

Report of the Chief Executive

18/00306/FUL
CONSTRUCT SINGLE/TWO STOREY REAR EXTENSION, HIP TO GABLE ROOF EXTENSION, BIN STORE, INSERT WINDOWS IN THE SIDE ELEVATION AND CONVERT SINGLE DWELLING TO 4 APARTMENTS
65 DOVECOTE LANE, BEESTON, NOTTINGHAMSHIRE, NG9 1HU

Councillor P Lally has requested this application be determined by the Committee.

1 Details of the Application

- 1.1 The application seeks planning permission to construct an extension to the rear, a hip to gable roof extension and to convert the existing property into four apartments. The two storey element of the rear extension would project 4m from the rear elevation with the single storey element projecting an additional 1m. A small set-back from the original side wall has been included and the roof is set down by 2.2m from the main ridgeline. Matching facing bricks and grey 'Duo Edgemere' concrete roof tiles are proposed. Within the extension there would be a two bedroom apartment which would be accessed from a new entrance to the rear. The existing part of the house would be converted into three apartments. The ground and first floor apartments would have two bedrooms. The second floor apartment would have a single bedroom and would require the existing hipped roof to be extended to form a gable. Roof lights are proposed in the front and rear roof slopes. To the rear, an outbuilding would be demolished and replaced by a bin storage area which would be enclosed by a 1.8m timber fence and gates.
- 1.2 During the course of the application amendments were made which include raising the finished floor level within the extension, adding brick detailing along the side gable, and removing a window and obscuring glazing a window in the rear elevation of the extension.

2 Site and Surroundings

- 2.1 The application property is semi-detached and is a single dwelling with five bedrooms. To the rear of the property, there is a driveway, accessed from Queens Road, and a small garden/ courtyard area.
- 2.2 The property is positioned on the corner between Dovecote Lane and Queens Road. The adjoining property, 63 Dovecote Lane, is a five bedroom house. Directly opposite the site lies Dovecote Lane Recreation Ground. To the rear lies 310 Queens Road which was formerly a hotel until planning permission was granted in 2012 (reference 12/00414/FUL) for the building to be used as a large house in multiple occupation. To the south east of the site, on Queens Road lies The Hylands Hotel. The wider area is predominantly residential.
- 2.3 The site lies within Flood Zone 3 (high probability of flooding).



3 Relevant Planning History

3.1 There is no recent relevant planning history associated with the application property.

4 Policy Context

4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) July 2018 states that at the heart of the NPPF is a presumption in favour of sustainable development. For decision making this means that development proposals that accord with an up-to-date development plan should be approved without delay.

4.1.2 Paragraph 59 outlines the Government's objective of significantly boosting the supply of homes.

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

4.1.4 Paragraph 127 states that planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture and layout and are sympathetic to local character and history, including the surrounding built environment and landscape setting.

4.1.5 Paragraph 155 outlines how inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

4.2 Broxtowe Aligned Core Strategy (2014)

4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014 and the overall strategy of this document is “urban concentration with regeneration”.

4.2.2 ‘Policy A: Presumption in Favour of Sustainable Development’ reflects the presumption in favour of sustainable development contained in the NPPF. It states the Council will work proactively with applicants to approve proposals wherever possible and to secure development that improves the economic, social and environmental conditions in the area. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 ‘Policy 1: Climate Change’ advises that development proposals are expected to mitigate against and adapt to climate change. With regard to flooding, the policy states that development will be supported which adopts the precautionary principle that avoids areas of current or future risk, does not increase flooding elsewhere and where possible reduces flood risk.

4.2.4 ‘Policy 2: The Spatial Strategy’ sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6,150 in the Broxtowe Borough part of GN, of which 3,800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.

4.2.5 ‘Policy 8: Housing Mix and Choice’ sets out the approach to ensuring that new housing development includes an appropriate mix of housing types, sizes and tenures.

4.2.6 ‘Policy 10: Design and Enhancing Local Identity’ sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced. It states that development will be assessed in terms of its treatment of materials, architectural style and detailing.

4.3 Saved Policies of the Broxtowe Local Plan (2004)

4.3.1 The Part 2 Local Plan is currently awaiting Examination hearing sessions. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

4.3.2 ‘Policy H7: Land Not Allocated for Housing Purposes’ states that residential development in built up areas will be permitted providing there is no significant impact on the amenity of nearby residents and that the occupiers of the new dwellings would have a satisfactory degree of privacy and amenity. The development should not have an adverse impact on the character or appearance

of the area and satisfactory arrangements for parking and access need to be made.

- 4.3.3 'Policy T11: Guidance for Parking Provision' and Appendix 4 of the Local Plan require satisfactory provision of vehicle parking and servicing in accordance with the latest standards.

4.4 **Part 2 Local Plan (Draft)**

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been submitted for examination, with examination hearing sessions anticipated to take place toward the end of this year. Due to the current stage of the plan preparation, only limited weight can be attached to the policies as representations were received in relation to Policy 1 and Policy 17.

