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Case Number	20/03052/FUL (Formerly PP-09039838)
Application Type	Full Planning Application
Proposal	Conversion of two dwellinghouses to form a single dwellinghouse, including replacement of single-storey rear extension with two-storey rear extension, alterations to existing openings, formation of additional lightwell to basement and provision of new vehicular access and parking area
Location	45 Westbourne Road Sheffield S10 2QT
Date Received	04/09/2020
Team	South
Applicant/Agent	Urbana Town Planning
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

## **Approved/Refused Plan(s)**

2. The development must be carried out in complete accordance with the following approved documents:

WBR-400-PA-001A Site Location and Block Plan  
WBR-PA-PL-012C Proposed Site Plan  
WBR-PA-PL-013C Proposed Street and Garden Elevations  
WBR-PA-PL-014C Proposed Site Sections  
WBR-PA-PL-015C Proposed Cellar Floor Plan  
WBR-PA-PL-016C Proposed Ground Floor Plan  
WBR-PA-PL-017C Proposed First Floor Plan  
WBR-PA-PL-018C Proposed Second Floor Plan  
WBR-PA-PL-019C Proposed SW and NE Elevations  
WBR-PA-PL-020C Proposed NW Elevation  
WBR-PA-PL-021C Proposed SE Elevation

Reason: In order to define the permission.

**Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)**

**Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)**

3. Before that part of the development is commenced, full details of the proposed external materials, including those for hard landscaping, shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

4. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Doors and frames

Windows and reveals

Eaves

Gates and boundary treatment to vehicular access

Thereafter, the works shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

5. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

Reason: In order to ensure an appropriate quality of development.

6. The car parking areas shall not be brought into use unless the hardstanding areas of the site, including sub-base material, are constructed of permeable/porous materials. Thereafter the approved permeable/porous surfacing material shall be retained.

Reason: In order to control surface water run off from the site and mitigate against the risk of flooding.

7. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

8. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality it is essential for these works to have been carried out before the use commences.

### **Other Compliance Conditions**

9. All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black.

Reason: In order to ensure an appropriate quality of development.

10. Before the extension is first occupied the first floor windows in the north west and south east elevations shall be fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity and any part of the windows that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: In the interests of the amenities of occupiers of adjoining property it is essential for these works to have been carried out before the use commences.

11. No gate shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

12. Rooflights shall be conservation style whereby no part of the rooflight shall project above the surface of the roofing slates unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to ensure an appropriate quality of development.

### **Attention is Drawn to the Following Directives:**

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. It is noted that your planning application involves the construction or alteration

of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6136  
Email: [dawn.jones@sheffield.gov.uk](mailto:dawn.jones@sheffield.gov.uk)

## Site Location



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## LOCATION AND PROPOSAL

The application relates to a large stone built detached dwelling in an allocated Housing Area. The site also lies within the Broomhill Conservation Area and the building is covered by the associated Article 4 Direction which removes certain permitted development rights and identifies the building as a character building within the Conservation Area.

The surrounding street scene is predominantly made up of two/three storey semi-detached and detached dwellings. The street scene of Westbourne Road at this point varies greatly between the post 1920's development on the west side (largely detached properties faced in render with plain tile roofs) and the more grand east side (stone built Victorian properties including the application site).

There is a general fall in natural land levels from north west to south east so that the rear gardens of properties on the east side tend towards being close to a domestic storey lower than the front of the dwellings.

There is currently a brick built two storey rear extension on the former No. 45 Westbourne Road at ground floor and basement level.

The application seeks the following:

1. The introduction of a vehicular access from Westbourne Road and the formation of hardstanding areas sufficient to park two cars
2. The erection of a two-storey rear extension
3. The introduction of a raised patio to the rear elevation
4. The rationalisation of car parking spaces at the foot of the garden (the 'back lane' accessed from Southbourne Road)
5. The formation of an additional light well on front elevation.

The two-storey rear extension has been amended during the application process, principally with regard to its roof form. Initially a multi-faceted roof design mirroring the asymmetrical roof form of the existing property was submitted but this has now been replaced with a simpler mono-pitch roof.

