

11. FULL APPLICATION; PROPOSED 2 STOREY REAR EXTENSION AND ASSOCIATED WORKS AT THE LEE, POST OFFICE ROW, LITTON, (NP/DDD/1219/1318, JK)

APPLICANT: MR & MRS JAMES SMITH

Summary

1. The proposal is a two storey rear extension to a traditional cottage in the centre of Litton and within the Conservation Area.
2. We consider that the scale, massing and design of the proposed extension, together with the existing extension, would cover up the whole of the rear elevation of the property which would significantly harm its character and appearance together with that of the Conservation Area.
3. We also conclude that being sited on the boundary, the extension would have an overbearing and harmful impact upon the neighbouring property's amenity. The footprint would also result in a loss of further private amenity space for the host dwelling such that the remaining private space would not be commensurate with the resultant scale of the dwelling.
4. We therefore recommended for refusal and the application is brought to committee as a result of the Parish Council's support for the proposal contrary to the officer recommendation.

Site and Surroundings

5. The Lee is a three-bedroomed cottage that forms one half of a pair of cottages (the other being Rowan Cottage) within the centre of the village of Litton. The cottage is sited on a strong building line between a terrace of properties that include the village shop to the west and the large detached Hall Farm House to the east. To the rear are a series of small paddocks which include a number of mature trees and boundary hedgerows. The property and its surroundings form part of the Litton Conservation Area.
6. The Lee is a two storey traditional limestone cottage with blue slate roof and cream coloured mock sash windows. The principal elevation and small walled front garden front onto the open green space that forms the heart of the village. The main elevation has a pleasing symmetrical design, with decorative gritstone lintels and a small pitched roof porch. To the rear, the property is characterised by a recent two-storey extension (2005) and a single storey lean-to conservatory, both of which open onto a small courtyard. As a result the dwelling now is roughly L-shaped. There is a further detached small outbuilding/store on the rear (southern) boundary of the plot. To the side of the dwelling is a large gravel driveway which has parking for in excess of three vehicles and

Proposal

7. To replace the single storey lean-to conservatory at the rear with a new, two storey extension in matching materials. It would essentially 'fill-in' the corner between the two storey extension and the original dwellings rear wall creating another gable end, albeit somewhat narrower than the 2005 extension. When coupled with the 2005 extension this will create two gabled ends to the rear separated by a flat roof and large central drainage gully. The proposal will provide additional living accommodation in the form of a new ground floor dining room and a first floor bedroom, increasing the number of bedrooms from three to four.

8. The proposed extension would have an eaves height similar to that of the adjacent 2005 extension, being slightly below that of the original dwelling. The extension would extend back from the rear wall of the original dwelling by 4 metres. This would preserve the existing windows in the side elevation of the 2005 extension. The extension would project 2.4m further than the current rear wall of the adjacent property (Rowan Cottage) and would be sited just inside the 1.5m boundary wall between the two properties. The elevation to the neighbouring property will be entirely blank and the rear gable elevation will comprise of a large opening containing triple bi-fold doors at the ground floor and small twin paned window at first floor.
9. The materials are to match the existing property. The roof will be natural blue slate with mortared verges and the walls limestone rubble laid in courses. The flat roofed section, is stated in the Design and Access Statement to be leaded along with the gullies. The windows are specified as timber and the rear bi-fold doors are aluminium, however colours and finishes are yet to be specified. There is some limited information provided on the colour and shape (square form) rainwater goods, however the final materials are not specified.

RECOMMENDATION:

10. **That the application be REFUSED for the following reasons:**
 1. **The scale, massing and siting of the proposed extension, when taken together with the existing extension, would cumulatively result in extensions covering the whole of the rear wall of the cottage and which would have a dominating and harmful impact upon the valued character and appearance of the host building and the Litton Conservation Area. This impact is exacerbated by the awkward design details of the flat roofed link element and overlapping roof detail along with the poorly proportioned first floor window and the overlarge ground floor door opening which are out of keeping with the established character of the cottage and the local building tradition.**
 2. **The scale and siting of the extension would be harmful to the amenity of the neighbouring property as a result of a significant overbearing impact and also to a lesser extent the amenity of the host dwelling through the loss of private amenity space leaving the property with a garden which would not be commensurate with the scale of the house. The proposal is therefore contrary to Policies GSP1, GSP2, GSP3, DMC3, DMC5, DMH7 and the Building Design Guide and the Alterations and Extensions SPD.**
 3. **The proposal fails to demonstrate that the highest possible standards of carbon reductions are achieved in the submitted design and therefore the proposal is contrary to Policy CC1.**

Key Issues

11. Principle of development
12. Impact on the character and appearance of the host dwelling
13. Impact on heritage assets – specifically the Litton conservation area
14. The impact upon the amenity on existing and future residents - privacy, daylight, overlooking and overbearing

