

Report of the Chief Executive

APPLICATION NUMBER:	22/00856/FUL
LOCATION:	8 Kenton Avenue, Nuthall, Nottinghamshire, NG16 1PX
PROPOSAL:	Construct single storey and two storey rear extension

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

1. Purpose of Report

The application seeks full planning permission for the construction of a single storey and two storey rear extension.

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 full planning permission to construct a single and two storey rear extension with the upper floor extension creating larger bedroom and bathroom and the ground floor extension to increase the kitchen space. There is currently a conservatory to the rear which will be removed as part of the proposal.
- 3.2 To the front of the property there is currently a porch which is open to the front and side. The plans indicate the bricking up of the side of the porch and the provision of a door to the front, which do not require planning permission.
- 3.3 The application site consists of a two storey detached dwelling with a driveway/garden area to the front and a garden to the rear. The dwelling is located on a cul de sac with similar dwelling within the street scene and to the rear on Croxley Gardens.
- 3.4 The benefits of the proposal are that it would be an enlargement 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. There are considered no negative impacts therefore the proposal is acceptable.

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

Nil.

APPENDIX

1 Details of the Application

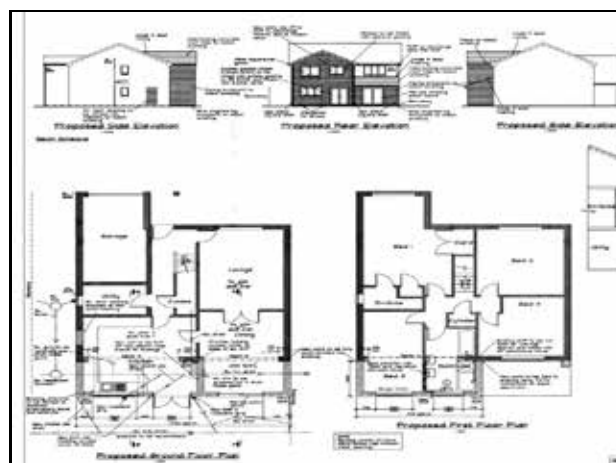
- 1.1 This application seeks consent to construct a single storey rear extension to the kitchen which will extend out by 4.03m and an upper floor rear extension creating a larger bedroom along with an enlarged bathroom at first floor level. The proposed first floor extension will project rearwards by 1.7m and have a width of 5.1m with a pitched ridge height of 6.5m, an eaves height to match that of the existing house and will be finished in matching materials to the existing house.

2. Site and Surroundings

- 2.1 The application site consists of a two storey detached dwelling with a driveway/garden area to the front and a garden to the rear. The dwelling is located on a cul de sac with similar dwelling within the street scene and to the rear on Croxley Gardens. The application site is located within a predominantly residential area.
- 2.2 In regards to neighbouring properties the site is located in a built up residential area of Nuthall made up of large detached properties with an immediate neighbour to the north (6 Kenton Avenue) and also an immediate neighbour to the south (10 Kenton Avenue). 4 and 5 Croxley Gardens are located to the west linked by the rear gardens.

3. Relevant Planning History

- 3.1 Planning permission was granted under reference number 05/00605/FUL to construct a two storey extension to the rear of the property (below). This was never implemented and the planning permission has now expired.



- 3.2 Planning permission was refused under reference number 22/00142/FUL for the construction of a front porch and a first floor rear extension. This application was

recommended for approval by the planning officer but refused by committee. No appeal was lodged.



4. **Relevant Policies and Guidance**

4.1 **Broxtowe Aligned Core Strategy 2014**

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

- 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 17: Place-making, design and amenity

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

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

4.4 **Consultations**

4.4.1 **Neighbours**

- 5 neighbours were consulted on the application, with 2 objection responses being received regarding:
 - Overlooking and loss of privacy.
 - Loss of daylight/sunlight and overshadowing.
 - Impact on property values.
 - Noise and smell from the proposal.
 - Parking, loading and unloading.
 - Layout and will look uneven.
 - Previous refusal by Committee.

4.4.2 **Nuthall Parish Council**

- Objection received regarding the overdevelopment of the site and the adverse effect on neighbours.

5. Assessment

- 5.1 The main issues relate to whether the design and appearance of the proposal are visually acceptable and whether there is an unacceptable impact on neighbour amenity.

6. Principle

- 6.1 The principle of a single storey and two storey rear extension to an existing dwelling to replace an existing extension within a residential area in this location, is deemed acceptable in regard to the existing character of the dwelling and the surrounding area.

7. Design and Visual Amenity

- 7.1 Policy 10 states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.
- 7.2 Policy 17 of the Part 2 Local Plan 2019 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.
- 7.3 The ground floor rear extension will extend out from the existing kitchen and dining room by 4.03m to extend across the length of the rear of the dwelling. The proposed first floor extension will extend an existing bedroom and bathroom by 1.8m at the rear, but have a reduced width of 5.1m (that is, not the full width of the rear elevation). With an overall ridge height of 6.5m it will be set at a lower level to the roof of the main dwelling and so restricting the appearance from the street scene of Kenton Avenue.
- 7.4 Information submitted on the application form indicates that the finish materials of the proposed extension will match that of the existing house with bricks used in the construction of the walls and tiles to be used on the roof. Therefore, it is considered that the proposed finish materials to be used in the development are considered acceptable in respect to their appearance within the local streetscape.
- 7.5 The proposal is not considered to have any significant detrimental impact upon the character of the street scene or visual amenity of the surrounding area.