The extension has been reduced in width in order to accommodate this new roof design in setting the proposed side elevations by 700 mm from those of the original property.

## RELEVANT PLANNING HISTORY

Permission was granted in 2012 (12/01339/FUL) for the erection of a two-storey rear extension to no.45 including part demolition of existing rear extension, creation of lightwells at front and side elevations to facilitate basement conversion and demolition of detached garage and green house.

Permission was granted in 2014 (14/02506/FUL) for Replacement windows and alterations to existing windows to side and rear elevations

Permission was granted in 2016 (16/00607/FUL) for the erection of a Two-storey rear extension to dwellinghouse at basement and ground levels

A Lawful Development Certificate was granted in 2020 (20/00748/LD2) for internal alterations to No. 45 & No. 47 to form a single dwellinghouse.

An application seeking permission for the demolition of single storey rear extension and erection of a two storey rear extension with balconies, alterations to existing openings, formation of lightwells to basement and provision of new vehicular access and parking area was withdrawn in 2020 (20/01540/FUL)

## REPRESENTATIONS

There have been 17 objections received in response to the Neighbour Notification process including one from Cllr Brian Holmshaw and one from Hallamshire Historic Buildings.

Cllr Holmshaw comments as follows:

- scale, footprint and design is inappropriate
- will damage the character of the Broomhill Conservation Area
- the rear extension is not in keeping with the existing property
- the removal of a significant length of boundary wall to Westbourne Road will adversely impact on the street scene.
- will adversely impact on the privacy of neighbouring properties particularly Nos. 43 & 49 Westbourne Road
- will result in a loss of on-street car parking
- will be contrary to UDP policies the NPPF and the BBEST Neighbourhood Plan.

Hallamshire Historic Buildings have commented as follows:

- the loss of front garden space is unacceptable
- proposed facing materials of zinc, powder coated aluminium and large expanses of glazing are out of character
- the rear extension dominates the rear elevation
- damages the Conservation Area and a house of townscape merit
- is not sustainable and makes no contribution to an economic objective
- reduces the housing stock

### Other Representations (Objection)

- driveways to the front elevations of properties are not a feature of stone villas on this side of the road or the wider Conservation Area
- the front garden is not large enough to aesthetically accommodate parking and manoeuvring space
- the back lane provides adequate off street parking
- will result in the loss of two permit bays
- the insertion of the middle door is out of character for the houses as they were originally built

- the loss of the front wall will adversely impact on the character of the Conservation Area
- the creation of a 'mansion' in the middle of a row of semi-detached houses will be out of character
- loss of greenery will have an adverse visual impact on the locality.
- the rear extension will result in excessive loss of rear garden
- the rear extension will adversely impact on the amenity of No. 43 Westbourne Road
- the rear extension will adversely impact on the character of the area and will be an eyesore
- the rear extension would overlook house and garden of No. 19 Southbourne Road
- the rear extension is out of scale and would not be subservient to the existing property, dominating and obscuring the original architecture
- the rear extension would be overbearing on Nos. 43 and 49 Westbourne Road
- the rear extension will cause loss of light to rear bay window, utility room window and garden of No. 43 Westbourne Road
- the use of excessive amounts of glass and zinc cladding are out of character
- the removal of the two side porch structures along with the doorways would be deleterious to the character of the Conservation Area
- the rear extension fenestration would result in overlooking of the gardens of Nos. 43 and 49 Westbourne Road
- the proposed new window in the south elevation will overlook No. 49 Westbourne Road
- the patio will overlook the rear windows of No. 49 Westbourne Road
- the proposed side door in the rear extension will overlook the decked area of No. 43 Westbourne Road
- the rear extension would be at odds with the character of the backs of houses facing onto 'back lane'
- the rear extension design is too modern and almost doubles the size of the property
- will result in additional traffic pollution
- insufficient off street car parking for an 8-bedroom house
- the rear extension roofline is odd and relates uncomfortable relationship with the existing property.