- 4.4.2 'Policy 1: Flood Risk' states that development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt; and in the case of fluvial flooding, the proposal is protected by the Nottingham Trent Left Bank Flood Alleviation Scheme or other flood defences of equivalent quality; and adequate mitigation measures are included. The justification for the policy is that within Beeston and Attenborough there are substantial areas which are within Flood Zones 2 and 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Some of these sites are on previously-developed land and some may bring the opportunity to provide affordable housing in areas of substantial need. Whilst the sequential test must still be applied, the minimisation of development in the Green Belt in Broxtowe will be treated as a 'sustainability benefit' and the Green Belt will be treated as a major constraint with regard to whether other sites are 'reasonably available'.

- 4.4.3 'Policy 17 Place-making, design and amenity' states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area.

5 Consultations

- 5.1 The Environment Agency initially objected due to the absence of an acceptable Flood Risk Assessment. Following the submission of an updated Flood Risk Assessment, the Environment Agency has removed their objection providing a condition is included setting the finished floor levels within the new extension no lower than 27.56m AOD and implementing flood resilience measures as stated on page 8 of the Flood Risk Assessment.
- 5.2 Nottinghamshire County Council, as Highways Authority, states that there are no highways observations to make as the property will use an existing access point.

- 5.3 Broxtowe Borough Council's Private Sector Housing Officer highlights that the conversion will need to comply with building regulations and the relevant fire safety standards.
- 5.4 Broxtowe Borough Council's Environment Health Department states no objection subject to note to applicants relating to the inclusion of sound insulation to limit the transmission of noise between each property and advice that contractors should limit noisy works to between 08:00 and 18:00 hours Monday to Friday; 08:00 and 13:00 on Saturdays and at no times on Sundays and Bank Holidays. There should also be no bonfires at any time.
- 5.5 Broxtowe Borough Council's Waste and Recycling Officer outlines that the developer will need to purchase bins and states the required number of bins.
- 5.6 Three neighbours were consulted and a site notice was displayed. One letter of objection and three letters of observations have been received. The following issues were raised within the consultation responses:
- The proposed roof conversion will 'disfigure' the semi-detached Victorian villa which should be restored more sympathetically.
 - The development will remove another house from the market for families.
 - The apartments are too small.
 - Two parking spaces are too many due to the position and the size of the access.
 - Insufficient parking is proposed which will result in additional demand for parking on Dovecote Lane.
 - Concern that there will be additional noise from flats compared to a single home. Would seek assurances that there will be adequate sound proofing.
 - The access and parking to number 63 should not be affected.

6 Assessment

- 6.1 The main issues to assess in respect of this application relate to the principle of the development, whether an acceptable standard of design has been achieved, whether a loss of amenity will occur to neighbouring properties, if sufficient parking has been provided and if the development is acceptable in respect of flood risk.

Principle

- 6.2 It is considered that the principle of providing four apartments would be acceptable. The development would provide additional residential units within the existing built up area and in a sustainable location. Whilst it is acknowledged that there is concern regarding the loss of a family house, the proposed development will add to the existing housing mix and it is noted that there are still a number of large residential properties within the area, including along Dovecote Lane. This includes four houses recently completed at the site of the former John Clifford Memorial Baptist Church (reference 14/00579/FUL).

Design

- 6.3 The extension would be constructed to the rear of the existing building. A small set back from the existing side elevation has been incorporated and the roof of the extension has been set down from the main roof to allow for the extension to appear subservient to the original building. A number of design features also mirror those used on the existing building including reconstituted stone headers and cills, the window style and the brick detailing below the eaves. It is considered that the design of the extension is sympathetic to the original building and achieves an acceptable standard of design in accordance with Policy 10 of the Aligned Core Strategy. To ensure that the bricks and tiles are a suitable match, a condition will be included so that samples can be viewed and approved prior to works commencing.
- 6.4 The existing hipped roof would be extended to form a gable. This would lose the symmetry when viewed alongside the adjoining property. However, it should be noted that hip-to-gable extensions can be constructed under permitted development. There are also numerous examples of gable roofs along Dovecote Lane and Queens Road. Based on the above, it is considered that a gable roof would not appear out of character with the area. The plans include brick detailing along the side gable to provide a break between the existing brickwork and the new brickwork and with the inclusion of this detailing, it is considered that the gable roof would be acceptable in respect of design.
- 6.5 The bins would be enclosed by a 1.8m timber fence and gates which would provide an adequate enclosure and would not be particularly dominant when viewed from the street or from neighbouring properties.