History

15. There are two relevant applications specifically relating to this site. The first was in 1991 and concerned the erection of the front porch to the property, the second, more significantly was for the rear extension (ref: NP/DDD/0505/0464). The latter was the subject of detailed design discussions between officers and the applicant, given the large scale and mass of the proposed extension in comparison with the original cottage.
16. The 2005 extension replaced a series of single storey lean-to utility rooms and an outdoor store with a new two storey extension. The design of the extension was amended during the application stage to provide a lower roofed 'link component' between the main bulk of the extension and the original dwelling to provide a clear separation between new and old, thus giving an appearance of an outbuilding now joined to the cottage with a 'later' link. Whilst using some existing extensions and lean-to components, the 2005 extension doubled the amount of floor space provided by the original dwelling.

Consultations

17. Highways Authority: Have no objections in principle to the application as it is for ancillary living accommodation.
18. Parish Council: Have supported the application as they consider it is in accordance with the Parish Council's planning policy.

The Parish Council's planning policy (2016) states that: The Parish Council recognises that the majority of planning applications are from residents wishing to make improvements to their existing residential or business properties. This benefits the community by improving the overall building stock and the PDNPA pays close attention to ensuring a sympathetic design. The Parish Council will be predisposed to support such applications.

19. PDNPA Archaeology: Have confirmed that there are no archaeological concerns or comments on this application.

Representations

20. At the time of drafting this report, the Authority has not received any representations regarding the proposals.

National Planning Policy Framework (NPPF)

21. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.
22. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.

23. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies (DMP), adopted May 2019. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

Main Development Plan Policies

Core Strategy

24. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
25. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
26. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements. Litton is a named settlement.
27. L1 - *Landscape character and valued characteristics*. Seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.
28. L3 – Cultural heritage assets of archaeological, architectural, artistic or historic significance
29. This policy is relevant given the building is within the Litton conservation area. It states that developments must conserve and enhance the significance of heritage assets, and there must be exceptional circumstances to justify harm to a heritage asset and its setting.
30. HC1 – *New Housing*. Sets out that provision will not be made for housing solely to meet open market demand. Housing land will not be allocated in the development plan. Exceptionally, new housing can be accepted including where it addresses eligible local needs for homes that remain affordable with occupation restricted to local people in perpetuity.
31. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

32. DMC3 – *Siting, design and landscaping*; This policy requires development that is acceptable in principle ensure, should have high quality detailed treatment that where possible will enhance the areas natural beauty, quality and visual amenity of the landscape, including wildlife and cultural heritage and contribute to the distinctive sense of place. It also clearly stated that the principles set out in supplementary planning documents and technical guides should be considered.
33. The policy sets out a series of 10 design criteria to ensure that new developments achieve this overall goal, many reflecting broader guidance in the Core Strategy.

Importantly for this application, given the key criteria as they are set out in section 2 of the policy are:

- i. siting, scale, form, mass, levels, height and orientation in relation to the existing buildings, settlement form and character, including impact on open spaces, landscape features and the wider landscape setting, which contribute to the value character and appearance of the area.
 - vi. Amenity privacy and security of the development and other properties that the development affects
34. DMC5 – Assessing the impact of development on designated and non-designated heritage assets and their settings; Requires planning applications that affect a heritage asset to provide details of their significance (either in a separate statement or a design and access statement) and key features of value and how they will be conserved and where possible enhanced and why they are desirable or necessary. Loss or harm to a non-designated heritage asset will not be permitted unless it is considered acceptable following a balanced judgement that takes into the significance of the asset.

Note: The applicant's Design and Access Statement has included such information, with additional information provided during the course of the application.

35. DMH7 – Extensions and alterations

Extensions and alterations will be permitted subject to meeting a series of criteria. The criteria that are relevant to this planning application state that proposals should not:

- detract from the character, appearance or amenity of the existing building, its setting or neighbouring buildings
- dominate the original dwelling particularly where it is a designated or non-designated cultural heritage asset
- amount to the creation of a separate independent dwelling
- create an adverse effect on, or lead to undesirable changes to, the landscape or any other valued characteristic

Supplementary Planning Documents

36. The Alterations and Extensions Detailed Design Guide (2011) chapter 3 provides detailed guidance on extensions in the National Park, and is an important consideration given the criteria to policy DMC3. In summary it sets out a number of broad principles extensions:

- Extensions ought to be smaller in volume and height than the existing property, so that the main house remains the dominant element
- The height to width of the extension should ideally reflect the proportions of the existing property
- Rear extensions are often the easiest to accommodate however, the smaller the building, the smaller the rear extension ought to be
- A two storey gabled extensions is better suited to a larger property
- The ridge and eaves height should be less than the existing property where possible.
- That extensions limit, in most cases, the materials to just that for the walls and that for the roofs and that they match the existing building.
- That new extensions should take account of satisfactory levels of privacy, outlook, natural daylight and outdoor private amenity space.
- That new development does not have a harmful effects from overshadowing or overbearing on neighbouring properties

