

Report of the Chief Executive

APPLICATION NUMBER:	20/00606/FUL
LOCATION:	6 Canal Side, Beeston, Nottingham, NG9 1NG
PROPOSAL:	Retain loft conversion including dormer window

The application is brought to the Committee at the request of Councillor Cullen.

1 Executive Summary

- 1.1 The application seeks planning permission to retain a flat roof dormer on the north east roof slope and alterations associated with the loft conversion.
- 1.2 The site contains a detached bungalow, in a row of similar properties.
- 1.3 The main issues relate to whether the scale, siting and design of the dormer is acceptable, and whether the development has an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal are that the loft conversion and dormer provide enhanced living accommodation for the occupiers. The negatives of the proposal are the size and prominence of the dormer harming the character and appearance of the building and the wider area, and on this basis, the dormer is recommended to be refused planning permission.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reason set out in the appendix.

1 Details of the Application

- 1.1 The application is for the retention of a flat roof dormer to the north east facing roof slope. The dormer serves a loft conversion and has a total of four windows in the north east elevation facing 4 Canal Side, two of which are high level windows, and two obscurely glazed windows towards the centre. The latter windows serve an en-suite and a bathroom. Other alterations include the insertion of a window to the front and rear elevations in each gable end, replacement of a window with a new door on the north east elevation, and removal of the original entrance door and adjacent window with a small bathroom window, also on the north east elevation, at ground floor level.
- 1.2 The dormer requires planning permission as the roof height has already been raised (understood to have been in excess of 10 years ago), and as such the dormer is not inserted in the original roof slope and is therefore not considered to be permitted development.
- 1.3 The materials used for the dormer are a dark grey cladding, which matches the roof tiles in colour, with a felt roof.

2 Site and surroundings

- 2.1 6 Canal Side is a detached bungalow with a gable roof and is in a row of similar properties, facing the Beeston Canal, which is to the south east, on the opposite side of the road. The property has had the height of its roof raised following the grant of planning permission in 1977 and, prior to the insertion of the large dormer, there were two small high level dormers in the north east facing roof slope, built up to the ridge height.
- 2.2 To the north east of the site is 4 Canal Side, a detached bungalow which has an entrance door and three windows on the south east elevation facing the site. A driveway leading to the rear garden separates the property from the common boundary and adjoins the driveway of the application site.
- 2.3 To the south west of the site is 8 Canal Side. This is also a detached bungalow, and is separated from the site by a path which leads to the rear, adjacent to the common boundary.
- 2.4 There are two properties to the rear, 17 and 18 Acaster Close. These are detached bungalows which are at an angle to the application site. 17 is to the north west of the site, and has a range of single storey extensions to the rear and an outbuilding. 18 Acaster Close is to the south of this (and west of the application site). This property has a detached garage with an attached construction adjacent to the common boundary, which provides a degree of separation between the property and 6 Canal Side.
- 2.5 The site is located within Flood Zones 2 and 3.

3 Relevant Planning History

3.1 In 1977, planning permission was granted for the conversion of the loft to two bedrooms and the installation of a bow window on the front elevation. Reference 77/00070/FUL.

4 Relevant Policies and Guidance

4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

4.2.1 The Council adopted the Part 2 Local Plan (P2LP) on 16 October 2019.

- Policy 1: Flood Risk
- Policy 17: Place-making, design and amenity

4.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

5.1 Five properties either adjoining or opposite the site were consulted and five representations were received, four of which were objections on the following grounds:

- New window in rear elevation, serving the first floor accommodation, overlooks neighbouring garden and into windows, affecting privacy
- Property nearby, which has been extended and the roof raised, was not allowed to insert a window in the rear elevation, so don't see why this property should be allowed to have one. A Velux window in the roof would be better if light was required
- The dormer is very overbearing and imposing
- The design is not in keeping with surrounding properties, and materials used not sympathetic
- Windows in the dormer look into the neighbouring windows (bedroom, kitchen and bathroom) resulting in loss of privacy
- The original extension was erected without planning permission.

