basis, it is considered that the developments are acceptable regarding visual impacts and therefore accord with the provisions of policies SC2 and SC3 of the Local Plan and the 'Achieving well-designed places' section of the Framework.

### Residential Amenity

The porch extension is sited towards no.55A to the north. Given the scale of this element of the proposal, it is not considered to result in additional amenity harm to the surrounding residential properties.

The proposed rear extension is positioned approx. 3m from the boundary with no.57 to the south and would extend about 4m to its rear and will be immediately alongside the boundary with no 55a to the north of the site and would extend 10m to its rear, but that dwelling is offset from its boundary by 3m; there is also an intervening outbuilding alongside the proposed extension. 2m boundary treatments are located on both side boundaries to the existing garden.

The offset distances to both dwellings, coupled with the intervening 2m tall boundary treatments will mean that this single storey extension will not introduce any harmful overshadowing or overbearing impacts on both neighbouring properties.

The extension proposes windows in the south side elevation, facing towards the blank elevation of no.57; views towards that property and its garden from the side widows will be screened by existing boundary treatments. Ground-floor windows are also proposed on the rear elevation but face towards the rear boundary of the application site and so will not impact on neighbours' privacy.

Overall, it is considered that a harmful relationship will not be introduced between the application site and surrounding properties regarding potential overlooking, overbearing and overshadowing impacts. On this basis, the proposal is compliant with the provisions of policy SC3 and SC11 of the Local Plan for Bolsover District.

### Ecology and Biodiversity Considerations

As of April 2024, planning applications, unless exempt, are required to provide a minimum 10% biodiversity net gain (BNG). One of the exemptions includes householder developments. Given the nature of the proposal, it is therefore considered that the application accords with the exemptions and therefore it is not necessary to provide mandatory BNG.

Key Biodiversity Information	
Reason if exempt from the biodiversity gain plan condition	Householder development

### Access/Highways

The proposed developments are sited to not affect the vehicular access to the site, but the porch extension reduces the existing parking area. As the property contains four bedrooms, the Local Plan Parking Standards require the provision of three off-street parking spaces; a site layout plan was submitted showing two-parking spaces to the front of the dwelling, which does not accord with those standards

Additionally, this does not accord with Standing Advice of the Local Highway Authority (LHA) necessitating a consultation with that Authority, who raised no objections stating it would not have a material impact on the public highway.

Departures from the Parking Standards can be considered acceptable where it will not result in negative impacts on highway safety and amenity. Given there is no LHA objections to the proposal, it is considered that the reduction in parking provision, in this instance, will not result in highway safety or amenity concerns; and the departure from the Parking Standards is acceptable.

As such, the proposal is considered acceptable regarding available parking provision and therefore is compliant with policy ITCR11 of the Local Plan.

### HS2

The Policies Map indicates the safeguarded route of the proposed HS2. The application site is situated within the safeguarding zone and therefore the HS2 were consulted on the application. The comments received raised no objections in planning terms given the minor nature of the householder development, however it was requested that an informative note is included in the decision to raise awareness of the safeguarding zones.

### **CONCLUSION / PLANNING BALANCE**

To conclude, the proposal is considered to be a suitable scheme which benefits the site by providing additional living space within the dwellinghouse. The extensions are compliant with relevant local and national planning policies and therefore the proposal is recommended for approval.

### **RECOMMENDATION**

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

1. The development must 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 plans received on the 28<sup>th</sup> November 2024.
3. The external wall and roof materials used in both the front and rear extensions, must



be of the same type, colour and texture as those used in the existing building

### **Reasons for Conditions:**

1. To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning of the local area.
3. To ensure a satisfactory standard of external appearance and in compliance with policies SC2 and SC3 of the Local Plan for Bolsover District.

### **Statement of Decision Process**

1. Officers have worked positively and pro-actively with the applicant to address issues raised during the consideration of the application. The proposal has been considered against the policies and guidelines adopted by the Council and the decision has been taken in accordance with the guidelines of the Framework.

### **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.