- Gardens should ideally not be less than 50% of the original dwelling and that car parking and bin storage should be retained.
37. The 2007 Design Guide provides some further guidance on the scale of extensions that can be considered appropriate. It clearly states that the smaller the building the less options there are for extension, clearly stating that in a small cottage a two storey rear extension is unlikely to be acceptable. However, it also states that irrespective of size, buildings can reach a threshold point where no further extension is possible without destroying the parent buildings character. 7.12 sets out that ‘extensions limited to less than 25% of the original building are more likely to be approved’.

Assessment

Principle of Development

38. Policy DS1 of the Core Strategy sets out clearly that extensions to existing buildings will be acceptable in principle. This application is for an extension to an existing property. Other policies within the development plan (specifically GSP3 and DMH7) introduce additional caveats regarding a wider range of issues pertaining to design and character which are considered separately in the following paragraphs.
39. It is therefore considered that the proposal complies with the requirements of development plan policy DS1 of the Core Strategy.

Impact on the character and appearance of the host dwelling

40. Policies GSP3 (Core Strategy), DMC3 and DMH7 (Development Management Policies) set out that new extensions should reflect and respect the scale, mass and character of the existing building or dwelling – in this case, the original Lee Cottage. As previously noted, determination of the application for the extension in 2005 was particularly concerned with this impact, and the roof height and eaves were altered during the application process to allow the new extension to sit more comfortably against the existing dwelling. It appears that this was a fine balance given the scale of the development proposed at that time, especially given the impact when viewed obliquely from public vantage points.
41. Whilst the extension proposed in this application is indeed small in overall dimensions compared to the extant 2005 application, the cumulative impact of this development with the existing extension is significant. It would result in the overall scale and mass of extensions to the rear (both this and the 2005 extension combined) being significantly in excess of the volume and footprint of the original dwelling. Based on the guidance set out in the Design Guide, this is far in excess of the 25% that is identified as being a useful measure in cases such as this. In no way will the resultant extension result in a development that is subservient to the original cottage or have an appearance which reflects the proportions of the original dwelling.
42. Whilst it is accepted that from the main vantage points the primary elevation of the property would be unaltered, the fact remains that would be a further significant change to the character and appearance of the dwelling from the rear which although not highly visible, should be avoided in the interest of the preserving the character of the building. The proposed extension would appear to have been squeezed into the location, and which results in a cramped appearance with the extension partially overlapping onto the existing rear extension together with an awkward flat roofed section and stepped valley gutter along with the loss of the entire original rear elevation of the original cottage.

43. It is considered that the cumulative scale of the two extensions would in this case exceed the threshold whereby the character of the building is lost and the rear would be dominated by two large extensions. The resultant volume (or mass) of the extensions combined would be well in excess of the original dwelling.
44. The applicant has advanced that as a result of the careful siting of the extension, this mass is not visible from public vantage points and as such the impacts are acceptable. Whilst a balance must be applied here, with some flexibility, it is clear that determination of the large two storey extension approved in 2005 did indeed consider this finely balanced and determined that 'on-balance' the amended (and smaller scheme) was appropriate. This current application would certainly 'over-tip' the balance achieved by the 2005 scheme.
45. It is therefore considered that the proposal fails to comply with the requirements of development plan policies GSP3 and DMH7 in this regard, as well as the provisions of the relevant sections of the SPD that are material to this determination as per DMC3 and the principle expressed in the design guide.

Impact on heritage assets

46. The application site is located within the Litton Conservation Area. This is a designated heritage asset, policy L3, DMC5 and DMH7 each require a consideration of impact on the heritage asset to be undertaken. The applicant has undertaken an assessment of the impact of the proposed development on the Conservation Area, specifically its character and appearance, and the importance of the principal elevation within the street scene, which remains unaltered. This is the case and changes when viewed from the highway will be negligible if seen at all. Reviewing the Litton conservation area appraisal shows there are no key views, frontages or other vantages that would be affected by this proposal.
47. However, as noted there are significant changes proposed to the rear of the property, which will fundamentally alter the character and appearance of the property to the rear. The applicant has provided a detailed visual study looking at how the property will be visible through the mature trees and vegetation to the south and has concluded that from the main public vantages the property will not be visible. Having undertaken a similar assessment on site, this is confirmed. Nevertheless, there will be a notable change to the character and appearance from the rear of the property, which, coupled with previous alterations and extensions to other properties in Post Office Row, would have a detrimental effect upon the property and the Conservation Area.
48. As a result, we consider that whilst there would be minimal harm on the overall important characteristics of the Litton Conservation Area (as identified within the Conservation Area appraisal) the proposal would result in localised and unacceptable harm which is not outweighed by any public benefits. It is therefore considered that the proposal is contrary to the requirements of development plan policies DMC5 and DMH7 and national planning policy.