5.2 One observation was received:

- The window in the rear elevation should be obscurely glazed, to satisfy people's concerns.

6 Assessment

6.1 The main issues for consideration are the design and scale of the dormer, and impact on the amenity of the occupiers of nearby property.

6.2 **Design and Scale**

6.2.1 Policy 17 of the Broxtowe Part 2 Local Plan, states that development should be of a size, siting and design that makes a positive contribution to the character and appearance of the area, and which does not dominate the existing building or appear over-prominent in the street scene. The policy also states that dormers should not dominate the roof. The flat roofed dormer has been built up to the existing ridge height, and within 400mm of the front and rear elevation. The dormer is also less than 300mm in from the eaves. This has resulted in a dormer that dominates the roof as the structure virtually covers the entire roof on this side of the dwelling and is highly visible from the public domain. There are no other dormers on the side roof slopes of dwellings on this stretch of Canal Side.

6.2.2 Whilst amendments to the design and scale of the dormer have been discussed, the applicant has chosen to proceed with the design of the dormer as built, as they consider that they would not want to incur any additional cost and disruption as a result of any modifications. The agent states that during a pre-enquiry telephone conversation with the planning team, the question was asked if permitted development rights had been removed on the property and the answer was no. On that basis, the applicant chose to proceed with the dormer as installed, as they considered that planning permission was not required. In response, any advice given over the telephone (i.e. verbally) would be informal only and would not be binding on the Council. The applicant chose not to pay a fee for written advice or for a Lawful Development Certificate application. Furthermore, it cannot be certain what information was provided to the officer who was giving advice and therefore what that officer would have been basing their response on. The onus is always on an owner/the developer to ensure that they check whether planning permission is required or not, and they could have chosen to apply for a certificate of lawfulness for proposed development, should they have considered that the dormer was permitted development.

6.2.3 The material used, which is dark grey cladding, is considered to be appropriate as the cladding matches the colour of the existing roof tiles.

6.2.4 It is considered that the dormer, as built, is contrary to the aims of Policy 17 as it is of a design (flat roofed), scale and siting, being set in by only a minimal amount from the edges and the eaves, and not set down from the ridge, which dominates the roof slope on this side of the bungalow, and is overly prominent in the street scene.

6.3 Amenity

- 6.3.1 4 Canal Side is the property closest to the dormer. This property has a drive separating it from the common boundary. There is a main door with a window adjacent, and two further windows on the side elevation facing the site. The dormer has two horizontal high level windows (minimum of 1.5m above internal floor level) and two vertical, obscurely glazed bathroom windows. It is considered that the dormer would not have a significant impact on the amenities of the occupiers of the adjacent property, in terms of overlooking, due to the restricted angle of view from the windows. If the dormer was considered acceptable in other respects, it would be reasonable to condition that all facing windows be obscurely glazed, and non-opening to all parts which are below 1.7m internal floor level. In regard to loss of light, it is considered that as the dormer is no higher than the existing ridge height, there would be no significant loss of light for the occupiers of the no. 4.
- 6.3.2 Objections have been received in respect of the first floor window which has been inserted in the rear elevation. This window is shown to be 850mm square, and at a minimum height of 0.9m above internal floor level. This is of clear glass. It is considered that as the rear elevation of no. 6 is a minimum of 12m to the rear boundary, and the closest building is over 28m away and that both 17 and 18 Acaster Close (the two closest, to the rear) are at an angle to the site, the rear window would not have a significant impact on the privacy of the occupiers of these properties, or on the privacy of any other neighbouring property. It is therefore considered unreasonable to require the removal of this window, or for the window to be obscurely glazed and / or non-opening.
- 6.3.3 8 Canal Side is to the south west of the site. As the development is contained mainly within the north east elevation, it is considered that the development would not have a significant impact on the amenities of these occupiers.

