

Report of the Chief Executive

APPLICATION NUMBER:	22/00534/FUL
LOCATION:	6 Canal Side, Beeston, Nottinghamshire, NG9 1NG
PROPOSAL:	Loft conversion with rear dormer and external alterations

1 Purpose of the Report

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

2 Recommendation

The Committee is asked to resolve that planning permission is approved subject to the reasons outlined in the appendix.

3 Detail

- 3.1 The application seeks to amend an existing flat roof dormer to a detached bungalow. The dormer is sited on the north eastern elevation and seeks to amend the dormer by reducing the length to 8.7m, 1.7m in height, set back from the principle elevation by 1.8m and 1.5m to the rear elevation and be almost on the ridge but 0.9m from the eaves. The windows will be increased in size to two large windows serving two bedrooms and one small window serving a bathroom. There are other alterations to facilitate three bedrooms (one with a wet room on ground floor), bathroom, lounge, open plan kitchen/dining/family room.
- 3.2 There has been several planning applications for the retention of the dormer window. 20/00606/FUL was refused to retain the dormer and loft conversion. 21/00105/FUL approved with a time constraint for works to be completed within one year of decision notice. The last application was for the same size dormer window but with three smaller high level windows.
- 3.3 The main issues relate whether the scale, siting and design of the dormer is acceptable and whether the development has an unacceptable impact on the visual amenity of the area and neighbour amenity.
- 3.4 The benefits of the scheme are that the loft conversion and dormer provide enhance living accommodation for the occupiers. The negatives of the dormer are of a size and prominence that harms the character and appearance of the building and the wider area. This application seeks to remediate this by reducing the bulk and mass of the dormer.
- 3.5 The Committee is asked to resolve that planning permission be granted for the reason set out in the appendix.

APPENDIX**4 Financial Implications**

- 4.1 There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

- 5.1 The comments from the Head of Legal Services were as follows:

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.

6 Data Protection Compliance Implications

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

7 Background Papers

- 7.1 None submitted

8 Details of the Application

- 8.1 The application seeks to retain the existing loft conversion and dormer, with some amendments. The dormer is sited on the north eastern elevation and seeks to amend the dormer by reducing the length to 8.7m, 1.7m in height, set back from the principle elevation by 1.8m and 1.5m to the rear elevation and be almost on the ridge but 0.9m from the eaves. The windows will be amended to be two large windows serving two bedrooms and one small window serving a bathroom. There are other alterations to facilitate three bedrooms (one with a wet room on ground floor), bathroom, lounge, open plan kitchen/dining/family room.
- 8.2 The application form states that the dormer window will be amended using a rubber flat roof material to match the dormer cheeks and re use the existing dormer materials, that are dark grey to match the existing roof.

9 Site and Surroundings

- 9.1 The application site lies within the built framework of Beeston and is a detached bungalow with detached garage. The site is located within Flood Zones 2 and 3.

- 9.2 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 granting of planning permission in 1977 and, prior to the insertion of the recently installed dormer to the side, there were two small high level dormers in the north east facing roof slope, built high up to the ridge height. The property has a drive on the north east side, leading to the rear garden
- 9.3 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 this property from the common boundary of the application site. 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 adjacent to the common boundary which leads to the rear. There are two properties to the rear of the site, these being 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 extension to the rear and an outbuilding separating the site from the main dwelling. 18 Acaster Close is to the south of 17 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.

10 Relevant Planning History

- 10.1 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. The conversion also incorporated raising the height of the roof. Reference 77/00070/FUL. This permission was implemented and as such any further alterations or additions to the roof would likely require planning permission, which is the case here.
- 10.2 In 2020, a large flat roof dormer was installed without the benefit of planning permission, under the belief that the dormer would have been permitted development. However, as the dwelling had already implemented planning permission from 1977 to raise the roof, the dormer as constructed is likely not to be permitted development due to the existing dwelling roof volume increase and then the dormer volume. A subsequent planning application to retain the dormer as built was refused planning permission at planning committee in January 2021. Reference 20/00606/FUL.
- 10.3 In 2021, an application was approved under delegated powers to amend the side dormer and external alterations, reference 21/00105/FUL. This application was approved with a year time limit to implement (expired on 21 May 2022) but this has not been implemented.