Other matters raised that are not material

- No. 19 Southbourne Road was denied permission to build a building of the size they wanted and approving this scheme would be inconsistent with that outcome.
- If the scheme was approved it would signal the start of the degradation of the distinctive character of the area
- the certificate of lawful development for internal alterations was granted on the understanding there were no plans to alter the properties externally
- construction vehicles could compromise the use and character of 'back lane'
- the loss of a climbing plant on the side of No. 47 is home to sparrows and should not be lost
- there is no back door which must be against health and safety regulations
- will there be blinds in the windows to prevent the occupants of No. 21B Southbourne Road seeing occupants exiting the sauna?
- what will the construction period be as dust and debris has been a problem since work commenced on the house



- disturbed that permission was given for the internal work to merge the two houses by planning officers in private, without the occupants of neighbouring houses being informed or consulted and the certificate was granted on the basis of no external alterations to the amalgamated property
- would like reassurance that the proposed seven bedroom property will continue to be a family home
- during school rush hours the road becomes very congested, with vehicles commonly parked on pavements, in parking bays for which the drivers have no permits, and on parts of the road where parking is prohibited.

## PLANNING ASSESSMENT

### Policy Context

The National Planning Policy Framework (paragraph 127) states that developments need to contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character. Innovation should not be prevented but developments should add to the quality of an area whilst providing a high standard of amenity for existing and future users. This assessment will have regard to this overarching principle.

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area. The assessment takes account of policies BE5, BE16, BE17 and H14 from the Sheffield Unitary Development Plan (UDP).

Supplementary Planning Guidance (SPG) on Designing House Extensions is also relevant. Attention is given to the provisions of policy CS74 from the Core Strategy (CS) regarding design. All of the above policies are considered to align with the NPPF and can therefore be afforded weight.

Also of note though at present carrying little weight in the consideration of the application are the following policies from the emerging BBEST local plan. This is currently at Examination stage, hence the limited weight that can be attached to these policies.

Further commentary on relevant BBEST policies and their weight is included in the corresponding sections below.

### Effect On The Character Of The Area And On The Broomhill Conservation Area

The NPPF states that development should always seek to secure high quality design, but decision makers should not attempt to impose architectural styles or taste, albeit they should promote and reinforce local distinctiveness.

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

Policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) states that Buildings and areas of special architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced.

Development which would harm the character or appearance of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.

Policy BE16 (Development in Conservation Areas) within the UDP states that new development that affects the setting of a conservation area should preserve or enhance the character of that conservation area.

Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new buildings should be in scale and character with neighbouring buildings. Policy CS74 (Design Principles) within the CS states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

Paragraphs 193-196 of the National Planning Policy Framework (NPPF) seek to protect and enhance conservation areas. Paragraph 134 states that where a development proposal will lead to less than substantial harm to a conservation area, this harm should be weighed against the public benefits of the proposal.

The BBEST Neighbourhood Plan identifies the site as being within the Residential South West Character Area. Policies DDHM1 and DDHM5 are applicable to developments within that area. These contain key design principles (DDHM1) and requirements specific to the character area (DDHM5). These include:-

- Retaining historic boundary treatments;
- Retaining front gardens;
- Preserving the area's historic character;
- Responding to the scale....setting and appearance of the historic villas;
- Setting back and recessing extensions;
- Ensuring buildings can be understood in their own right when amalgamated.

Both these policies have limited weight owing to the stage of the Neighbourhood Plan as they are consistent with the NPPF and there are no significant unresolved objections following plan consultation.

#### The Front Elevation and Curtilage

The changes to the front elevation principally relate to the creation of a central entrance door (in place of an existing window) and the formation of surface parking and a vehicular access.

An additional light well would be set back from the highway, and largely screened by the boundary wall/hedge combination. The well will therefore have negligible impact on the street scene, is appropriately detailed and is therefore considered acceptable

#### The Central Door

The property was formerly a pair of semi-detached properties both of which were served by main entrance doors in their side elevations. This is a characteristic of similar era semi-detached properties close by. However, the intention here is to continue the development of a single large property where two existed previously, hence the central door.

