

Report of the Chief Executive

APPLICATION NUMBER:	23/00512/FUL
LOCATION:	97 Lynncroft, Eastwood, Nottinghamshire, NG16 3ER
PROPOSAL:	Construct ground floor side / rear extension

The application is brought to the Committee at request of Councillor M Radulovic MBE.

1 Purpose of the Report

1.1 The application seeks full planning permission for the construction of single storey side/rear extension to a semi-detached dwelling.

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 planning permission for the demolition of part of an existing single storey rear extension and the construction of a single storey rear/side extension to the semi-detached dwelling. The dwelling is currently unoccupied and requires significant modernisation to bring the dwelling up to modern day living standards.

3.2 During determination of the application a member of public referred the site to Historic England as D H Lawrence once lived at the dwelling. Historic England did not list the dwelling but has recommended the dwelling be put on the local interest building list, this is currently being undertaken.

3.3 To ensure the principal elevation is retained the agent has provided an amended plan that retains the door and changed the internal layout. As part of the modernisation of the dwelling works the dwelling will be turned in to a House of Multiple Occupation (HMO). The creation of a 6 bed HMO is permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class L.

3.4 The main issues relate whether the scale, siting and design of the extensions is acceptable and whether the development has an unacceptable impact on the visual amenity of the area and neighbour amenity.

3.5 The benefits of the scheme are that the extension will facilitate the dwelling being brought back into use.

3.6 The Committee is asked to resolve that planning permission be approved for the reason set out in the 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. Climate Change Implications

Climate Change implications are considered within the report.

7 Background Papers

- 7.1 Nil.

APPENDIX**1 Details of the Application**

- 1.1 The proposal seeks to demolish part of the existing dilapidated extension to the rear elevation and create a flat roof single storey rear extension to the existing dwelling. The extension will square off the rear elevation creating a walkway, two bedrooms with en suites. To the principal elevation the existing elevations will be retained to ensure the character of the dwelling is retained.
- 1.2 The extension will measure approximately 2.69m wide, 7.9m in length, 2.69m to the eaves and 3m to the top of the flat roof. The extension will be constructed out of matching materials to the host dwelling.
- 1.3 The dwelling will be modernised to create a 6 bed HMO, to the ground floor is three bedrooms with en suite and communal kitchen. To the first floor is a further two bedrooms with en suite and to the second floor is an additional bedroom. The agent has confirmed each room will have one person within each of the rooms.

2 Site and Surroundings

- 2.1 The application site is located within the built framework of Eastwood. The property is a late Victorian two-storey semi-detached dwelling with a bay window to the principal elevation and dilapidated extensions to the rear. To the north western elevation is a vehicular access leading to the rear garden. The rear garden is very over grown and the dwelling is not being lived in due to the poor state. The land around the dwelling is fairly level.
- 2.2 Around the site is a mixture of semi-detached and terrace dwellings constructed out of red brick with some render added at a later date. The dwellings are either accessed off the pavement or have a small parcel of land forward of the principal elevation. The land levels fall east to west and the dwellings follow the lay of the land.

3 Relevant Planning History

- 3.1 No planning history.

4 Relevant Policies and Guidance**4.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:****4.1.2 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
- Policy 11: The Historic Environment

4.2 Part 2 Local Plan 2019:

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

- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, design and amenity
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets

4.3 National Planning Policy Framework (NPPF) 2023:

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision making
- Section 12 – Achieving well designed places
- Section 16 – Conserving and enhancing the historic environment

5 Consultations

5.1 Historic England

5.1.1 Historic England carried out an initial assessment to consider whether the building should be added to the List of Buildings of Special Architectural or Historic Interest.

5.1.2 The Secretary of State for Culture, Media and Sport has asked Historic England to consider this application in our role as the Government's statutory adviser on the historic environment with responsibility for listing. Historic England considered the application and completed an assessment of the building based on the material provided. The Secretary of State has decided not to add 97 Lyncroft, Eastwood to the List at this time. Historic England recommended the building be added to the Local Interest Building List.

5.2. Broxtowe Borough Council Conservation Officer

5.2.1 The Conservation Officer assessed the application and requested the principal elevation be retained, this was taken on board and amended plans were submitted.

5.2.2 The Conservation Officer welcomed the changes to the principal elevation and has had full sight of the outcome of Historic England assessment. The Conservation Officer notes the request to register the building as a Local Interest Building.