11 Relevant Policies and Guidance

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

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

- Policy 1: Climate Change
- Policy 10: Design and Enhancing Local Identity

11.2 Part 2 Local Plan 2019:

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

- Policy 1: Flood Risk
- Policy 17: Place-making, Design and Amenity

11.3 National Planning Policy Framework (NPPF) 2021:

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

12 Consultations

12.1 A total of six neighbours were consulted and three letters of objection has been received for the application. They can be summarised as follows:

- Loss of light and privacy;
- Overlooked;
- Not in keeping with the neighbourhood;
- Should have been completed by May 2022;
- Windows on dormer has been increased compared to the previous application;
- The extension was built without planning permission and is not in keeping with the whole area;
- Its ugly and too imposing on the surrounding bungalows;
- It looks like a porto cabin has been dropped on the side of the bungalow;
- I can't imagine the Council will have given permission in the first place if it had been submitted correctly and;
- Understand a similar application has been refused for a nearby by bungalow, as this should have been.

12.2 Councillors & Parish/Town Councils:

- Councillor T A Cullen – No comment
- Councillor S Dannheimer –Requested the application be determined by Planning Committee.

13 Assessment

13.1 The main issues relate to whether or not the changes to the dormer window is an acceptable design and appearance and does not have a significant impact on neighbour amenity.

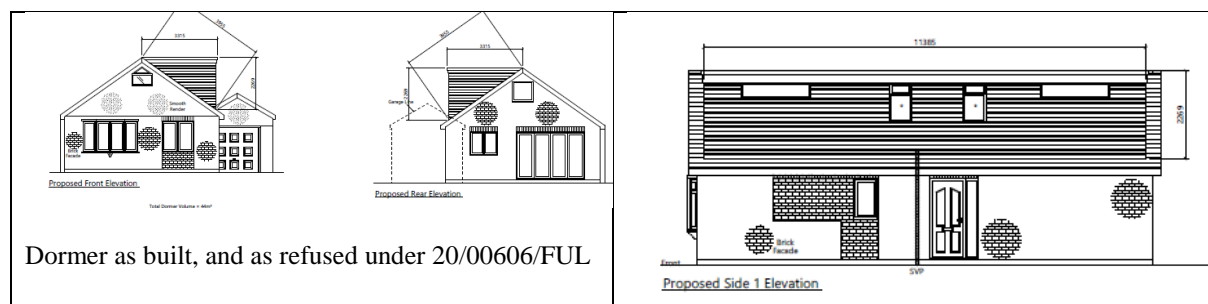
14 Design and scale

14.1.1 Policy 10 (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development. Policy 17 (4a) states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

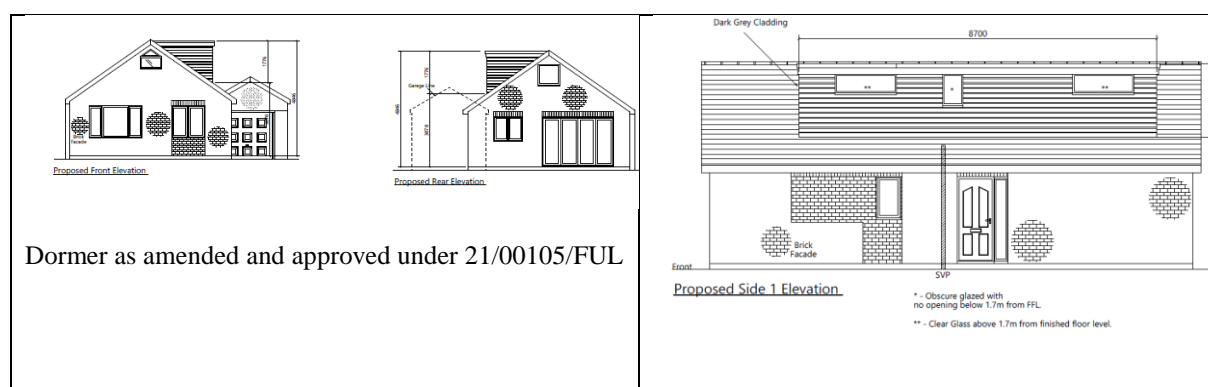
14.1.2 Planning permission was refused for the retention of the dormer at Committee in January 2021, for the following reason:

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).