8. Amenity

- 8.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers.
- 8.2 Policy 17 of the Part 2 Local Plan 2019 states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

- 8.3 Objections have been received from neighbouring properties in respect of overlooking / loss of privacy, loss of light/overshadowing, noise and disturbance and parking/unloading of building materials.
- 8.4 Directly to the north of the application site there is an existing two storey detached dwelling number 6 Kenton Avenue. The host dwelling is set behind the rear of the neighbouring property by approximately 2m, with the land levels serving number 6 set approximately 200mm higher than those within the application site. To the rear of number 6 there is an existing conservatory along with a 2m high close boarded timber fence along the boundary. The first floor extension as proposed will be in line with the end side elevation of number 8. The ground floor extension will protrude from the existing dwelling by 4.03m with the two storey extension above extending out from the rear elevation of the dwelling by 1.8m and will be served by a pitched roof which will be set lower than the roof of the main dwelling. Furthermore, the first floor extension will not protrude forward of the rear elevation of number 6, with the submitted block plan indicated this part of the proposal to be behind the rear elevation of number 6. In addition, there are no windows proposed in the side elevation of the first floor extension, with the only window within the side elevation of number 6 being an obscurely glazed first floor landing window. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 6 Kenton Avenue.
- 8.5 To the south of the application site there is an existing two storey detached dwelling number 10 Kenton Avenue. To the rear of the host dwelling there is currently a conservatory extension built up to the boundary which consists of a 2m high close boarded timber fence. The proposed first floor extension will be set in from the boundary with no 10 by 3.5m. To the side of number 10 there is an attached double garage which separates the site from the main dwelling of no 10. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 10 Kenton Avenue.
- 8.6 Directly to the rear of the application site there are two neighbouring properties, numbers 4 and 5 Croxley Gardens. The rear boundary consists of a 2m high close boarded timber fence and with the properties to the rear are served with rear gardens with depths of 10m. It should be noted that the properties to the rear are set at a higher level than the application site. Whilst a two storey extension is proposed, the ground floor will extend out by 4.03m with the two storey extension being built above. The second storey extension will only be extending out by 1.8m to the rear, resulting in a distance of 20m between the rear elevation of no 4 Croxley Gardens (the closest neighbour) and the resulting rear elevation of the first floor extension. The extension will allow for a larger floor space to serve an existing bedroom and bathroom. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring properties of numbers 4 and 5 Croxley Gardens.

9. Access

- 9.1 There are no proposed changes to the existing access and parking arrangements and as there will be no proposed intensification of the property it is considered there will be no additional impact on road safety.

10. Other Issues Raised

- 10.1 Concerns have been raised with regards to the impact of the proposal on the value of the neighbouring properties. This issue is not a material planning consideration and cannot be taken into consideration as part of this application.
- 10.2 Whilst concerns have been raised in respect of noise/disturbance during construction and the parking/unloading of building materials, should noise/disturbance become an issue this can be dealt with by separate legislation by the Environmental Health department. Furthermore, the property is served by a large driveway for which building materials could be stored and there are no traffic regulation orders in the form of double yellow lines which would restrict vehicle parking within Kenton Avenue.

11. Planning Balance

- 11.1 The benefits of the proposal are that it would be an extension to an existing residential dwelling, would be of an acceptable scale and design, would not have a significant impact on neighbour amenity and would be in accordance with the policies contained within the development plan.
- 11.2 There are considered no negative impacts, therefore the proposal is acceptable.

12. Conclusion

- 12.1 It is considered that, having regard to the relevant policies of the Development Plan, National Planning Guidance and to all other material considerations, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<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 the site/location plan (drawing ref:HS/OS) received by the Local Planning Authority on 15 November 2022, Proposed First Floor Plan (Drawing Reference HH/015/002 rev 03), Proposed Ground Floor Plan(Drawing Reference HH/015/001 rev 03), Proposed Roof Plan (Drawing Number HH/015/004 rev 03),

	<p>Proposed Elevations (Drawing Number: HH/015/003 rev 03 and HH/015/004 rev 03) received by the Local Planning Authority on January 13th 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The single storey and two storey rear extensions shall be constructed using materials to match the existing house and as specified in the application form received by the Local Planning Authority on 15 November 2022, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>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).</i></p>
	NOTES TO APPLICANT
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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>

Site Plan



Legend

 Site Outline

Photographs



Photograph showing the principle (east) elevation



Photograph showing the rear (west) elevation



Photograph showing the rear elevation and its relationship with number 6 Kenton Avenue.



Photograph showing the boundary with number 6 Kenton Avenue



Photograph showing the boundary with number 10 Kenton Avenue



Photograph showing rear boundary to 4 Croxton Gardens

Plans (not to scale)

