

## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>22/00105/FUL</b>
<b>LOCATION:</b>	<b>52 Assarts Road, Nuthall, Nottinghamshire, NG16 1AP</b>
<b>PROPOSAL:</b>	<b>Construct first floor and two-storey rear extension including raising the ridge height and balcony, front porch and garage/ store alterations including a mono-pitched roof to the store</b>

1. Purpose of Report

Councillor P J Owen has requested this application be determined by Committee.

2. Recommendation

**The Committee is asked to resolve that planning permission be granted for the reasons set out in the appendix.**

3. Details

- 3.1 This application seeks planning permission for a first floor and two-storey rear extension including raising the ridge height and balcony, front porch and garage / store alterations including a mono-pitched roof to the store.
- 3.2 The application site consists of a detached bungalow with a side facing gable roof and a flat-roofed detached garage and a store adjacent to the common boundary with no. 50. It is located in a suburban residential estate, where there is a mixture of housing style, and bounds the Horsendale Recreation Ground and Broxtowe Country Park to the rear of the site.
- 3.3 There are no constraints restricting residential extensions in this area, though the Nuthall Neighbourhood Plan has been adopted and is therefore a consideration. The principle of this proposal is therefore acceptable. The main issues relate to whether or not the design and appearance of the proposal are acceptable and impact on neighbour amenity and parking.
- 3.4 The benefits of the proposal are that it would be extensions 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. It would also accord with policies with the neighbourhood plan. There are considered no negative impacts therefore the proposal is acceptable.

4. Legal Implications

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

5. Data Protection Compliance Implications

Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

6. Background Papers

Nil.

## APPENDIX

7. Details of the Application

- 7.1 This application seeks planning permission for a first floor and two storey rear extension including raising the ridge height of the dwelling, balcony to the rear elevation, front porch and garage / store alterations including a mono-pitched roof to the store.
- 7.2 The proposed first floor and two storey rear extension would extend the whole width of the existing dwelling, with the two-storey part having a depth of 2.5m. The first floor part would be constructed on the rear roof slope. This extension would have a mono-pitch roof, connecting to and rising above the existing front roof slope by 1.8m – creating a clerestory roof. The rear eaves height would be 4.8m high. On the front elevation there would be two windows in the raised element with a rooflight to the front roof slope and five rooflights on the rear roof slope. Facing the rear there would be bi-fold doors and a window on the ground floor and two windows and a set of French doors to access the balcony. On the side elevation facing the side access there would fenestration changes to the ground floor with two windows moved, and the removal of a door.
- 7.3 The balcony would be inset on the first floor of the southern corner of the rear elevation, and have an obscured glazed screen on the side (south east) elevation, facing no. 54, extending up to the roof eaves. The front porch would be constructed to the north corner of the front elevation, and become the main entrance area. It would extend a partial width, with both side elevations left blank. To the front elevation there would be a door with narrow glazing to one side.
- 7.4 The garage / store would see changes to both roofs, with the garage retaining a flat roof and the store having a mono pitch roof at a height of 4.4m and a set of French doors facing into the garden. The store would become an office.
- 7.5 The dwelling would increase from two to three bedrooms (four including the walk-in wardrobe/ study). Internally on the ground floor there would be considerable layout changes with extended daytime living space, and the retention of bedroom and bathroom facilities. The first floor would provide three bedrooms, a walk-in wardrobe / study and a bathroom.
- 7.6 During the course of the application amended plans were received omitting a single storey side extension, including an obscured glazed screen to the side of the balcony, windows to the front blank two storey elevation, moving the position of the proposed porch and changing the roof design of the store. Neighbouring properties were re-consulted on a change of description of development and on the amended plans.

8. Site and surroundings

- 8.1 The application site consists of a detached bungalow with a side facing gable roof and a flat-roofed detached garage / store on two levels which is adjacent to the boundary with no. 50. The property is located in a suburban residential estate, where there is a mixture of housing style constructed at the same period, but with many properties having extensions, and a few examples of cladding and render in

the wider area. Assarts Road slopes uphill in a north westerly direction, towards Horsendale School at the top of the hill. The site slopes down from the public highway, with properties across on the north east side of the highway at a higher level. Beyond the rear patio, the rear garden has 4 steps downward and the rear garden slopes steeply downward to the rear boundary. Horsendale Recreation Ground and Broxtowe Country Park are to the rear of the site.