Amenity

- 6.6 The rear extension would be constructed alongside the boundary with 63 Dovecote Lane. Number 63 has an existing single storey extension along the boundary. The closest first floor window is a bathroom window which is obscurely glazed. The two storey part of the extension would project 4m beyond the original rear wall. It is considered that, due to the existing extensions at number 63 and the layout, there would be a suitable buffer between the extension and any habitable rooms and the garden area of number 63 which will prevent an unacceptable loss of amenity occurring. There are no windows facing directly towards number 63 and roof lights within the extension would be at a height which would not allow direct views towards the neighbour.
- 6.7 Beyond the rear boundary lies 310 Queens Road. There would be a distance of 4m from the ground floor rear elevation of the extension to the boundary with number 310 and a 5m buffer from the first floor element. There are a number of windows in the side elevation of 310 Queens Road including bedroom windows. These bedroom windows will still maintain some outlook due to their positioning and it is considered that a sufficient distance is maintained to prevent the development from being overbearing or resulting in unacceptable levels of overshadowing. Within the rear elevation of the extension a window has been removed and one has been obscurely glazed which will prevent a loss of privacy occurring. A condition will be included to ensure this window and a landing window are obscurely glazed to a satisfactory level.

- 6.8 Queens Road acts as a buffer from the development to the hotel to the south east. It is considered that there will not be any other properties unacceptably affected by the development.
- 6.9 Local Plan Policy H7 states that the occupiers of the new dwellings should have a satisfactory degree of privacy and amenity. The apartments are compact but it is considered that this does not constitute over intensive development with each apartment having sufficient internal space to provide living rooms and kitchen areas and good sized bedrooms, a number of which would have en-suites. No outdoor space is proposed but the residents have access to Dovecote Lane Recreation Ground which is immediately opposite the site.

Parking

- 6.10 Two parking spaces are proposed. The Highways Authority has not raised any concerns regarding the proposal and the property is within a short walking distance of both the railway station and Beeston town centre. Due to the sustainable location, it is considered that the two parking spaces proposed are sufficient. The access and parking arrangements for neighbouring properties would not be affected by the development.

Flood Risk

- 6.11 The Environment Agency initially objected due to the submission of an insufficient Flood Risk Assessment (FRA). A revised assessment was subsequently submitted and the finished floor levels within the extension were raised. The EA withdrew their objection providing a condition is imposed to secure raised floor levels and mitigation as outlined in the revised FRA.
- 6.12 A sequential test has also been submitted which concludes that there are no sites within lower flood risk areas which are suitable or available. Some weight can be attached to Part 2 Local Plan Policy 1 which acknowledges that sites protected by the Nottingham Trent Left Bank Flood Alleviation Scheme bring the opportunity to provide affordable housing in areas of substantial need and the Green Belt will be treated as a major constraint with regard to whether other sites are 'reasonably available'. Based on the above, it is considered that the development passes the requirements of the sequential test.

Other Issues

- 6.13 The Council's Environmental Health Department has no objection but has recommended notes to applicant including adequate noise insulation, not undertaking works outside of normal working hours and not having bonfires. These can be included as notes to applicant although it is noted noise insulation will also be dealt with under building regulations.
- 6.14 The Council's Private Sector Housing Department has no objection but has highlighted the need to comply with fire regulations which can also be included as a note to applicant.

6.15 A note to applicant can also be included to highlight the need for the developer to contact the Council’s Waste and Recycling Department in respect of purchasing bins.

7 Conclusion

7.1 The development would provide an additional three residential units within an existing urban area and would also add to the housing mix in the area. It is considered that an acceptable standard of design has been achieved, sufficient parking provision has been made, flooding issues have been adequately addressed and an unacceptable loss of amenity will not occur to any neighbours.

Recommendation

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 the permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawings numbered: 002 Revision F ‘Proposed Floor Plans, Site Block Plan & OS Plan’ and 003 Revision F ‘Proposed Elevations, Roof Plan, Site Block Plan & OS Plan’ received by the Local Planning Authority on 30 July 2018.**
- 3. No above ground works shall commence until samples of the proposed external facing materials have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.**
- 4. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (SCC Consulting Engineering) received on 30th July 2018. The finished floor levels in the extension shall be set no lower than 27.56m above Ordnance Datum (AOD) and the flood resilience measures shall be implemented in accordance with page 8 of the Flood Risk Assessment.**
- 5. The first floor windows in Flat 4 for bedroom 2 and the landing in the rear elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) before the respective apartments are first occupied and thereafter retained in this form for the lifetime of the development.**

Reasons

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. No such details were submitted and to ensure the details are satisfactory, in the interests of the appearance of the area and in accordance with the aims**

of Policy 10 of the Broxtowe Aligned Core Strategy (2014).

4. To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site in the event of a flood and in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014).
5. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

NOTES TO APPLICANT

1. The Council has acted positively and proactively in determination of this application, with positive amendments having actively been sought during the consideration of the application.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <http://www.broxtowe.gov.uk/index.aspx?articleid=16928>
3. Best practicable means should be used during construction to ensure that disturbance from dust and noise is kept to a minimum. Given the proximity to residential properties, it is advised that contractors limit noisy works to between 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and no noisy works on Sundays and bank holidays. There should also be no bonfires on site at any time to prevent nuisance to neighbours.
4. The applicant should ensure that any works comply with current British standards for fire safety, fire separation and noise insulation.
5. The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.

Background papers
Application case file