5.3. Private Sector Housing

5.3.1 The Private Housing Section commented on the layout of HMO and has not raised any objection to the layout but requested the HMO would be required. The Private Housing Section has requested that information be passed the applicant/agent regarding fire safety.

5.4 Neighbours and members of public

5.4.1 A total of five neighbours were consulted and a total of 36 letters of representation have been received of which 34 are objections. The comments can be summarised as follows:

- Concerned about the plans;
- Loss of our heritage together with loss of valuable architecture;
- Traffic and noise problems will increase;
- There are young children living next door;
- Who will live there;
- Down grading of the town;
- Parking issues and the lack of parking;
- The proposal is ridiculous and should be turned down;
- The house forms part of the blue line trail, which links parts of Eastwood with D H Lawrence – where he lived for 5 years before moving to Croydon;
- When the house was sold by auction recently it was hoped the property would be restored to be more in keeping with the lovely house that Lawrence once loved;
- Crime rate will go up and anti-social behaviour;
- This should be rented out to homeless veterans;
- The HMO will change the area and have a negative effect;
- Should be a family home not an HMO;
- Over intensification of the site;
- House prices will drop;
- How many people will be living at the property, shows double bedrooms;
- Should be treated as a C4 HMO not C3;
- The application should be rejected outright;
- An Article 4 direction should be put in place to stop further HMO's;
- Any changes should be restrained and not destroy the historic value of the site and;
- There is potential value as a tourist attraction or scholar's retreat if properly restored and managed.

5.4.2 The neighbours and objectors were consulted on the amended plans and this will be reported in the late papers.

5.5 Councillors & Parish/Town Councils:

- Councillor S Bagshaw – No comment
- Councillor M Radulovic – Requested the application be determined by Planning Committee
- Eastwood Town Council – No comment

6 Assessment

6.1 The main issues relate to whether or not the changes to the detached dwelling creating a larger dwelling is of an acceptable design and appearance and does not have a significant impact on neighbour amenity

6.2 Design and scale

- 6.2.1 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.
- 6.2.2 The single storey side extension has been designed to adjoin part of the existing single storey rear extension to create a larger ground floor that will create habitable rooms. Given the position of the extension, behind the host dwelling and screened from views by the gates located to the west of the site. The extension will not dominate or appear overbearing prominent in the street scene and is modest in size.
- 6.2.3 The amended plans demonstrate the existing door to the principal elevation will be retained to keep the character of the dwelling, this is welcomed by the Conservation Officer and Historic England.
- 6.2.4 The single storey extension and modernisation of the dwelling complies with the NPPF and appropriate policies.

6.3 Amenity

- 6.3.1 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.
- 6.3.2 The position of the extension will not have any impact on the adjoining dwelling located to the east, 95 Lynncroft, due to the position of the extension and the existing extensions to 95 Lynncroft. It is considered there would be no impact on this dwelling from the single storey extension.
- 6.3.3 The neighbour located to the west, 99 Lynncroft, is a semi-detached dwelling with a vehicular access leading to a detached garage adjacent to the boundary with the site. Given the position of the extension, the existing boundary treatment along with the vehicular hardstanding it is considered there would be no impact on this dwelling from the single storey extension.
- 6.3.4 The proposal seeks to install habitable room windows to the side elevation within the extension, to create two habitable rooms. There is approximately 2.7m between the side elevation and the boundary with the neighbour to the north west.
- 6.3.5 The proposal does not raise any residential amenity issues and should it be resolved to grant planning permission.

6.4 Highway Safety

- 6.4.1 There is an existing vehicular access and hardstanding located to the west of the site in the form of a long driveway which can accommodate up to 4 cars in a tandem parking arrangement.
- 6.4.2 There is no additional off road parking to be provided within the site other than the existing arrangement. It should be noted that the application is only for the

construction of a single storey rear extension and on this basis the level of parking provided is adequate to meet the requirements of a dwelling.

