

APPLICATION NO	PA/2018/1177
APPLICANT	Miss Madison Withers
DEVELOPMENT	Planning permission to erect a side extension, raise the roof height and carry out other alterations to facilitate a loft conversion, and erect a new boundary wall adjacent to the highway
LOCATION	44 Knightsbridge Road, Messingham, DN17 3RA
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Andrew Willerton
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework: Paragraph 2 states that Planning Law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Framework must be taken into account and is a material consideration in planning decisions.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 11 sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals which accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or where relevant policies are out of date, granting planning permission unless policies of the Framework protect an area or assets of particular importance that provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 54 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 108 states that safe and suitable access to the site should be achieved for all users with any significant impacts from the development being cost effectively mitigated to an acceptable degree.

Paragraph 109 states that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 127 states that decisions should ensure developments: function well and add to the overall quality of the area; are visually attractive as a result of good architecture; are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible, which promote health and wellbeing with a high standard of amenity for existing and future users.

Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

North Lincolnshire Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

Housing and Employment Land Allocations DPD:

Inset Map for Messingham

PS1 (Presumption in Favour of Sustainable Development)

North Lincolnshire Local Plan:

DS1 (General Requirements)

DS5 (Residential Extensions)

SPG1 (Design Guidance for Residential Extensions)

CONSULTATIONS

Highways: Originally raised concerns in relation to the provision of a 1.8 metre high boundary wall. Following the lowering of the boundary wall the team advises conditions.

Drainage: No comments received.

PARISH COUNCIL

Messingham Parish Council originally objected to the proposal for the following reasons:

- loss of amenity due to overlooking of neighbouring properties
- roof height not in keeping with neighbouring properties.

Following amendment, the parish council was consulted again but maintains their objection for the following reasons:

- loss of amenity due to overlooking of neighbouring properties
- roof height not in keeping with neighbouring properties
- restricted line of sight as a result of property wall.

PUBLICITY

The application has been advertised by site notice for a period of not less than 21 days prior to writing this report. Four letters of objection have been received raising the following issues:

- loss of privacy due to the provision of windows to the west elevation
- highway safety concerns due to the provision of a six foot boundary wall
- the proposed development is out of keeping with the character of the area which is made worse by its corner location
- loss of light to property and garden
- loss of outlook.

Following amendment, a further consultation exercise took place and two letters of objection have been received raising the following issues:

- the proposed alterations and extensions are not in keeping with the character of the area and will result in an eyesore
- the proposed roof alteration and side fencing/walls will result in loss of light to property and not comply with right to light law
- the roof height should be retained as existing to be in keeping with surrounding bungalows

- the windows proposed will overlook neighbouring property.

ASSESSMENT

The application site is 44 Knightsbridge Road, Messingham, which forms a corner plot on Knightsbridge Road. Number 44 is a detached two-bedroom bungalow with detached garage to the north. It is noted that the property, due to its siting on a corner plot, lacks any practical private amenity space. Planning permission is sought to erect a side extension, raise the roof height and carry out other alterations to facilitate a loft conversion, and erect a boundary wall adjacent to the highway.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

The main issues for consideration with regard to the determination of this application are: whether the proposed development would be acceptable in terms of its design with regard to its context; whether the proposed development would result in unacceptable impacts to residential amenity; and whether the proposed development would adversely affect the safe operation of the highway.

Design

Number 44 forms a modest two-bedroom bungalow on a corner plot. The neighbouring property to the east forms a similar sized bungalow. Elsewhere on Knightsbridge Road, there are other bungalows, two-storey dwellings and some one-and-a-half-storey dwellings with dormer windows in the principal roof slope. The majority of dwellings are constructed of brickwork in a variety of colours. There are examples of other facing materials, such as hanging tile and other forms of cladding, which add to the mix of materials and create visual interest.

It is proposed to raise the height of the bungalow to provide for additional accommodation in the roof space with dormer windows and rooflights being added. A flat-roof extension is also proposed to be sited off the extended northern elevation to connect to the existing flat-roof garage. In terms of materials, it is proposed to render the entire dwelling. Objection has been received in relation to the design of the dwelling in terms of its overall scale and height, and its modern aesthetics which are considered to be out of character with the area.