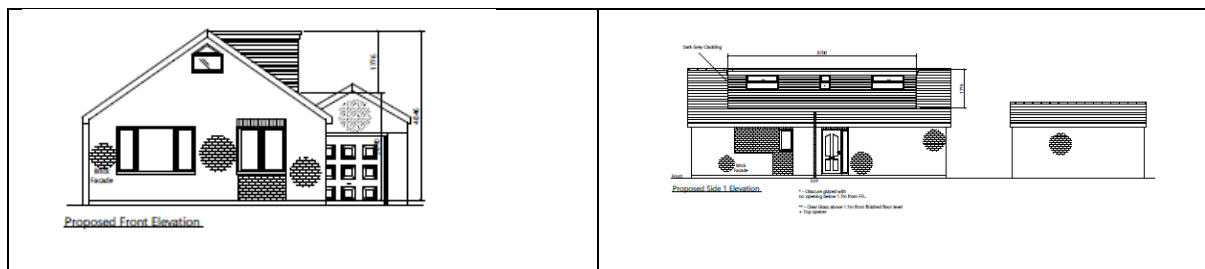
14.1.3 The following are the plans that was refused and as on site currently:



14.1.4 Following the refusal an amended scheme was submitted and approved reducing the bulk and mass of the dormer along allowing more of the roof plane to be visible. Approved plan for 21/00105/FUL that should have been commenced by 21 May 2022.



14.1.5 The applicant has now requested the two habitable room windows within the dormer be increased in size as follows:



14.1.6 The proposed scheme has a dormer that has an improved design and scale of and now sees the dormer being reduced in length, being brought away from the front elevation, and also raised from the eaves. It is considered that these amendments have satisfactorily addressed the reason for refusal by reducing the dominance of the dormer and the area of roof space. The change in window arrangement would not have any impact on the design or visual amenity.

14.1.7 Whilst it would have been desirable to reduce the height of the dormer, it is acknowledged that this would have had an impact on the usable floor space internally, due to head height and location of the stairs.

14.1.8 It is considered that the proposed development, as amended, is acceptable and accords with Local Plan policy. As the construction of the dormer as existing is unauthorised, a condition to require the dormer to be modified/completed to the design proposed within a period of ten months from the date of decision is recommended, works to have commenced within six month of the date of the decision.

15. Amenity

15.1.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

15.1.2 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 side elevation of this dwelling can be seen from the highway, specifically the kitchen window. There is a 1.8m high fence on the joint boundary with the site that starts at the principal elevation and runs the length of the boundary. It is acknowledged the previous permission did have a condition to ensure the bedroom windows were above 1.5m above the internal floor level and obscure glazed. The Local Planning Authority has concerns about the potential for overlooking as the plans annotated state the two bedroom windows have clear glass above 1.7m and top opening. To ensure not overlooking towards this dwelling a condition will be added to ensure the two bedroom windows have fixed windows and obscure glazing. It should be noted each bedroom has a main window either on the principal or rear elevation that is has clear glass to

ensure an outlook and opening to allow ventilation to the rooms. The bathroom window on the plan states obscure glazing and non-opening below 1.7m finished floor level. It is not unreasonable to allow a bathroom to have a top opening window for ventilation and as it is annotated on the plan to be obscure glazed there is no issue of overlooking from this window. 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 no. 4.

15.1.3 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.

