

Report of the Chief Executive

APPLICATION NUMBER:	21/00160/FUL
LOCATION:	46 Broadgate Beeston Nottinghamshire NG9 2FW
PROPOSAL:	Construct single storey rear extension, rear balcony and patio area

Councillor L A Lally has requested that the application is determined by the Planning Committee.

1 Executive Summary

- 1.1 This application seeks planning permission for a single storey rear extension, rear balcony and patio area.
- 1.2 The proposed development is not considered to be harmful to the character of the host dwelling or out of keeping with the character of the surrounding area.
- 1.3 It is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring properties.
- 1.4 The benefits of the proposal are that it would be an extension to an existing residential dwelling, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan. The extension would provide improved internal amenity and replace a glasshouse (which whilst attached is only accessible from the outside). The negative impact would be the loss of part of the garden to development (due to the extended patio) but the garden has a downward slope so this would provide an increase in usable amenity space near to the house, so this matter is considered to be outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The proposal is for a single storey rear extension, rear balcony and patio area. The brick extension would replace a current attached glasshouse (on a slightly larger footprint, extending in front of the rear door), partially along the rear elevation. Above the extension, the current balcony would be extended, then beyond this, the extension roof would be a slightly sloping, zinc, lean-to at an eaves height of 2.5m (above the sloping ground level). To the rear, there would be bi-fold doors. Facing the south west side (within the garden), there would be a glazed door and two full height windows. With the removal of the ground floor rear elevation wall, the existing kitchen would be opened up to adjoin a dining/garden room.
- 1.2 The balcony would be the same width as the existing balcony and extend out to a total depth of 2.8m (the existing depth is 1.6m), so extending 1.2m in depth above the existing projection and proposed single storey rear extension. There would be a timber screen (1.8m high) on the north east side of the balcony and to the south west above the existing single storey rear element (on the boundary) and a glass balustrade (1m high) facing the rear garden and south west side.
- 1.3 The patio is currently at a lower level than the existing rear elevation, with three steps down from the rear door. The proposal would create level access to the proposed patio area which would extend beyond the proposed rear extension by 2.4m. At its foremost length, it would be 0.8m above the ground, there would then be four steps down to the lawn garden area (with two brick planting areas either side). There would be steps down to the north east side access and a detached store would be removed.
- 1.4 During the course of the application, amended plans were submitted as some measurements did not measure correctly and to include a timber screen on the south west boundary.

2 Site and Surroundings

- 2.1 The property is a semi-detached house (three storeys), and is a Local Interest Building. It has brown bricks and a slate roof. At the front there is an open porch, to the rear there is a flat roof element (with balcony), glasshouse (to be removed), by the north east side boundary there is a small store (to be removed) and beside the rear boundary, there is an outhouse.
- 2.2 The site slopes down from Broadgate and into the rear it continues to slope downwards in a south eastern direction. There are three steps down from the rear elevation into the rear garden. The rear of the site is over 1m lower than the rear elevation of the dwelling. There is a 1.6m high wall on the north east boundary which continues to the store, then there is a 2m high fence. The rear outhouse forms the rear boundary (2m to 2.5m high), then with no. 44, there is a fence (with trellis – 1.6m high). Both side boundary treatments follow the level of the land. There is a patio area by the house, then a sloping lawn, in front of the

rear outhouse there is a patio area with barbecue. There is planting and a large tree by no. 44.

2.3 Within the grounds of 44 and 46 Broadgate, there are Tree Preservation Orders along the front boundary (with Broadgate). No. 50, to the rear (south west side of the dwelling), has one first floor south west side window (clear) facing the site.

3 Relevant Planning History

3.1 There is no relevant planning history for the rear of the property but planning permission was granted for a dropped kerb on Broadgate (ref. 16/00176/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 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan**

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

- Policy 17: Place-making, design and amenity
- Policy 31 – Biodiversity Assets

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.

5 Consultation

5.1 **Council's Tree Officer** - no objections as there are no TPO trees to the rear where the extension is planned, and it is not in a Conservation Area.

5.2 Five neighbouring properties were consulted on the proposal, with three responses received, two objections and one no objection. One objector objected twice. Five neighbouring properties were re-consulted (due to the addition of a balcony screen), with one response received, with no objection.

5.3 The reasons for objections can be summarised as follows:

- Noise pollution - due to the size of the development (height and length of extension, number of doors, patio length and extended balcony) and the steepness of the hill, the present fencing will be ineffectual.
- These are noisy, party loving people in an otherwise peaceful neighbourhood.