8.2 Both neighbouring dwellings (50 and 54), are detached bungalows. 54 is of a similar side gable roofed design, has its side access and then a detached garage along the rear boundary with the site. 50 has a forward / rear facing gable roof, has a rear conservatory and its side elevation forms the boundary (and a wall with a concrete trellis), with the site's side access, with no side windows facing the site. Other boundary treatment in the rear are approximately 1.8m and follow the level of the land. There is one parking space to the front, with relatively open front boundary treatments, and no. 50 at a slightly higher level with a retaining wall along the front boundary.

## 9. Relevant Planning History

9.1 There is no relevant planning history associated with this site post 1974.

## 10. Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity

### **Part 2 Local Plan 2019**

- Policy 17: Place-making, design and amenity

### **National Planning Policy Framework (NPPF) 2021:**

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

**Nuthall Area Designation (adopted)** – The proposal site is within the Horsendale Character Area, within the Nuthall Neighbourhood Plan. The area comprises a mixture of housing types and ages and is typified by a mixture of houses with off-road parking, pedestrian access to facilities on the Mornington estate and a pub. For Horsendale it is expected that all new development will be designed, constructed and implemented to minimise creation of waste, maximise the use of recycled materials and assist in the collection, separation, sorting, recycling and recovery of waste.

- Policy 1: New Housing.
- Policy 3: Live Work Units.

- Policy 5: Design and the Historic Environment.

11. Consultations

11.1 **Councillors & Parish Councils:**

- Councillor P J Owen – called in the proposal to Planning Committee.
- Councillor P Simpson - no comments received.
- Nuthall Parish Council - Raise objection to the proposed development - Over intensification of site, loss of amenity (parking and other) to neighbouring properties. Not in accordance with the Parish Council's Neighbourhood plan.

11.2 Five neighbouring properties were originally consulted, with 26 responses (and a petition) being received during the neighbour consultation and re-consultation periods. A further consultation took place, due to amended plans and a change of description. Further responses were received. All comments received can be summarised as follows:

11.3 Four observation letters in relation to:

- Parking,
- National shortage of bungalows,
- Privacy - ridge height and balcony,
- Views of site - not fair to users of Broxtowe Country Park to be overlooked from the height of a balcony, when this is not the present circumstance,

11.4 Twenty-two objections (and a petition) can be summarised as follows:

- Parking and traffic – not enough parking on site and highway not suitable for level of traffic and parking, will cause further congestion, due to school pick up and drop off,
- Precedent – approval of this proposal would create a precedent and lead to further reducing of bungalow stock,
- Lack of notification,
- Loss of privacy – due to first floor rear extension balcony & office which will overlook back gardens.
- Lifetime home - the ability for people to remain within the community and receive care in their own homes rather than going into costly residential care, which from a cost point of view will have an effect on local services and funding, bungalow is for disabled and elderly people,
- Economic benefits – proposal has no economic benefits and will devalue properties & house will be unsellable,
- Design – the new structure constitutes a new build in the middle of a mature suburban residential road made up of 29 bungalows, is over-development and is out of character with the existing row of bungalows and will stick out like a carbuncle, a sore thumb, a 'Picasso' drawing on top of a 'Constable' landscape. It is out of keeping, large and unsightly due to ridge height and balcony,
- Design queries – are windows on the roof another bedroom and as garage will no longer be a garage, it should not be referenced as such,
- Noise
- Crime - proposal would attract burglars

- Well-being – the application has had an effect on health,
- Business in relation to the home office – area is not built for business use,
- Covenant – there is a covenant to stop bungalows becoming houses,
- Property has been left on a disgraceful state,
- Building regulations – should stop things like this getting built.
- Lack of communication from the applicant – no empathy or consideration given by the owners of the property to local residents.
- Supportive of some form of development - understand why there is a need to improve the bungalow.