The insertion of this door would amount to extending the large existing opening occupied by a central window and it is not considered that the result would appear anomalous or that the balance of the front elevation would be adversely affected. The detailing around the door would be consistent with architecture of the period but a requirement for provision of large-scale details should be a requirement of any approval.

#### The Hardstanding and Changes to Boundary Treatment

The introduction of hardstanding in the front garden areas is less straightforward. The Broomhill Conservation Area Appraisal identifies the replacement of front gardens by parking spaces as a negative characteristic that has become overly prevalent throughout the Conservation Area.

The Broomhill Conservation Area Management Plan states that the Council will normally resist proposals included within planning applications for demolition of, or alteration to, boundary walls, gate piers and gates that make a positive contribution to the Conservation Area. The Management Plan states that the loss of greenery and front boundary railings or walls can spoil the setting of the building and cumulatively erode the character of street scenes.

The type of excessive hard surfacing which formed the basis for the Management Plan's resistance to further similar changes can most readily be seen on streets such as Parker's Road, Lawson Road and close to the junction of Westbourne Road and Glossop Road off-times, but not always, when properties have been converted to commercial use in the past. These examples have sometimes completely emasculated previous front garden areas and replaced them entirely with concrete or similar surfacing as well as removing all boundary treatment to back edge of footway.

It is not however considered that the relevant policies, or the guidance provided by the Management Plan, represent a reason or requirement to resist all and any proposed areas of hardstanding to the front of residential properties. There are several examples of successfully accommodated hardstanding areas to the front of villas in the Broomhill Conservation Area and the key consideration is the degree to which these areas impact on street scene/general visual amenity.

In this case the dwelling is set back well from the back edge of footway and there is a substantial boundary wall, the extent of which is to be largely retained. This wall is surmounted by a dense boundary hedge to a height of approximately 1.7 metres.

Additional planting is proposed in the retained green spaces between the parking spaces and the boundary wall/hedge.

It is considered that, taken as a whole, the proposed hardstanding to the front curtilage will not have an adverse impact on the street scene and that the resultant appearance will not be significantly at odds with the prevailing character of the street or the wider Conservation Area.

The boundary wall fronting Westbourne Road is currently pierced by two pedestrian openings and the intention is to retain the pedestrian entrance to the former No. 47 and widen the pedestrian entrance to the former No. 45 to accommodate vehicular access.

This will obviously result in the loss of a short section of boundary wall and corresponding hedge, a reduction of approximately 2 metres in length.

The Broomhill Conservation Area Management Plan identifies the loss of walls and boundary treatments as a potential threat to the character of the Conservation Area but once again this concern relates to examples of wholesale removal rather than less invasive alterations to boundary treatments.

There are several examples of vehicular entrances on the east side of Westbourne Road (at Nos. 41, 49, 53, and 57) and whilst these are set off to the side of these properties (dictated by the semi-detached form) they nonetheless contribute to the prevailing street scene and mean that such entrances are not out of character with the conservation area.

It is considered that providing the existing gate piers are re-used the formation of the wider access will not harm the character of the street scene. The re-use of the existing gate piers should be required by condition.

#### Loss of Side Door Canopies

Representations have referred to the loss of side 'porches' but the feature referred to are more akin to canopies. Whilst not unattractive in their own right the loss of these is not considered to represent a significant loss to the character of the dwelling overall or the wider Conservation Area and it is not considered that their removal represents a reason to resist the development.

#### Rear Extension

The NPPF states that development should always seek to secure high quality design, but decision makers should not attempt to impose architectural styles or a particular taste but should also promote and reinforce local distinctiveness.

#### Loss of the Existing Rear Extension

The existing rear extension is not considered to have any architectural merit and it might reasonably be said that it detracts to a degree from the appearance of the dwelling having a mixed pitched/flat roof form and being constructed in red brick. In this it is not unlike the extension to the rear of No. 41 but this example is not considered entirely sympathetic to the prevailing character of the area (particularly in

its use of facing materials) and it is not considered that its loss would have an adverse impact on the Conservation Area.

