

Report of the Chief Executive

**18/00508/FUL  
 CONSTRUCT SINGLE STOREY REAR AND TWO STOREY REAR AND  
 SIDE EXTENSIONS  
 138 NOTTINGHAM ROAD, NUTHALL, NOTTINGHAMSHIRE NG16 1AB**

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

1 Details of the Application

1.1 This application proposes alterations to an existing domestic residential dwelling incorporating the provision of a single storey rear extension and two storey rear and side extensions. The application also includes the provision of a loft conversion with the insertion of roof lights.

2 Site and Surroundings

2.1 The application property is a detached two storey dwelling set back from the main road of Nottingham Road. Access to the property is via a private road, which the property is located to the end of.

2.2 Along the northern boundary, to the front of the application site, there is a row of mature trees, limiting views of the site and the application property. The site frontage is predominantly paved, with a gravelled area to the south east side of number 138 and then two paved areas encompassed by low brick walls with piers. A grassed area extends from the paved areas to the rear boundary.

2.3 The south east site boundary is formed by a brick wall with pillars and railings in-between with gates across the vehicular access and the side wall of number 140. On the rear boundary there is a 1.7m high fence with holly and conifers on the site side of the fence.



Entrance to the site.



Front of property.



Boundary with 136 Nottingham Road.



Side elevation of number 140 Nottingham Road.



Rear elevation.



Land to side of property.

### 3 Relevant Planning History

- 3.1 02/00196/FUL – in 2002 planning permission was granted for the construction of a two storey extension to the east side of the property and a single storey extension to the west side and rear of the property. This permission has not been implemented.
- 3.2 04/00462/FUL – in 2004 planning permission was granted for the construction of a two storey side extension incorporating an existing single storey extension. This permission has not been implemented.
- 3.3 04/00999/FUL – in 2005 planning permission was granted to construct a two storey detached dwelling on land to the east of the property. This permission has not been implemented.
- 3.4 15/00164/FUL and 15/00385/FUL – in 2005, two planning applications were refused for the construction of a pair of semi-detached houses on land to the east of the property. An appeal was subsequently dismissed by the Planning Inspectorate in 2016 for the later planning application on grounds of.....

## 4 Policy Context

### 4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) July 2018, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.1.2 Section 12 of the NPPF, Achieving well-designed places, paragraph 127 states that 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 create a high standard of amenity for existing and future users.

### 4.2 **Broxtowe Aligned Core Strategy**

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

4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 Policy 10 'Design and Enhancing Local Identity' - states that development should be assessed in relation to its massing and scale, materials, design and impact on the amenity of nearby residents.

### 4.3 **Saved Policies of the Broxtowe Local Plan**

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. The relevant saved policy is as follows:

4.3.2 Policy H9 'Domestic Extensions' - states that extensions will be permitted provided that they are in keeping with the original building in terms of style, proportion and materials, are in keeping with the appearance of the street scene and do not cause an unacceptable loss of privacy or amenity for the occupiers of neighbouring properties.

### 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 currently anticipated to take place toward the end of this year. The representations on the plan included 11 no. representations in relation to Policy 17. Given that there remain outstanding objections to Policy 17 that will need to be considered through the Local Plan examination process, this policy can be afforded only limited weight.

4.4.2 Policy 17 'Place-Making, Design and Amenity' - 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.

#### **4.5 Nuthall Neighbourhood Plan**

4.5.1 The submission version of the Nuthall Neighbourhood Plan was published on Monday 26 February, with the consultation period to running until Friday 20 April 2018. The Inspector has issued her report recommending modifications and for the Plan to proceed to referendum. The referendum is due to be held on 13 December. Policy 5 'Design and the Historic Environment' states that design of all new development should enhance and positively contribute to the character of the area in which it is located. Due to the current stage of the plan preparation, moderate weight can be attached to this policy.

### **5 Consultations**

5.1 Nuthall Parish Council raised the following objections to the plans originally submitted:

- Over intensification of the site;
- Overlooking onto the neighbouring properties;
- The extension not being in keeping with the street scene.

Following the submission of amended plans and a re-consultation, no further comments have been received.

5.2 Five neighbouring properties were consulted on the application, with four letters having been received raising the following objections:

- The extension being out of keeping with the locality;
- Loss of privacy/overlooking;
- Sense of enclosure;
- Loss of light;
- Restricted access for builder's vehicles.

Following the submission of amended plans and a re-consultation, one further letter has been received raising objections on the grounds of overlooking.

### **6 Appraisal**

6.1 The main issues relating to this application are the design of the extension and the impact on residential amenity of neighbouring properties.