15.1.4 To the north west of the site is dwellings located on Acaster Close. Given the position of the dormer it is considered that the development would not have a significant impact on the amenities of these occupiers

16. Flood Risk

16.1.1 As this is a 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 in the event of a flood. 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.

17. Highway Safety

17.1.1 There is an existing vehicular access to the site and there are no proposed changes to this arrangement. There is adequate parking provision within the site for off road parking, a garage and a parking space behind the garage door.

18. Planning Balance

18.1.1 The benefits of the proposal are that it would retain a loft conversion and dormer (with amendments) for the benefit of the family, would not have any impact on residential amenity and be in keeping with area due to the dormer being set in from the principal elevation.

19. Conclusion

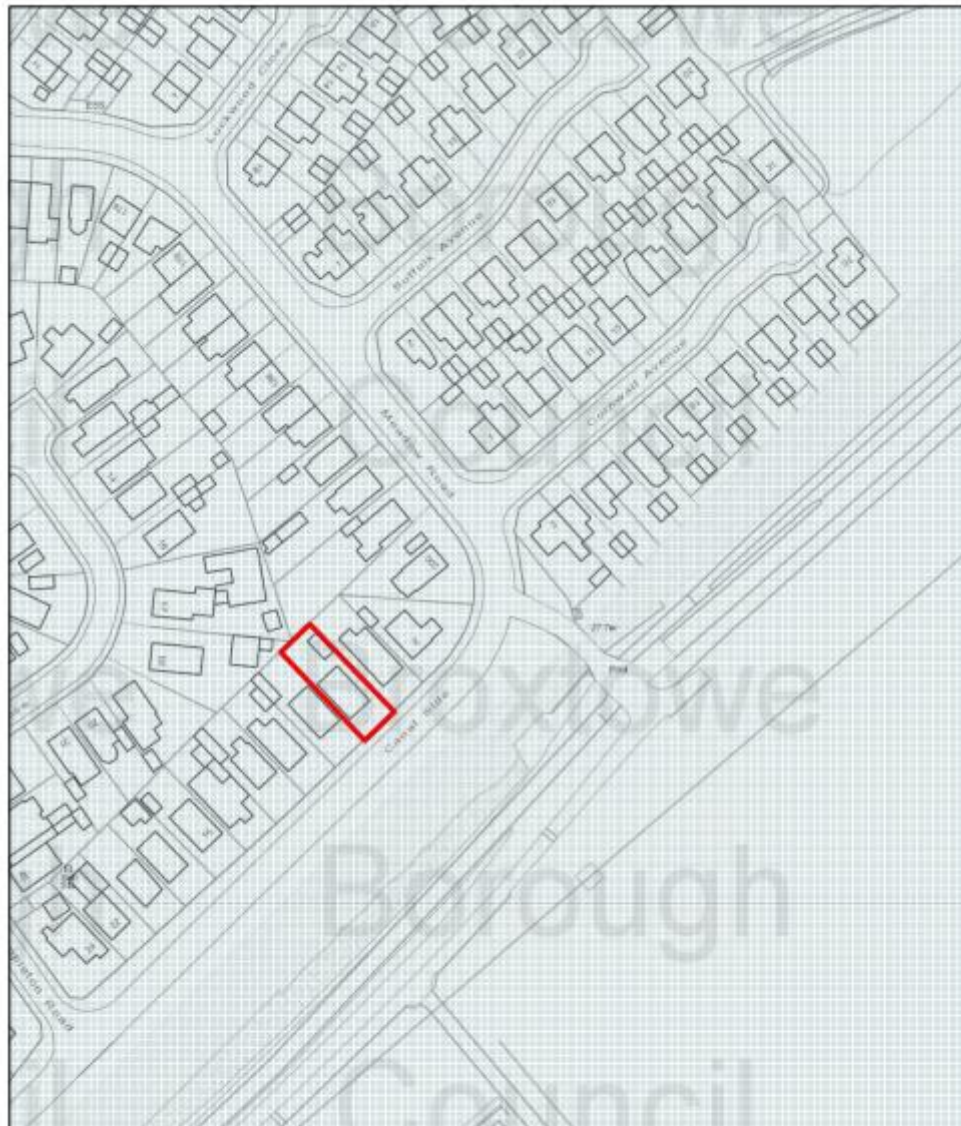
19.1 Recommend that planning permission for the development is granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following reasons:	
1.	<p>The development hereby permitted shall be commenced within six months of the date of this permission with works completed within ten months of the date of the permission.</p> <p>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.</p>
2.	<p>The existing dormer shall be removed within ten months of the date of the decision, unless otherwise modified in accordance with the plans approved under this permission.</p> <p>Reason: To ensure a satisfactory standard of external appearance 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).</p>
3.	<p>The development hereby permitted shall be carried out in accordance with drawings numbered D202-06/04/2020 Rev C, D203-06/04/2020 Rev C, D201, -06/04/2020 Rev C, D103-06/04/2020 Rev C, D102-06/04/2020 Rev C and D403-06/04/2020 Rev C received by the Local Planning Authority on 11 July 2022.</p> <p>Reason: For the avoidance of doubt.</p>
4.	<p>The dormer shall be constructed using materials of a type, texture and colour so as to match those of the existing building.</p> <p>Reason: To ensure a satisfactory standard of external appearance 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).</p>
5.	<p>The windows on the east (side) elevation annotated as being obscurely glazed on drawing no. D202 - 06/04/2020 rev C 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) and non-opening.</p> <p>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).</p>