## 12 Assessment

12.1 The main issues relate to whether or not the design and appearance of the proposal are acceptable and impact on neighbour amenity and parking.

### 12.2 Design and Appearance

12.2.1 In terms of mass and scale, it is considered that the proposed development does not represent a disproportionate addition. The proposed first floor extension would be constructed above an existing element, and would be set back from the existing front elevation by 4.9m and will only increase the height of the existing ridge by 1.8m, with the two-storey part only extending 2.5m further into the rear garden, where the roof would slope downward to an eaves height of 4.8m. Whilst the proposed first floor / two-storey rear extension will increase the height of the existing roofline, it will not extend any further forward or to the sides of the existing building.

12.2.2 The front porch would be single storey, set below the existing roof height by 1m and is therefore considered to be a relatively minor addition.

12.2.3 The application form states that the proposed development would use tiles of type, texture and colour so as to match those of the existing building and the existing/proposed elevations would be finished in a white (colour) render and black/dark grey timber cladding. Though this would be the first property to apply render and cladding to the whole building, there are examples of cladding and render mainly to the front gable of many buildings within the street, there are also wider examples of render and cladding throughout the estate and the use of render to retrofit older properties to mitigate against climate change is an important consideration within planning, therefore the use of these materials is considered acceptable due to the wholesale renovation of the dwelling and in order to provide a modern lifetime home. As the extensions will be visible from the street, the materials will be conditioned to ensure that the development has an acceptable finish.

12.2.4 In terms of design, it is considered the proposed development is modern in comparison with its neighbouring dwellings, but has tried to strike a compromise and retain elements of the original bungalow, this is considered acceptable in this circumstance. The proposed extensions would have a clerestory roof, retaining part of and having a similarity to the existing sideways gable roof. Adding a first floor to the existing dwelling is considered to be acceptable and will not appear out of

keeping with the character of the area, as this is a residential area with a mix of bungalows, detached and semi-detached houses, whilst most of these dwellings were built at a similar period, there has been a mixture of extensions and new construction within the area over the preceding years and it would be unfair to limit development that only confirms to the original structure, neither is there any constraints restricting development to a set style or size within this neighbourhood.

12.2.5 It is therefore considered that, given the acceptable design and materials, the proposed extensions are of a size, siting and scale that will not appear over-prominent or out of character within in the street scene or as viewed from public vantage point within Horsendale Recreation Ground / Broxtowe Country Park.

### 12.3 Amenity

12.3.1 The proposal is considered to comply with Policy 1 of Nuthall Neighbourhood Plan as bedroom and washing facilities would be retained to the ground floor providing for an elderly resident or someone with mobility needs. It is considered that this house would also fulfil some of the needs for a lifetime home, with the additional space allowing for a multi-generational home or carers to be available, and the re-modelling of the dwelling would also provide for an improved layout capable of being adapted to suit the lifetime of its occupants as per Policy 15 of the P2LP (2019). It should also be noted that the rear garden is at quite a steep level, so the site can already be considered to be over more than one storey when viewed from the rear in particular.

12.3.2 No. 50 Assarts Road is to the north west of the application site. This property has a rear conservatory and its side elevation forms the boundary (along with a wall with a concrete trellis) with the site's side access. There are no side windows facing the site and the detached garage / office is along the rear common boundary. No. 50 is at a slightly higher level than the site. No part of the proposal would be any nearer to no. 50 than the existing building, with the site's side access at a gap of 2.6m in between. The porch would have a gable roof and would have a lower eaves height at the side. The first floor extension would be above the existing rear roof slope and therefore the existing building, and the two-storey rear part of the proposal would extend for a relatively modest depth of 2.5m. The balcony would be inserted into this rear extension and towards the opposite side of the site. Therefore, with no. 50's conservatory, the concrete trellis on the boundary there is already an element of over-looking, and it is considered that the impact would not be significantly different to the existing situation. Whilst the garage / store is on the boundary with no. 50, the works would be limited to within the site and the store roof would be at a height of 3.6m viewed from the higher level (and no. 50's rear elevation), but is beyond the lower garage roof. Therefore, it is considered that the overall proposed development would have no significant impact on the amenities of the occupiers of no. 50.