6.4 Flood Risk

- 6.4.1 As this is householder development, a simple Flood Risk Assessment has been submitted, which confirms that floor levels within the development have been set no lower than the existing, and that flood proofing of the development has been incorporated where appropriate. It should also be noted that the roof conversion allows for bedrooms to be located at first floor level, thus providing safe refuge. It is considered that the development would not result in an increase to risk of flood, either at the site or in the surrounding area.

6.5 Other Matters

- 6.5.1 Developments nearby, in respect of windows in the rear elevation, would have been assessed on their own merits, as there may have been differing relationships to neighbouring properties. As such, this cannot be taken as a precedent to not allow windows in rear elevations of other nearby properties.
- 6.5.2 Reference has been made in the objections received to the original extension being erected without planning permission. It is not clear to which extension they are referring; however, it can be seen in the planning history that permission was

granted in 1977 for the conversion of the loft into bedrooms, along with a bow window to the front elevation.

7 Planning Balance

7.1 The benefit of the proposal is that it provides enhanced living accommodation.

7.2 The negative impacts are the over-dominance and prominent nature of the dormer and the adverse impact on the character of the area.

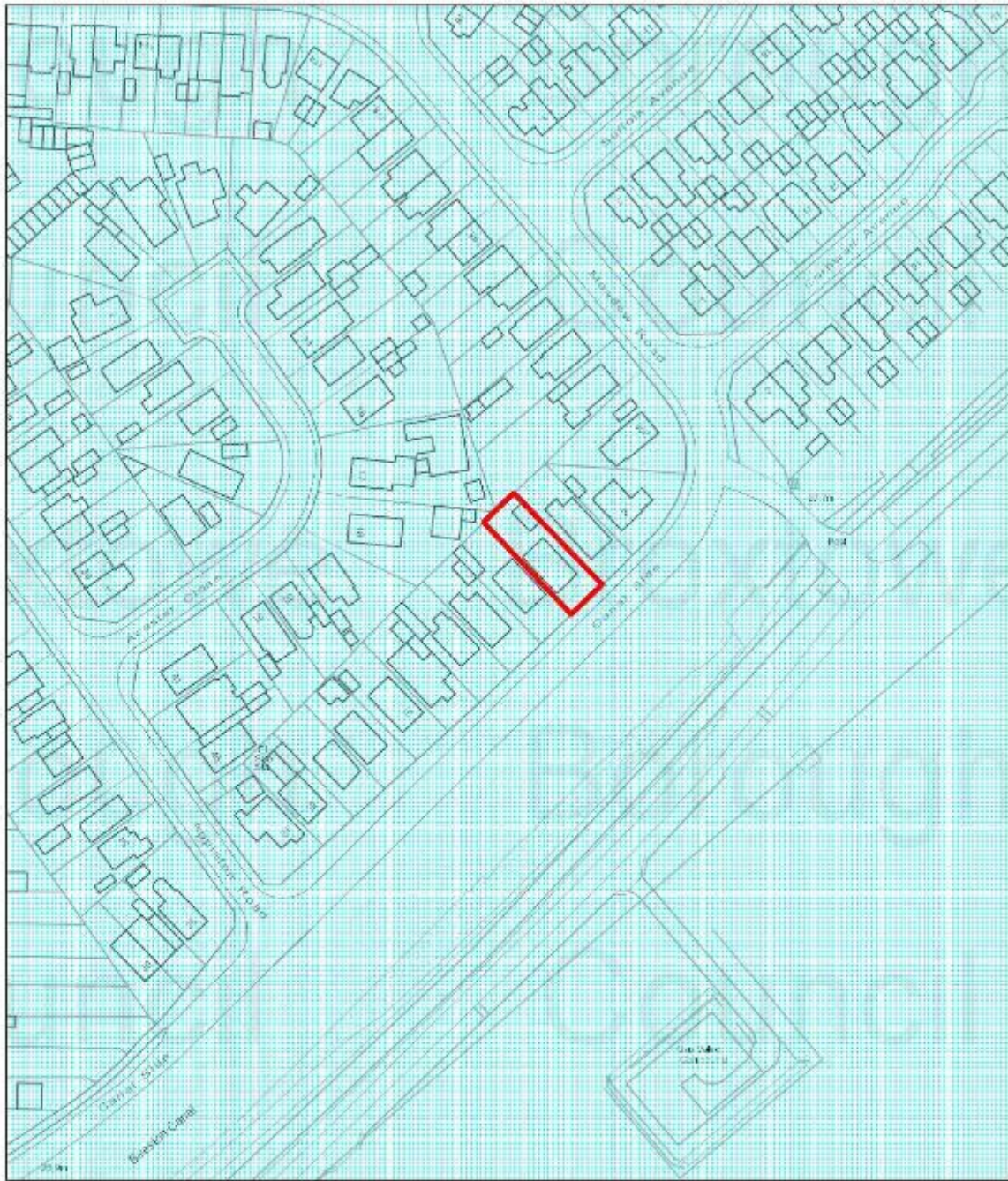
7.3 On balance, the negative impacts of the dormer outweigh the benefit, as the dormer could be modified whilst still providing enhanced accommodation.