### Contemporary Approach

The principle of employing a contemporary architectural approach within Conservation Areas, to a high standard is both long established and acceptable in principle. In addition the contemporary elements in this proposal are contained mainly to the rear of the site where there is significantly less impact on the character of the Conservation Area.

### Design and Detailing

The design of the rear extension has undergone several iterations over the course of the previous application and during the lifetime of this application.

In relation to scale the proposal is undoubtedly a large addition to the dwelling. However, this in itself is not a reason to resist the scheme and it is considered that in terms of scale and massing the proposal still represents a subservient form when compared to the scale of the large villa that has resulted from the amalgamation of the two semi-detached houses.

Whilst supporting a contemporary approach, in principle, officers were initially concerned that an overly complex design, particularly with regard to the roof form would result in a structure that related poorly to the original dwelling/s.

It was appreciated that the dual asymmetric roof pitches of the initial submission were an attempt to mirror the existing asymmetric roof form of the original houses but it was felt that this resulted in an overly complex juxtaposition of roof planes that failed to respond sympathetically to the existing property or the context of the built environment.

Amendments have been made that now sees a shallow mono pitch roof substituted in place of the more complex roof form. It is considered that this approach would give the extension a less strident appearance and would maintain the original, unusual, roof planes as the focal point of the roofscape.

Due to the contemporary design of the extension the fenestration is considered an appropriate response and the proportions and extent of glazing is considered acceptable.

The materials being proposed for the new buildings include natural stone, zinc cladding and aluminium windows, with the final samples being subject to conditions in the event of an approval.

The use of stone is an appropriate response to the context given that stone is the dominant material across this section of the Conservation Area, while zinc cladding is an established high-quality cladding material in sensitive locations.

The use of aluminium window frames is considered consistent with the overall contemporary aesthetic and it is not considered that the use of timber would be appropriate within these modern additions.

Overall the combination of the high quality materials and detailing should ensure an appropriate quality and appearance.

Paragraphs 193 to 196 of the NPPF state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 196 also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case the relevant heritage asset is the Broomhill Conservation Area.

Given the design commentary above it is concluded that the works to the front, public facing portions of the site, which have the most impact in the Conservation Area, cause no harm to the significance of the heritage asset.

The works at the rear are visible from neighbouring properties, though do not feature prominently in the public domain. The proposals here are considered acceptable but within the terms of paras 193 to 196 of the NPPF would represent less than substantial harm. However, the rear facing position and lack of significant public view must be taken into consideration when balancing this, as required by the NPPF, against the public benefits of the proposal.

It is not considered that the scheme offers significant public benefits beyond the employment opportunities created by conversion/construction.

However, given the very limited harm that is considered to arise from the proposal it is not considered that an absence of significant public benefit represents a sufficient reason to resist the application.

In this context the proposals are considered to comply with the aims of policies BE5, BE15, BE16, H14, CS74, paras 193 -196 of the NPPF and policies DDHM1 and DDHM5 of the BBEST Neighbourhood Plan.

#### Living Conditions for Existing Residents

##### Overbearing, Overshadowing and Overlooking

Policy H14 (c) and (d) outline general principles with regard to residential amenity and these are further supported by Supplementary Planning Guidance 'Design of House Extensions' (SPG) which lays out good practice guides for new build structures and their relationship to existing houses. Of these the following are particularly relevant:

Supplementary Planning Guidance (SPG) guideline 4 states that in most circumstances a minimum distance of 10 metres should be achieved between main aspect windows and the nearest boundary.

SPG guideline 5 states that two storey structures should not cut a 45-degree line scribed from the nearest ground floor main aspect windows of neighbouring dwellings.

SPG guideline 5 also states that a two-storey extension should not be located closer than 12 metres in front of ground floor windows of a neighbour and that level differences may require this distance to be increased.