Amenity Impacts

49. As noted above, policies GSP3 of the Core Strategy and DMC3 of the Development Management Policies both require that amenity be considered for all new development – both the amenity of neighbours, but also of existing residents. There are three elements outlined in the policies that are relevant for consideration in this case, each of which is addressed below.

Overshadowing

50. The proposed development would place a two storey wall directly on the boundary with Rowan Cottage. The impact from overshadowing is reduced since the extension sits to the east of the property and does not impinge on the southern or westerly aspects of the property or garden. The applicant has provided a series of 'sun-path analysis' drawings based on a 3D model of the property which clearly demonstrate that by 12 noon there is unlikely to be any overshadowing at any time of year. As a result it is considered that there is no impact on the neighbours from overshadowing.

Overbearing (size and scale)

51. Guidance within the Extensions and Alterations SPD (page 33) states that where a two storey extension extends beyond a line drawn 45 degrees from the nearest corner of the neighbour's property then it is considered to be overbearing. 2.5 metres of this extension impinges on the 45 degree angle and thus the development is overbearing. In addition, the extension is almost exactly on the boundary wall between the two properties, which further exacerbates the issues of being overbearing. Short of a complete redesign it is considered that there is no way of overcoming these issues.
52. It is noted that there has been no objection from the neighbour. However, applications should be considered with existing and future residents in mind and on their own merits and therefore the lack of objection can be afforded little weight in the overall consideration.

Private amenity space

53. Amenity is not just a concern for neighbours, but also for existing residents of a property. It is accepted that the proposed extension will provide additional private indoor space, this will be at the expense of the outdoor amenity space. The property already has a very small private courtyard to the rear (measuring approximately 50 square metres) which will be reduced by almost 15% if the proposed development was implemented. The original extension did marginally erode the amount of garden space to the rear, and thus cumulatively there would be approximately a 20% reduction in garden space from the dwelling as originally proposed. The remaining garden space is significantly undersized for what would become a 4 bedroomed property. The rear garden would also be significantly smaller than any other garden in the immediate locality.
54. It is therefore considered that, as a result of the overbearing impact on the neighbouring property and, on balance, the loss of private amenity space, the proposal does not comply with the requirements of development plan policies GSP3 and DMC3 and the SPD on alterations and extensions

Environmental Impacts

55. By virtue of the proposed scale, location and nature of the proposed development, it is considered that an environmental impact assessment is not required.
56. The application is accompanied by an energy statement which sets out that it is 'provisionally proposed' to reduce the energy requirement by enhancing the performance over and above the building regulations requirement in part L. It is stated that it would use energy more efficiently with low energy light fittings and water butts for garden watering. No water appliances are proposed and grey water re-use or rain water harvesting is considered unviable as the capital cost is prohibitive and there is no space for water tanks due to the small nature of the site. No renewables appear to have been considered. Given the availability of roofing space for solar pv or water it is concluded

that whilst the extension is small the submitted proposal does not meet the CC1 policy requirement to achieve ‘the highest possible standards of carbon reductions’.

Conclusions

57. This is a finely balanced planning case, whereby the principle of development, that of a residential extension, is supported by both local policy and the Parish Council. However, in this case, this needs to be considered against the context of the large extension that has already been implemented on this site. From public vantages (and overall in the context of the conservation area) there would be very little impact, however the cumulative impacts on the original property are significant and will change beyond recognition the rear elevation and the relationship with the original dwelling.
58. Guidance within both of the supporting Design Guides identify this as something to be avoided and as being a reason to refuse an application. Certainly the threshold for concern of an increase in 25% outlined in the 2007 Design Guide has been significantly exceeded already by the 2005 permission – that application being itself a finely balanced case if considering design impact alone.
59. The overall design also introduces a number of elements that are highlighted as being something to avoid, including the flat roofed component. Furthermore, the assessment against the three amenity tests above demonstrates that the overbearing impact of the development on the neighbouring property and the further erosion of private amenity space both count against this proposal. Amenity issues should be afforded great weight.
60. The extension that was permitted in 2005 was considered ‘on balance’ to be acceptable. However, this application is a clear demonstration of ‘overdevelopment’ of a residential plot and that the negative impacts of this development outweigh any possible benefits or acceptability in principle. As a result it cannot meet all of the tests set out in policies GSP3, DMC3 and DMH7 and thus, the overall planning balance is that the application should be refused. There is considered to be no alternative design that could make this proposal acceptable in planning terms.

Human Rights

61. Any human rights issues have been considered and addressed in the preparation of this report.
62. List of Background Papers (not previously published)
63. Nil

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