6.5 Other

- 6.5.1 A member of public referred the application to Historic England for Listing due to the dwelling once being D H Lawrence home from a period between around 1905 to 1908. He returned to visit his mother prior to her death in 1910. It is understood that some of his early poems and short stories were written during this time at this property, as well as a draft of Laetitia, which later became The White Peacock.
- 6.5.2 Historic England acknowledged there are few surviving historic features. Historic England rejection at initial Assessment Report states 97 Lynncoft is not of the sort of building that would normally meet the criteria for listing. The residence of Lawrence at this address in a period of his youth does give the property some interest, particularly as some of his early works were written here. However, for the building to merit listing, it would need to survive considerably better and better reflect how it would have appeared at the time when Lawrence lived there. In this case, the relatively short period of time in which Lawrence lived there, combined with the poor survival of the buildings, means that it does not meet the criteria for listing.
- 6.5.3 Broxtowe Borough Council Conservation Officer has been consulted on the application and states the retention of the principal elevation on the amended plan is welcomed. The comments of Historic England have been relayed to the Conservation Officer and are noted.
- 6.5.4 The submitted plans annotate the dwelling will become a 6 bed House of Multiple Occupation (HMO). The creation of a 6 bed HMO is permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class L and would not require the benefit of a formal planning permission.
- 6.5.5 The other points raised within the objection are not material planning considerations, specifically house prices.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would bring back a derelict dwelling back in to use and the extension would not have a significant impact on neighbour amenity. The proposal reflects an acceptable level of design and would not appear out of character with the surrounding area. On balance, the scheme is acceptable and should be approved.

8 Conclusion

- 8.1 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality and comments made within representations received, 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 approved for the following reasons:	
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, existing and proposed block plan C112-ASD-DR-E001 received by the Local Planning Authority 11 July 2023. Proposed elevations C112-ASD-DR-PL04 Rev A, proposed floor plans C112-ASD-DR-PL02 Rev A and Demolition plan C112-ASD-DR-E004 Rev A received by the Local Planning Authority 7 September 2023.</p> <p><i>Reason: For the avoidance of doubt</i></p>
3.	<p>The extension hereby approved shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing dwelling.</p> <p><i>Reason: To ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	<p>The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.</p> <p>Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or</p>

within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

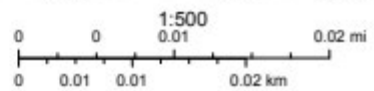
Map

23/00512/FUL -97 Lynncroft



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 Site



Photographs



Principal elevations



Rear elevation



Rear garden area



Rear elevation – some elements to be demolished



Neighbouring dwelling to the north west principal and rear elevation



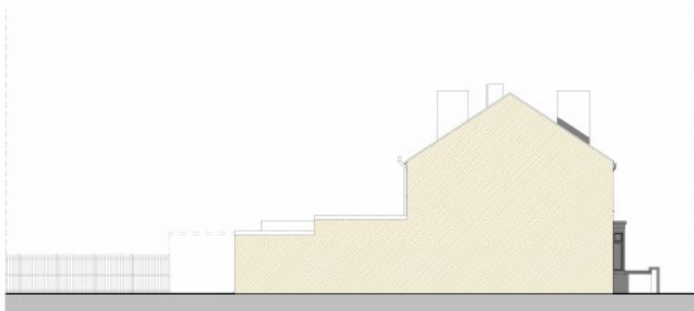
Plans (not to scale)