Following receipt of the concerns raised by consulted parties and the planning authority, the applicant has amended the design of the dwelling. The overall height of the dwelling has been lowered and the scale of the southern dormer to the principal roof slope has been reduced, which is considered to result in a more balanced appearance. Objection has been maintained to the design of the dwelling and its height which is considered to be out of keeping with the character of the area. Whilst the proposed extension would result in the height of the bungalow being greater than that of the eastern neighbouring bungalow, the area hosts a mix of housing comprising two-storey and dormer-style bungalows. It is

therefore not considered that the proposal, by virtue of its height, would be out of keeping with the character of the area. It is accepted that the majority of dwellings within the area are constructed of brickwork; however, there are examples of cladding and hanging tile. It is considered that the proposed render finish would add to the mix of materials in the area.

Amenity

Objection has been received from neighbouring properties in relation to the impact of the proposal in terms of residential amenity with regard to loss of privacy and light. With regard to impact on privacy, it was originally proposed to install a number windows to the eastern roof slope serving bedrooms, bathrooms and a stairwell. Following concerns raised by consulted parties and the local planning authority, the applicant has amended the proposed plans to remove one of the bedroom windows and replace it with a new window to the northern gable. The three remaining windows are to be obscure glazed to a high level of obscuration. Despite the alterations, objection has been maintained from neighbouring properties in relation to a loss of privacy. However, it is considered the use of obscure glazing to the windows would prevent a loss of privacy from occurring, although it is necessary to secure their installation by condition.

Objection has also been received in relation to the loss of light to neighbouring properties and garden that would occur as a result of development. The property most affected by the development is the bungalow to the east of the application site. It is proposed to increase the eaves height of the applicant's bungalow by 0.2 metres and the ridge by 1 metre. The applicant has lowered the roof ridge from what was originally submitted to address concerns raised by neighbouring properties. It is also proposed to extrude the bungalow by 1.3 metre northwards which will increase the massing of the dwelling. A further single-storey northern extension with flat roof is proposed to attach the dwelling to the existing garage.

It is accepted that any increase in height, along with the northern extension, will reduce sunlight to an extent. However, the raising of the eaves by 0.2 metres and the ridge by 1 metre is not considered to result in a significant loss to warrant refusal. The proposal accords with tests for light as set out within SPG1 due to the roof sloping away from the neighbouring property and being separated by a driveway.

Highways

The proposal as originally submitted proposed to erect a 1.8 metre high wall to the southern highway frontage before turning north to create a southern private garden which the property lacks. A 1.8 metre high fence was proposed to the eastern elevation and elsewhere a 0.9 metre high wall to create a boundary feature. Objection was received from consulted parties in relation to the boundary wall obstructing highway visibility. Concerns were also raised by Highways in this regard. Following discussion with the applicant, the 1.8 metre high boundary wall has been removed adjacent to the highway and replaced with a 0.9 metre high wall. The low level wall is also to be erected along the eastern boundary as far as the principal elevation of the neighbouring property to allow for highway visibility. The proposed boundary treatment no longer requires planning permission as it constitutes permitted development under Class A, Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Accordingly, Highways has raised no objections to the amended proposal subject to conditions.

RECOMMENDATION **Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 296-08, 296-06 Revision G, 296-05 Revision I, 296-03 Revision D and 296-04 Revision G.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

Prior to first use of the first floor hereby permitted, all windows to the eastern roof slope shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and shall be retained in that condition thereafter.

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

4.

The proposed new boundary walls, including any foundations, shall not be constructed within the limits of the adopted highway.