- A garage with workshop was converted to an entertainment unit with patio and barbecuing area and bi-fold doors. This already causes a great deal of noise nuisance.
- Access – the neighbour does not allow access along the side drive for any part of the development works – the application property's side gate is not allowed for access and is to be blocked off.
- Privacy - concerned the extensive second and third entertaining area with the extended balcony will cause loss of privacy.
- The property is set on a very sloping site which would make the existing fence height of number 46 of no use whatsoever for noise/privacy purposes.

6 Assessment

6.1 The main issues for consideration are the design of the extension and the impact on neighbour amenity.

6.2 **Design**

6.2.1 In terms of mass and scale, it is considered that the proposal does not represent a disproportionate addition as the rear extension is a partial width, single storey and replaces a current building. The balcony continues off an existing balcony and is considered a minimal depth increase of 1.2m.

6.2.2 The design is distinctive and contemporary, and is considered to respect this Local Listed Building. The extension would provide extended internal living space, level access to outside amenity space (fulfilling a provision of a lifetime home) and improved integration between the property and rear garden.

6.2.3 The materials for the balcony would be hardwood timber decking (to existing and proposed) and hardwood timber boarding (side screen). There would be a clear polished glass balustrade with a stainless steel handrail. The extension would have red clay facing brickwork laid in a Flemish bond (to match the existing adjacent elevation) and zinc roofing sheets, fascia, trim and gutters. The patio would have stone tiles on a pre-cast concrete deck. The use of these materials is considered acceptable.

6.2.4 There would be limited sight of the proposal from the street scene though it would be noticeable along Broadgate Lane to the rear. As it is to the rear and single storey, it is considered to have no significant impact on the street scene.

6.2.5 Overall, it is considered that an acceptable standard of design has been achieved and that the proposal would respect the character of the property and have no significant visual impact on the surrounding area.

6.3 **Amenity**

6.3.1 Whilst the balcony would be extended outward by 1.2m to be a total depth of 2.8m and the patio would be 0.8m at its furthest extent above the ground level, it is considered that both would have no significant impact on neighbouring properties. This is because the site is sufficient distance from neighbours to

retain privacy. A 1.8m high screen would be provided on the north east side of the balcony to increase privacy for the neighbour at no. 56, across Broadgate Lane; there is no screen on the existing balcony. As noted there is a dividing lane to the north east providing separation, the rear boundary is an approximate distance of 16m from the rearmost steps of the patio, there is an outbuilding on the rear boundary which provides screening and beyond the rear boundary, there are no directly facing properties. No. 44 is the closest neighbour to the side, but there is an existing first floor balcony (albeit smaller and the flat roof is currently open allowing potential access up to the boundary – the proposal would close this gap off). Given the increase in size of the balcony, it is considered that the 1.8m high screen on the south west boundary would maintain privacy. It is therefore considered the proposed balcony extension would not cause a material loss of amenity subject to the provision of the balcony screens being conditioned.

6.3.2 The proposed single storey rear extension would replace a current rear extension at a similar height with a minimal footprint increase. Therefore, it is considered to have no significant impact on neighbour amenity or privacy.

6.3.3 In regards to access for building works, this is a civil matter. In regards to noise, the property already has outside amenity space with a patio by the house and a patio and barbecue area towards the rear outbuilding. The balcony extension may increase outside usage on the first floor, but the patio would be similar to existing (just slightly higher) and the replacement of the glasshouse with the proposed rear extension would improve insulation meaning noise may be better contained inside the house. Any continual noise levels above an acceptable level could be reported to Environmental Health who would be able to advise or investigate.

6.4 TPO trees

6.4.1 The protected trees are to the front of the site, away from the proposed development so it is considered the development would have no significant impact on the TPO trees.

6.5 Other Matters

6.5.1 The rear outbuildings (including garage) were converted into an entertainment area with a patio to the front and barbecue area. It is likely that these works were carried out under permitted development.

7 Planning Balance

7.1 The benefits of the proposal are that it would be an extension to an existing residential dwelling, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan. The extension would provide improved internal amenity and replace a glasshouse (which whilst attached is only accessible from the outside). The negative impact would be the loss of part of the garden to development (due to the extended patio) but the garden has a downward slope so this would provide an increase in usable

amenity space near to the house, so this matter is considered to be outweighed by the benefits of the scheme.

8 Conclusion

8.1 Overall, it is considered that the proposal is acceptable and that planning permission should be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with drawing numbers C1-A3, C2-A3, C4-A3 Rev A, C7-A3 Rev A, C8-A3 Rev A, 38262_T and 38262_01_PES received by the Local Planning Authority on 5 March 2021; C9-A3 Rev B received by the Local Planning Authority on 8 May 2021 and C3-A3 Rev B, C5-A3 Rev C, C6-A3 Rev C, C10-A3 Rev C and C11-A3 received by the Local Planning Authority on 20 May 2021. <i>Reason: For the avoidance of doubt.</i>
3.	The 1.8m high screens on the north east side of the balcony extension and south west side of the rear element hereby approved shall be installed prior to first use of the extended balcony and thereafter retained for the lifetime of the development. <i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the extended determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should

	<p>be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>
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Photographs



Front (NW) elevation.