12.3.3 No. 54 Assarts Road is to the south east of the application site. This property is at a slightly lower level than the application site and has its side access and then a detached garage along the rear boundary with the site. No part of the proposal would be any nearer to no. 50 than the existing building and the porch would be situated to the opposite side of the front elevation at a distance of 3m to the boundary. The first floor extension would be above the existing roof, with the two-

storey rear part of the proposal extending for a relatively modest depth of 2.5m and which would be to the north west of no. 54, next to their side access and no. 54's detached garage, set just off the boundary. The balcony to the first floor would be positioned toward this side of the proposal, but would be inserted into the proposed rear elevation and there would be a full height obscured screen facing towards no. 54 the retention of which will be secured by condition. Therefore, it is considered that the proposed development would have no significant impact on the amenities of the occupiers of no. 54.

12.3.4 35 and 37 Assarts Road are situated across the highway, to the north east. Both properties are at a higher level, have off-road parking and are bungalows. They will have sight of the front of the clerestory roof of the first floor extension, though this would be at a distance and with the proposal set back from the frontage it would obscure sight of the two-storey rear part of the proposal. The garage alterations are considered minimal and are within the rear garden, whilst the front porch is single storey as per the existing bungalow, set below the existing roof height, 4.5m off the front highway and will be an entrance area. Therefore, it is considered that the proposal would have no significant impact on the amenities of the occupiers of these front neighbours.

12.3.5 In relation to amenity comments received, given the relatively modest depth of the rear extension at 2.5m, the fact that the balcony would be inserted onto the first floor of this elevation, with a glazed screen to the south east and the relatively wide distances between neighbouring plots along the row, it is considered that the balcony would have no significant impact on privacy to the rear gardens of properties on Assarts Road or to the users of the public open areas beyond the site.

12.3.6 It is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring properties.

#### 12.4 Access

12.4.1 Parking restrictions are in place to the north east side of Assarts Road and continue to the south east to the junction with Carters Wood Drive. The restrictions are in place as part of a school zone, thereby restricting parking Monday- Friday during school drop off and pick up times. Restrictions are in place to mitigate against school traffic, and are in place for the benefit of residents and therefore the occupiers would be in the same position as neighbouring properties, which would require them to adjust vehicle usage as appropriate, it would therefore be unfair to prejudice this development when a larger property within the zone may already have similar parking provision.

12.4.2 The dwelling would increase from two to three (four including the walk-in wardrobe/study). One parking space would be retained to the front, as existing, whilst the side drive and garage would still be accessible for smaller vehicles. The dwelling is with walking distance of Phoenix Park Tram Stop and to other public transport options and therefore complies with the Nuthall Neighbourhood Plan Policy 1 in reducing the need to travel particularly by private car. Therefore, it is considered that there is sufficient parking provision available to serve the development.



12.5 Other Issues

- 12.5.1 Initially the site was incorrectly plotted, as soon as this was highlighted it was corrected and a second consultation took place. A site notice was also posted on Assarts Road due to this error, to alleviate the initial consultation concerns from neighbours, therefore the Council has carried out its legal requirement for a neighbour consultation. The applicant is under no legal requirement to consult neighbouring properties.
- 12.5.2 The granting of planning permission for one site does not automatically set a precedent for future development. Planning applications would be considered on their own merit and in the context of the site in which they are located.
- 12.5.3 The Council have worked with the applicant to make changes to the plans to ensure and to provide a clear and concise description of the proposed development.
- 12.5.4 Works should be carried out as per the approved plans in any planning decision, they would also undergo regular inspection by Building Control. An NTA has also been included in the decision reminding the applicant of acceptable construction times.
- 12.5.5 Whilst it is noted that there is an office proposed for the existing store, the applicant has not applied for a change of use to cover a business from home. That said many developments contain a home office / or study and may not require a change of use application given the popularity of hybrid working). Policy 3 of the Nuthall Neighbourhood plan also promotes working from home, as a form of reducing congestion in nearby roads and improving local air quality.
- 12.5.6 Impact on private rights such as property value / saleability and the economic benefit of a proposal for the applicant are not material considerations.
- 12.5.7 No evidence has been provided of a covenant protecting the dwelling as a bungalow, which was granted planning permission on ref. 74/00487/FUL. Even so this would be outside the remit of a planning application.