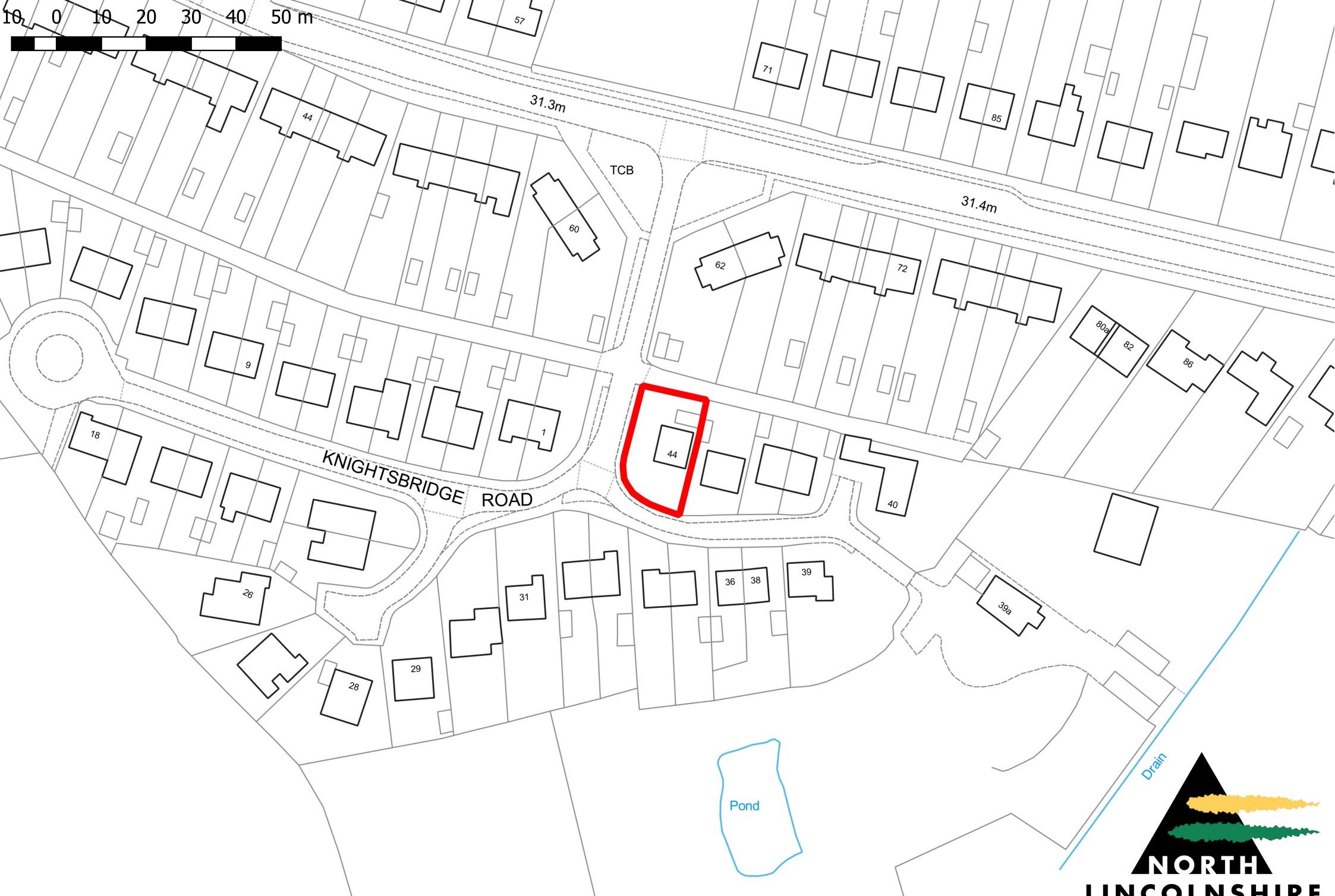
Reason

In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

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PA/2018/1177

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AMENDED



East Elevation

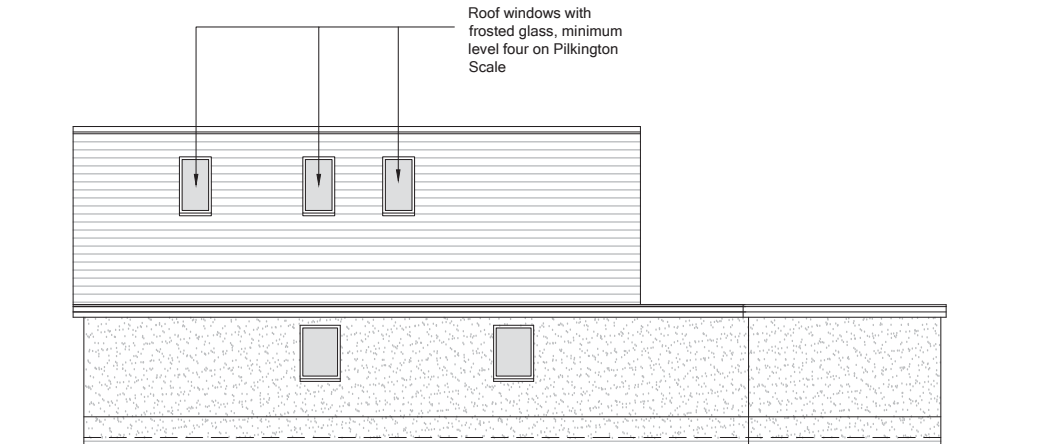
Slate grey roof tiles, concrete or fibre-cement with saddle back ridge tiles