SPG guideline 6 states that dwellings should keep a minimum of 21 metres between facing main windows.

#### No. 43 Westbourne Road

No. 43 lies to the north of the proposed rear extension and the rising natural ground level from south east to north west means that it is elevated approximately 1.3 metres above No. 45/47.

The proposed two storey rear extension would not cut a 45-degree line scribed from the nearest main aspect window in the rear elevation and the extension itself would be located approximately 7 metres from, and to the side of the south elevation of No. 43. The proposal therefore satisfies the requirements of Supplementary Planning Guidance guideline 5 and would not result in an overbearing presence towards that dwelling.

In terms of the relationship with the private rear amenity space of No. 43 this space is extensive and it is not considered that the marginal increase in overshadowing (to a portion of the rear garden closest to the boundary) represents sufficient reason to resist the application

#### No. 49 Westbourne Road

No. 49 lies to the south of the proposed rear extension and as such there are no overshadowing implications arising from the proposal.

The proposed two storey rear extension would not cut a 45-degree line scribed from the nearest main aspect window in the rear elevation and the extension itself would be located approximately 8 metres from, and to the side of the south elevation of No. 49. The proposal therefore satisfies the requirements of Supplementary Planning Guidance guideline 5 and would not result in an overbearing presence towards that dwelling.

There is a side window in the north elevation of No. 49 serving a sitting room.

The same degree of protection that can be afforded main aspect windows (in front and rear elevations) cannot generally be afforded to side facing windows. Underscoring this is the understanding that side facing windows, though

sometimes historically established, effectively borrow amenity from neighbouring curtilages.

Nonetheless a due consideration of the impacts on such windows must be given as they can often be the sole source of light to a main habitable room.

In this case the room is served by another sources of light (from rear elevation) and so, whilst the proposal might have an adverse impact on the window as an ambient (as opposed to direct sunlight) light source, it is not considered that such impact represents a robust reason to refuse the scheme.

The proposals also include the insertion of ground floor windows in the south elevation and a representation states that this will cause overlooking via the side elevation windows of No. 49.

It should be noted that there is an intervening wall between these facing windows. Although this might not entirely negate inter overlooking, more pertinently it should be noted that these windows could in any event be inserted in exercise of permitted development rights without the necessity to apply for planning permission. The scheme cannot therefore be resisted on the grounds of these changes.

#### Impact of the Patio Area

The proposal includes for the extension of a raised platform (patio) area to the rear of the proposed extension.

There are boundary walls separating the site from both immediate neighbouring properties and these already provide a degree of screening between neighbouring curtilages.

The proposed extension finished floor level is set down from the finished floor level of the original house (by 750mm) and the proposed patio corresponds to the level of the proposed extension.

Relative to the proposed patio level the flanking walls would therefore exceed the 1.7 metres in height normally required for privacy screens on raised platforms that have potential to overlook neighbouring curtilages.

It is therefore considered that the patio should not introduce additional overlooking towards neighbouring property.

Notwithstanding the above analysis it is worthy of note that when considered in isolation the patio would, as detailed, qualify as permitted development, and so again, any perceived overlooking aspect here could not reasonably form a reason to resist the proposal.

#### Dwellings on Southbourne Road

Supplementary Planning Guidance guideline 4 indicates that extensions to dwellings should achieve a minimum separation distance to rear boundary of 10 metres.



The purpose of providing adequate separation distance is two-fold, the reasons being to ensure appropriate privacy levels to neighbouring curtilage from first floor windows and to ensure adequate outlook from the new build for future occupants.

The proposals comfortably achieve this requirement (approximately 20 metres to the foot of the garden) and the separation distance to gardens of properties fronting Southbourne Road is approximately 27 metres.

Separation to the rear elevations of properties on Southbourne Road is in excess of 35 metres and therefore greatly exceeds required minimum separation distance.