13 Planning Balance

- 13.1 The benefits of the proposal are that it would be extensions 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, and the Nuthall Neighbourhood Plan. It is also considered to provide facilities for a lifetime/ multi-generational home and the works would likely improve the energy performance of the building.
- 13.2 There are considered no negative impacts, therefore the proposal is acceptable.

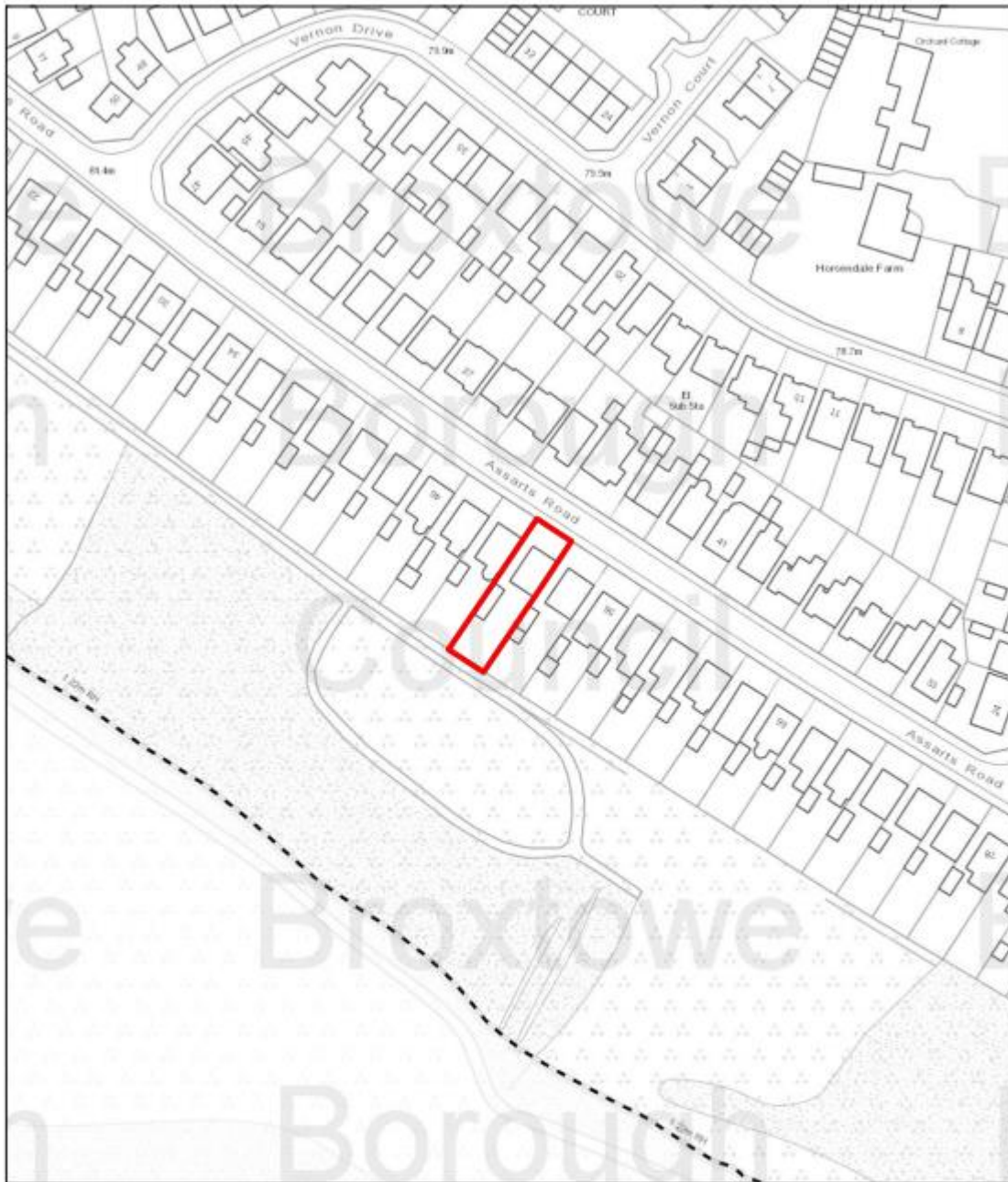
14 Conclusion

- 14.1 Recommend that planning permission for the development is granted.

<p><b><u>Recommendation</u></b></p> <p>The Committee is asked to RESOLVE that planning permission be granted for the following reasons:</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><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></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan, the Proposed Block Plan and drawing number MNCN/JR/22/002/P1 Rev D received by the Local Planning Authority on 28 June 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development shall be constructed using tiles of a type, texture and colour so as to match those of the existing building and the existing/proposed elevations shall be finished in a white coloured render and black/ dark grey timber cladding as annotated on the approved elevations).</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