8 Conclusion

8.1 Due to the design, scale and siting of the dormer, and its impact on the building and street scene, it is recommended that planning permission be refused.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused, for the following reason:	
1.	The dormer unduly dominates the roof due to its size, coverage of the roof slope and its design. It fails to make a positive contribution to the character and appearance of the area. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

6 Canal Side Beeston



12/3/2020, 10:32:41 AM

-  Flood Zone 2
-  Flood Zone 3
-  Site



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Photographs



Front and side of 6 Canal Side

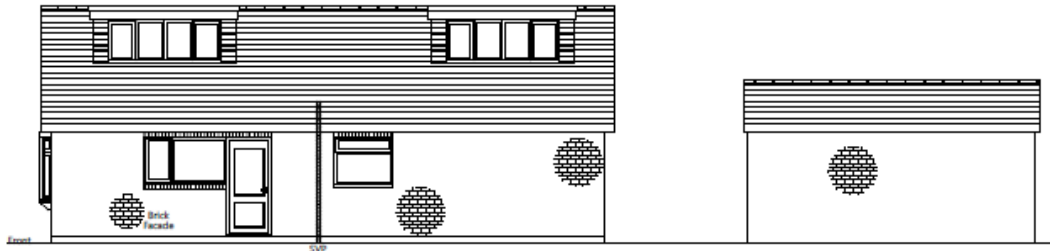


Impact from the street. No. 4 is to the right of the photo.

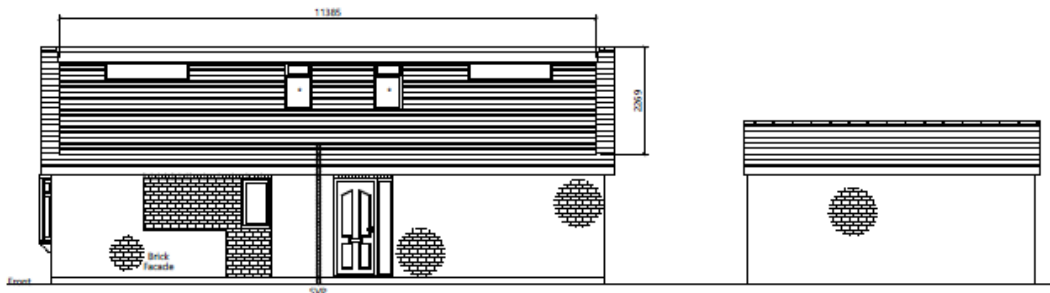


Rear elevation showing rear window at first floor level (photo by agent)

Plans (not to scale)