#### **6.2 Visual Amenity**

6.2.1 The application site currently consists of a detached two storey dwelling with a driveway/parking area to the front and a large garden located to the side and rear. The site is accessed via a private driveway off Nottingham Road, with gates sited across the vehicular access.

- 6.2.2 The plans originally submitted with the application proposed a two storey side and rear extension and a single storey rear extension. The application also proposed the raising of the roof by 1m and the provision of three dormer windows on each side of the roof. Following on from concerns raised with the agent/applicant in respect of the raising of the roof and proposed dormer windows being out of keeping with the locality and the potential overlooking from the dormer windows upon the neighbouring properties, amended plans have been received removing the dormer windows and retaining the existing roof height. The application has therefore been assessed in accordance with the amended plans.
- 6.2.3 The existing dwelling currently consists of a gable end to the front and rear, with a single storey extension located to the west side. The application proposes the provision of a two storey west side extension which wraps around the rear of the dwelling. The two storey side extension will measure 2.8m wide and 12.7m in length. The existing gable ends to the front and rear will be retained, with the provision of a window to the front and rear in the roof space. The roof of the extension is proposed to be hipped and set at the same height as the roof serving the main dwelling. Three roof lights are also proposed within the east and west sides of the roof. To the rear of the property, the proposed single storey extension will extend out a further 3m from the proposed two storey extension, and will consist of a sloping roof with two sets of patio doors serving a kitchen and family room. The extensions are considered to be a sympathetic addition to the design of the main dwelling. The dwelling is currently rendered white at first floor level along with brown bricks and the use of matching render material is proposed to be used on the external elevations of the proposed extensions, along with matching bricks and tiles.
- 6.2.4 Due to the location of the application site and the design of the proposed extensions, it is not considered that the proposal will have a significant detrimental impact upon the visual amenity of the area or the character of the street scene.

### 6.3 Residential Amenity

- 6.3.1 The proposed two storey side extension will be located approximately 1m from the boundary of the application site and number 136 Nottingham Road. Along the boundary there is an existing 2m high close boarded timber fence directly adjacent the dwellings, with a 2 – 3m high hedge running along the remainder of the boundary to the rear of the properties. Number 136 Nottingham Road is sited approximately 3.5m away from the boundary. At ground floor level on the side of number 136 there are two small secondary windows serving habitable rooms. The proposed two storey side/rear extension will extend beyond the rear of number 136 Nottingham Road by 3m, with the single storey extension extending a further 3m. The eaves height of the proposed two storey side extension will measure 5.15m, with the roof sloping up away from the boundary to an overall height of 8m. The single storey rear extension will have an eaves height of 2.55m and an overall height of 3.7m. As a result it is considered that there would be no significant loss in daylight/sunlight to the occupants of the neighbouring property number 136 Nottingham Road. The only windows on the side elevation are a utility and WC window set at a low level on the ground floor and a en-suite

window at first floor level. Given the nature of the windows, it is not considered these will give rise to any potential overlooking issues. There are three roof lights proposed on the side of the roof, these are set approximately 1.7m above eaves level, reducing any potential overlooking issues. It should also be noted that the proposed roof lights could be inserted under permitted development without planning permission.

- 6.3.2 To the east of the main dwelling, there is a dwelling, number 140 Nottingham Road. This dwelling has a blank north west facing elevation. At ground floor level of the application property, there are two existing windows which will remain serving a dining and living room. At first floor level, an en-suite bedroom window is proposed on the side elevation. Although there are three roof lights, given the siting and nature of these windows, it is not considered there will be any overlooking issues.
- 6.3.3 Although there is a window proposed in the rear gable end of the roof, the application site is served by a rear garden measuring approximately 25m. In addition, there is a hedgerow along the rear boundary measuring approximately 3m in height. Furthermore, the properties located to the rear are also served by large gardens measuring approximately 20m in length.
- 6.3.4 Due to the design of the proposed extensions, the proposal is not considered to have an adverse impact upon the residential amenity of the immediate neighbouring properties in respect of overlooking, overbearing or noise impacts.
- 6.3.5 The impact upon all other adjacent neighbours is considered acceptable due to the siting and distance of the proposed extensions to the neighbouring properties.

**7 Conclusion**

- 7.1. Overall, it is considered that the proposal would not be harmful to the visual and residential amenity of the area. Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would warrant a decision being taken at variance to this.

**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 this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan 1: 1250 received by the Local Planning Authority on 23 July 2018, Proposed Plans and Elevations, SG/18/05/02A and Proposed Block Plan, SG/18/05/03A received by the Local Planning Authority on 04 October 2018.**
- 3. The extension shall be constructed using materials of a type, texture and colour so as to match those of the existing building.**

**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. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).**

**Note to Applicant:**

**The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.**

Background papers  
Application case file