4.	<p>The obscurely glazed screen on the south eastern corner of the first floor balcony hereby approved shall be retained for the lifetime of the development.</p> <p><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></p>
	<p><b>NOTES TO APPLICANT</b></p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>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 be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority</p>

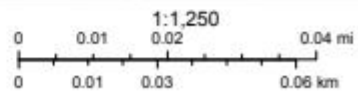
	website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a>
3.	<b>No construction, demolition or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</b>

52 Assarts Road Nuthall Nottinghamshire NG16 1AP



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 Site



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Photographs



Two storey dwellings across front highway.



Assarts Road, facing south east.



Front (north east) and side (north west) elevations.



Front boundary with no. 50.



Rear (south west) elevation.



Rear boundary and Horsendale Recreation Ground/ Broxtowe Country Park.



View from rear elevation to neighbouring boundary (no. 54).



View from rear elevation to neighbouring boundary (no. 50).



Garage/ outbuilding on boundary with no. 50.

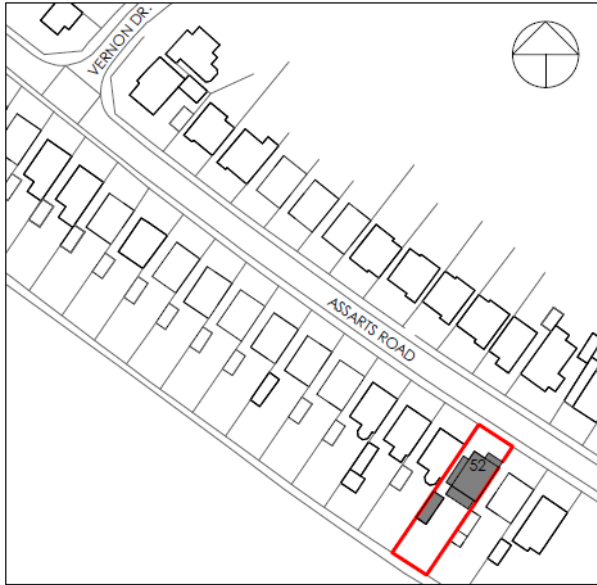


Rear boundary with no. 54.