Existing Side 1 Elevation



Proposed Side 1 Elevation



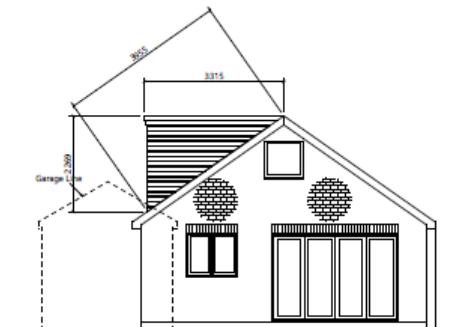
Existing Front Elevation



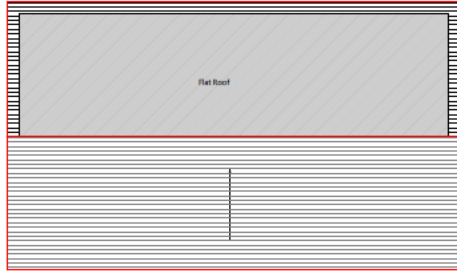
Existing Rear Elevation



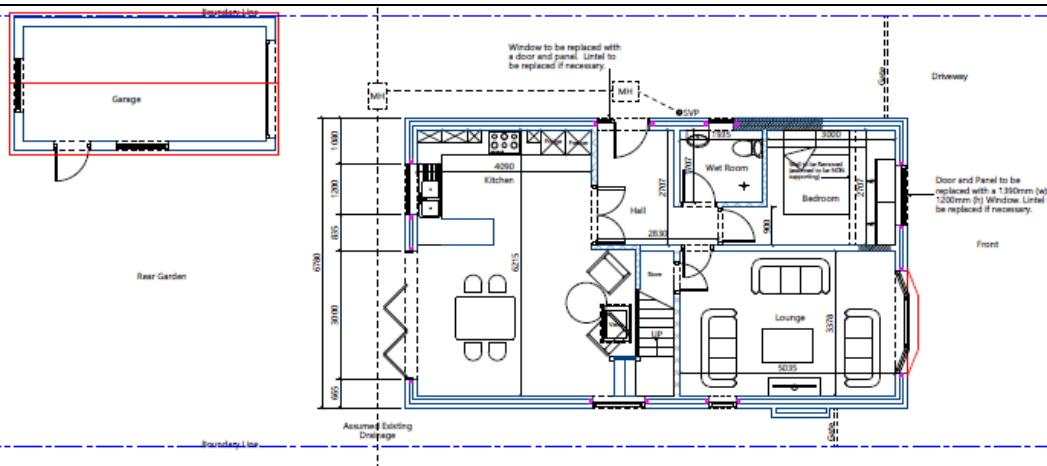
Proposed Front Elevation



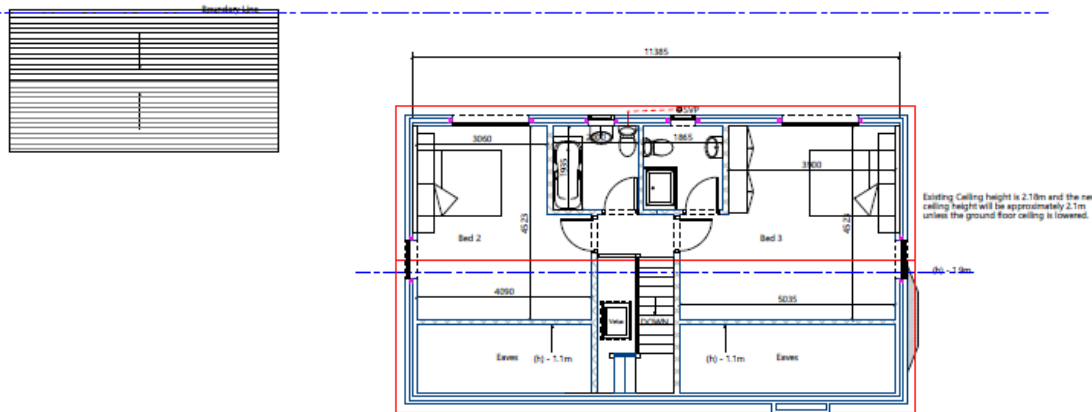
Proposed Rear Elevation



Roof plan as built



Proposed Ground Floor Plan



Ground and first floor