	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it in line with adopted policies.
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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>

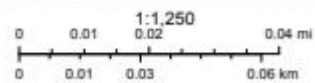
Map

22/00534/FUL -6 Canal Side Beeston



10/10/2022, 4:47:29 PM

- Flood Zone 2
- Flood Zone 3
- Site



© Crown copyright and database rights 2021. Ordnance Survey 100019453.
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

Photographs



Principal elevation



Rear elevation



North east elevation



Neighbouring dwelling and fencing
4 Canal Side

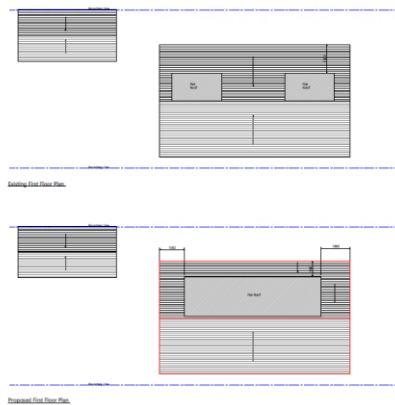


Street scene showing 4 and 8 Canal side Beeston



Dwelling along Canal Side that has been altered

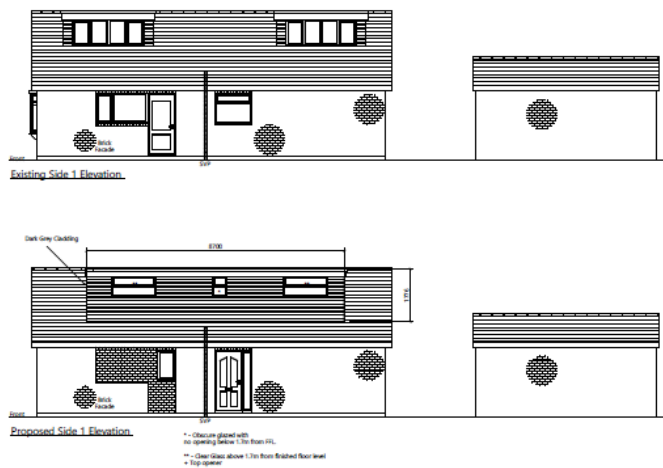
Plans (not to scale)