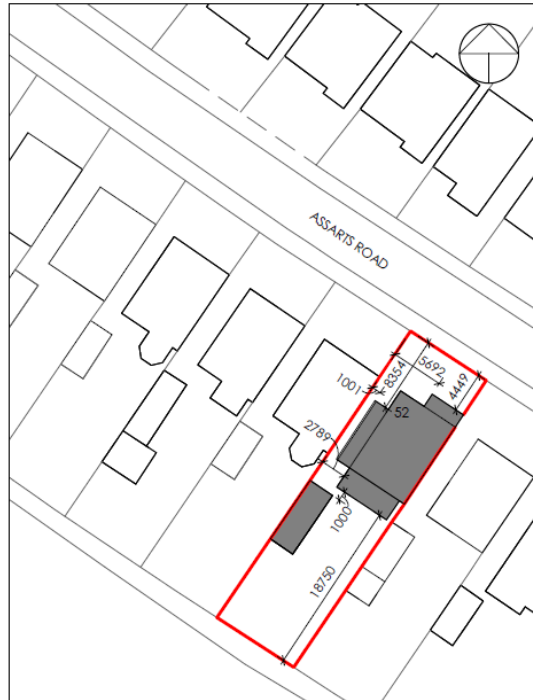


**Plans (not to scale)**

Site Location and Proposed Block Plan

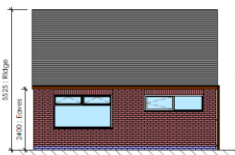


SLP  
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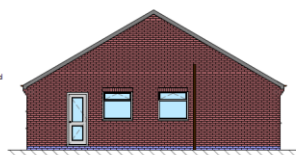
BLOCK PLAN  
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Existing and Proposed Elevations



FRONT - EX.  
1 : 100

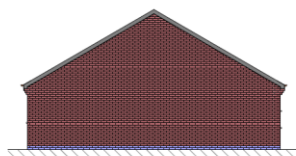
- Existing dwelling
- White uPVC windows
- Red brickwork
- Pitched roof with grey concrete tiles
- Black soldier heads
- Brown uPVC fascia, soffit and rainwater goods
- Brickwork joints with blue engineering of DPC



RIGHT - EX.  
1 : 100



REAR - EX.  
1 : 100



LEFT - EX.  
1 : 100

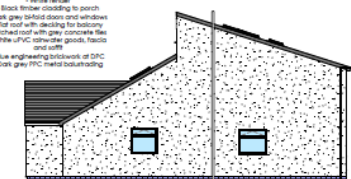


FRONT - PROPOSED  
1 : 100

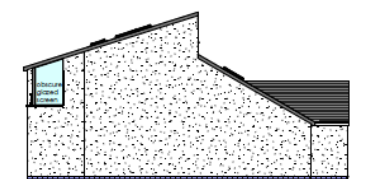


REAR - PROPOSED  
1 : 100

- Proposed Renovation:
- White render
- Black fence cladding to porch
- Dark grey bifold doors and windows
- Flat roof with decking for balcony
- Pitched roof with grey concrete tiles
- White uPVC rainwater goods, fascia and soffit
- Blue engineering brickwork at DPC
- Dark grey PVC metal balustrading