Rear (SE) elevation.



Rear boundary with no. 50.



Rear boundary with Broadgate Lane (no. 52/54 in background).



Side boundary with Broadgate Lane (and no. 56).



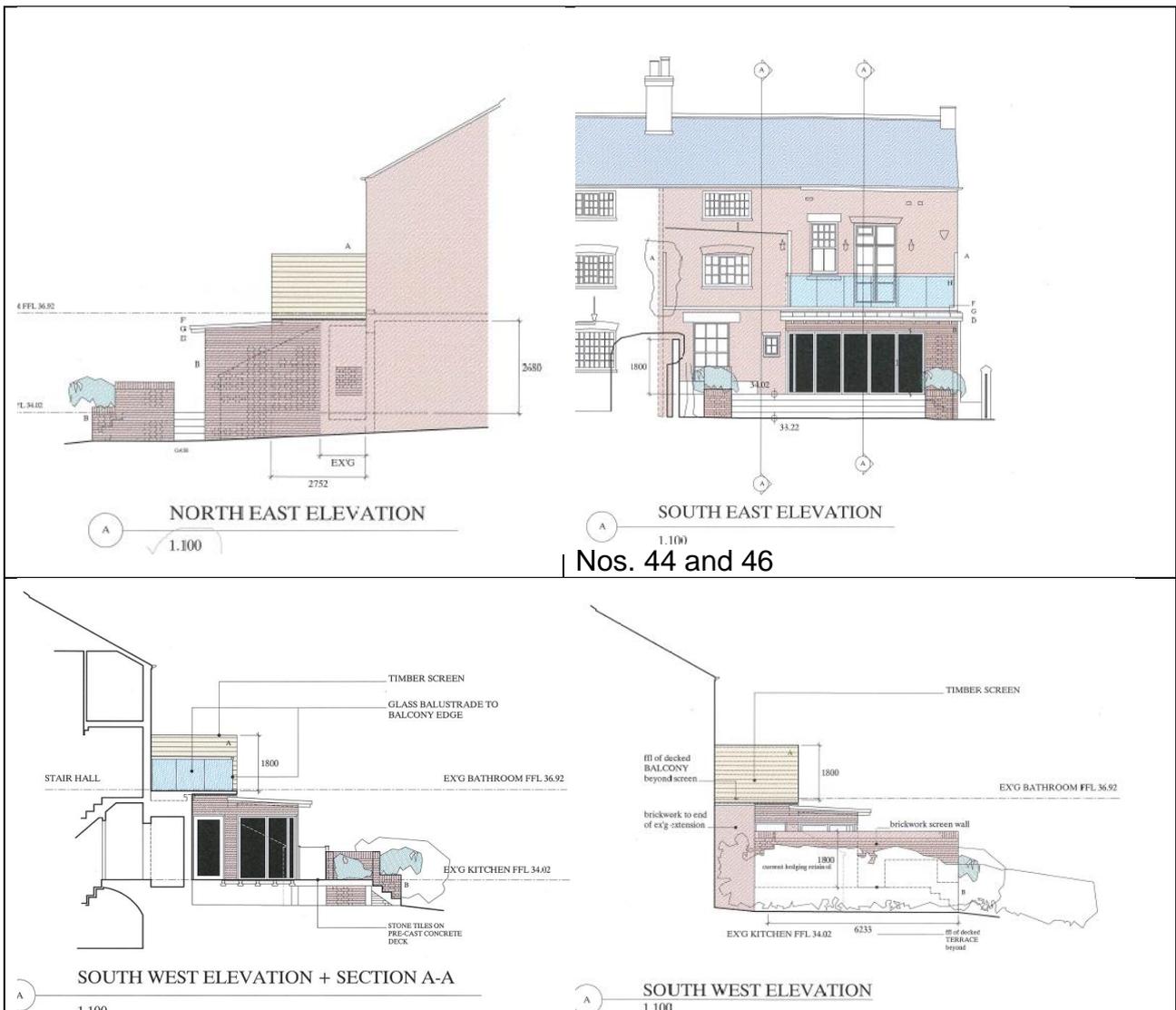
Side boundary with no. 44.



Existing balcony viewed from Broadgate Lane.

Rear of site viewed from Broadgate Lane.

Plans (not to scale)



Showing screen with no. 44