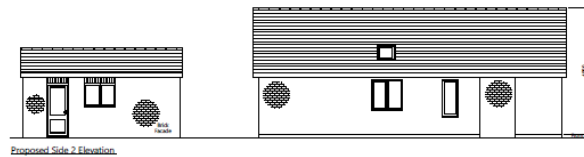
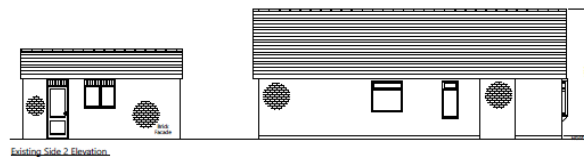
Roof plan



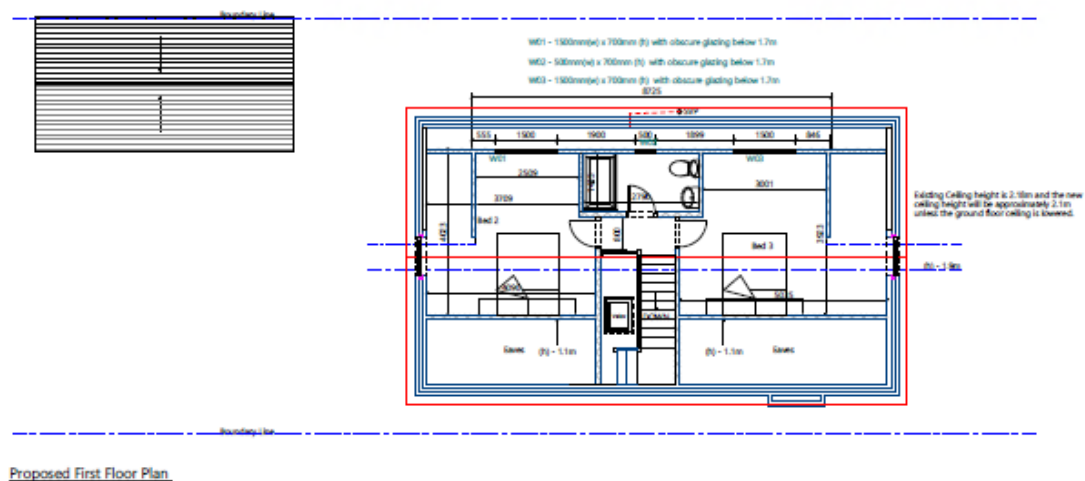
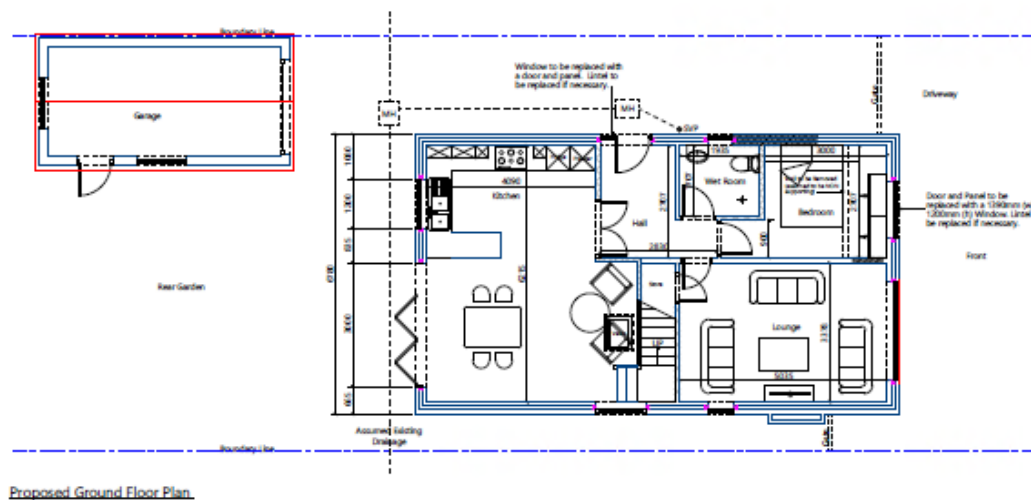
Proposed and existing elevations principal and rear



Proposed and existing north east elevation



Proposed and existing western elevation



Proposed floor plans