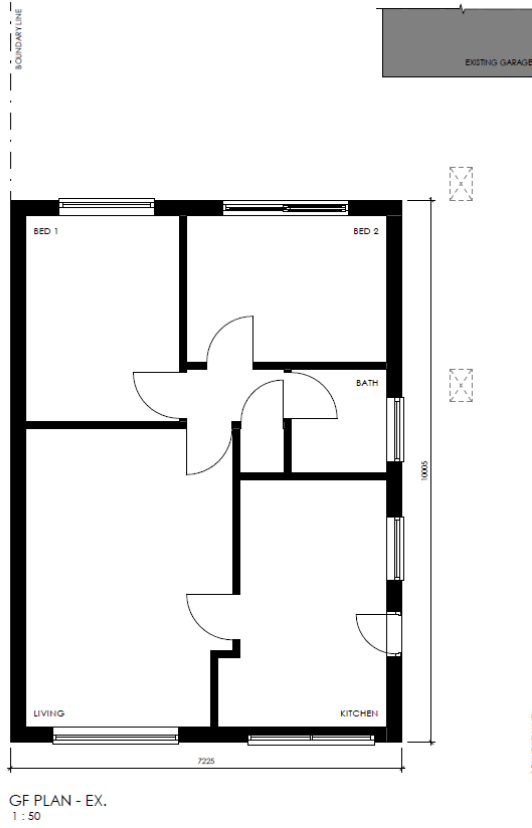


RIGHT - PROPOSED  
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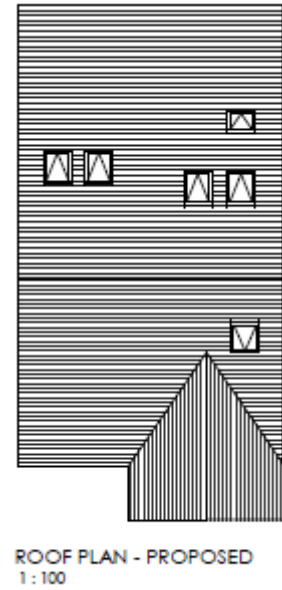
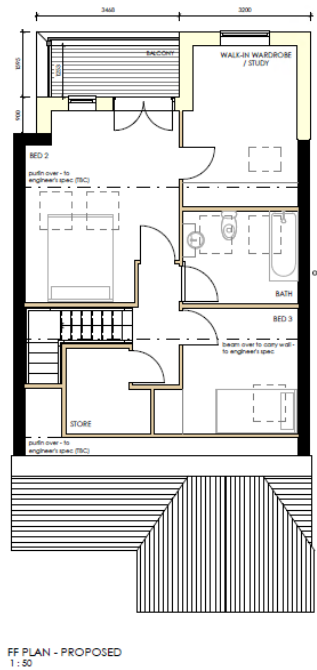
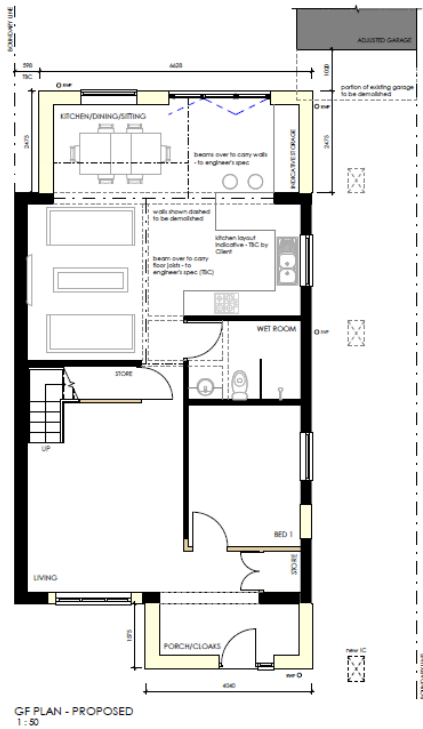
LEFT - PROPOSED  
1 : 100

Existing floor plan

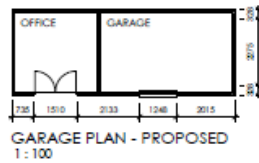
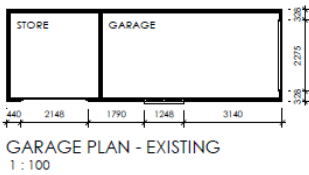


Proposed Floor and Roof Plan

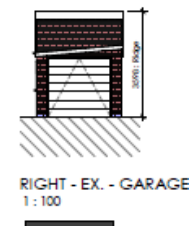
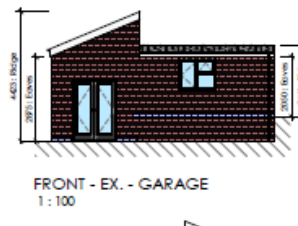
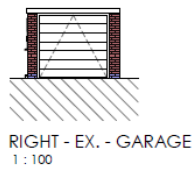
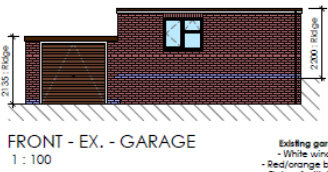




Existing and Proposed Garage



- Proposed garage:
  - Dark grey patio doors and windows
  - Red/orange brickwork
  - Monopitch roof with half brick
  - Brick soldier head
  - Blue engineering brickwork at low level



- Existing garage:
  - White windows
  - Red/orange brickwork
  - Flat roof with half brick
  - Brick soldier heads
  - Blue engineering brickwork at low level