Painted smooth render to walls - final colour to be agreed

Mid-grey coloured uPVC windows and doors

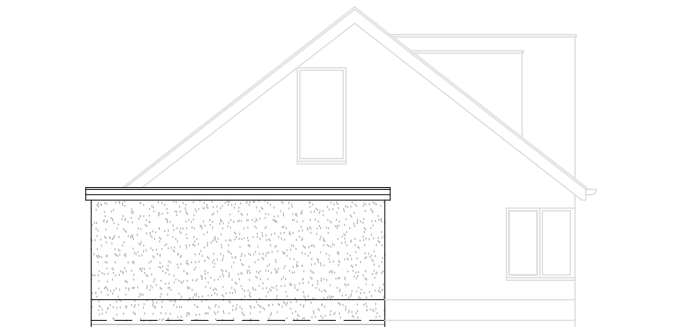


South Elevation



West Elevation

Roof windows with frosted glass, minimum level four on Pilkington Scale



North Elevation

Rev	Date	Revision
F	05-09-18	Revisions to roof height and windows
G	12-09-18	Windows revised
H	25-09-18	Revisions to roof
I	27-09-18	Revisions to roof

- Figured dimension only to be taken from this drawing.
- All dimensions to be checked on site.

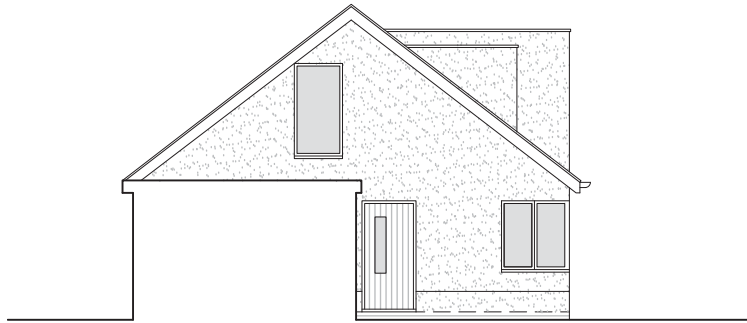
Project **Proposed Extensions and Alterations at 44 Knightsbridge Road, Messingham**

Title **Proposed Elevations**

Date **Mar 18** Rev **I**
Scale **1:100** Drwg No.
Sheet **A3** **296 - 05**



AMENDED



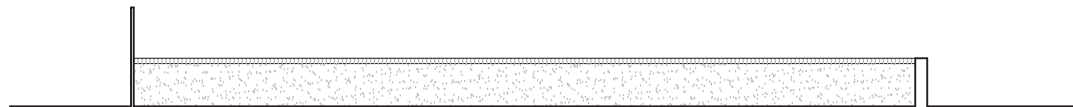
North Section / Elevation



South Section / Elevation



South Section / Elevation



North Section / Elevation

Rev	Date	Revision
D	05-09-18	Revisions to roof height and windows
E	12-09-18	Windows revised
F	25-09-18	Revisions to roof height and windows
-		
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Project **Proposed Extensions and Alterations at
 44 Knightsbridge Road, Messingham**

Title **Proposed Elevations**

Date **Mar 18** Rev **F**

Scale **1:100** Drwg No.

Sheet **A3** **296 - 07**

1mm 50mm 100mm

AMENDED



Rev	Date	Revision
E	05-09-18	Revisions to roof windows and walls
F	25-09-18	Revisions to roof height and windows
G	27-09-18	Revisions to roof windows
-		
-		

- Figured dimension only to be taken from this drawing.
 - All dimensions to be checked on site.

Project	Proposed Extensions and Alterations at 44 Knightsbridge Road, Messingham
Title	Proposed Site Plan

Date	Mar 18	Rev	G
Scale	1:200	Drwg No.	
Sheet	A3		296 - 06