#### Living Conditions for Future Occupants

Section c) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should not deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

Guideline 4 of SPG states that a minimum garden space of 50 square metres should be retained post extension and this is more than adequately addressed with a retained rear garden of at 250 square metres being retained

#### Highway Considerations

Section d) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

The information provided shows provision of 4 off street spaces, two on the front hardstanding and two retained off the 'back lane' and separated from the foot of the back garden by a new stone wall.

The proposal results in a seven-bedroom house and this provision of off-street parking is considered acceptable.

Representations have noted that the scheme results in a loss of on-street residents parking spaces. The new central vehicular entrance would result in the loss of two spaces. However, given that the proposal will allow for off street spaces for what would previously have been two dwellings that previously had no off-street car parking provision it is considered that the net impact is acceptable in highways terms.

#### Landscape Considerations

UDP Policy H14 c) seeks to avoid development that would result in a serious loss of existing garden space that would harm the character of the area.

BBEST Neighbourhood Plan policy DDHM1 seeks in addition to the retention of front gardens, to retain mature trees and pursue planting opportunities as development

comes forward. In addition, the site is identified by the BBEST Neighbourhood Plan as being within a Key Garden Block. Policy EN1 of the plan seeks to ensure appropriate conservation and mitigation measures for developments to ensure a biodiversity net gain within key garden blocks. This policy carries limited weight as it is consistent with the NPPF and there are no significant unresolved objections following plan consultation.

The report above considers the impact on the front garden area. However, the proposed works have a minimal impact on existing landscape features. The proposals will not result in the loss of any trees of public amenity value. Most of the front boundary hedge is retained and the intention is to further bolster this with additional planting in the front garden.

It is therefore considered that the proposal is not in conflict with the aims of policy H14 of the UDP or BBEST Plan policy EN1.

### Response to Representations

Matters relating to design, impact on the Conservation Area, residential amenity, highway safety and landscape have been dealt with in the main body of this report but in response to the remaining matters:-

Neighbouring planning applications will have been dealt with on their individual merits, as would any future schemes brought forward for consideration in the future.

With regard to the previously granted Certificate of Lawful Development this simply established whether amalgamating the two dwellings into one was lawful (without the requirement to apply for full planning permission). The Officer report for that application mentions there being no external material changes to clarify that the granting of the Certificate was viable. i.e. if the LDC had included for extensions/changes that required planning permission then the Certificate could not have been granted. The application was publicised in line with the Council's Statement of Community Involvement.

There is no reason to believe that the small construction vehicles likely to be employed on any works will have a significant impact on the free flow of traffic in the locality but this is, in any event, not a material planning consideration for a scheme of this scale.

Sparrows are not a protected species and therefore no protection can be offered for any climbing plants in which they might nest.

The rear garden is accessible by a ground floor door in the side elevation of the proposed two storey extension.

The future occupants' arrangements for leaving the sauna area are their own concern.

Planning policy does not specify a requirement for a construction programme/schedule. Dust and similar nuisance remediation are the province of Environmental Protection legislation.

A change from the currently proposed single dwelling house to another planning use would require a change of use planning application which would be considered on its merits if that situation arose.

The inappropriate use of residents parking bays is not a material consideration for this application.

## SUMMARY AND RECOMMENDATION

The proposals involve minor works to the front of the property which are not considered harmful to the character of the Broomhill Conservation Area. The works to the rear are more significant but represent a well-designed contemporary addition to the Conservation Area. The scale of these works is such that they will have an impact, but this is considered less than substantial within the terms of paras 193 – 196 of the NPPF. Although no public benefits exist to outweigh this harm, the lack of prominence and public view of the works is such that it is not considered there is a basis for resisting the development on these grounds.

The works do not result in any significant highway safety concerns, do not result in harm to important landscape features and are acceptable in terms of their impact upon the living conditions of neighbouring occupants.

It is considered therefore that the development would be in accordance with UDP Policy H14, BE5, BE16 and BE17, as well as CS74 of the Core Strategy, BBEST policies DDHM1, DDHM5, and ENV1, and paragraphs 193 to 196 of the NPPF, and the Council's SPG on Designing House Extensions and so it is recommended that planning permission be granted conditionally.

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