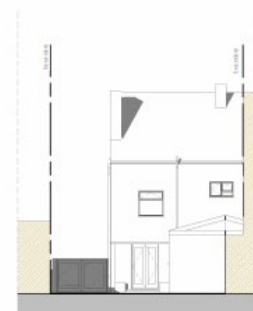
1 East Existing
1:100



1 South Existing
1:100

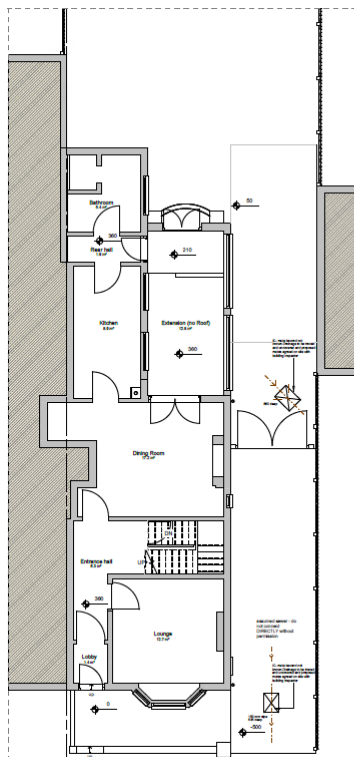


1 West Existing
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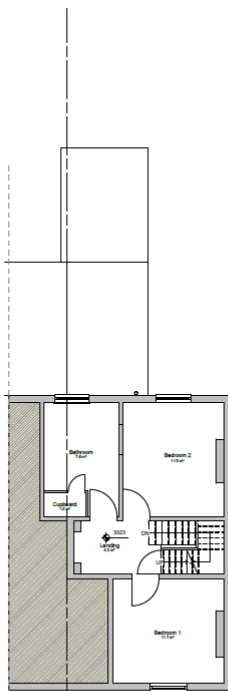


1 North Existing
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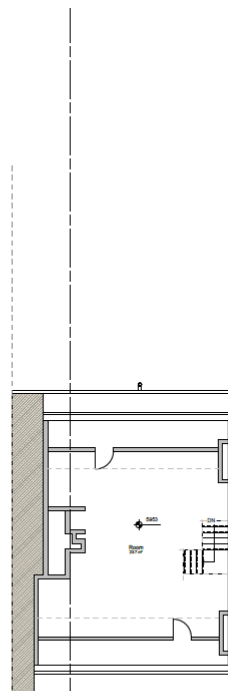
Existing elevation



1.0 Existing Ground Floor
1:50



1.1 Existing First Floor
1:50



1.2 Existing Second Floor
1:50



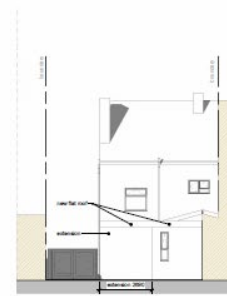
1.00 Existing Basement
1:50

Approved for planning purposes only. It is intended to be used in accordance with the manufacturer's technical specifications and should not be used for any other purpose. Planning applications should be made to the appropriate authority. The drawings are not to be used for construction purposes. The drawings are not to be used for any other purpose. The drawings are not to be used for any other purpose. The drawings are not to be used for any other purpose.

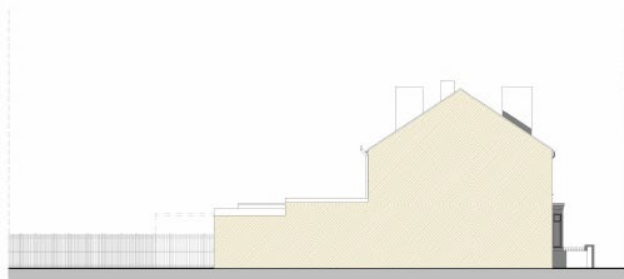
Existing floor plan



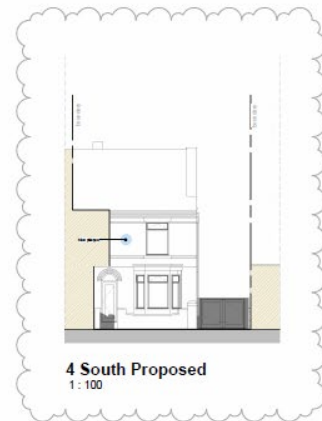
4 East Proposed
1 : 100



4 North Proposed
1 : 100

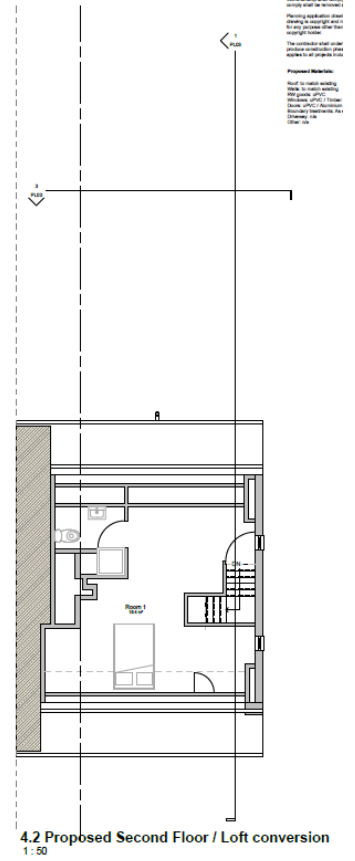
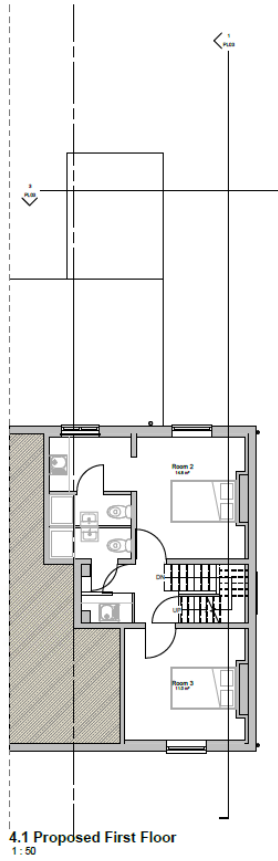
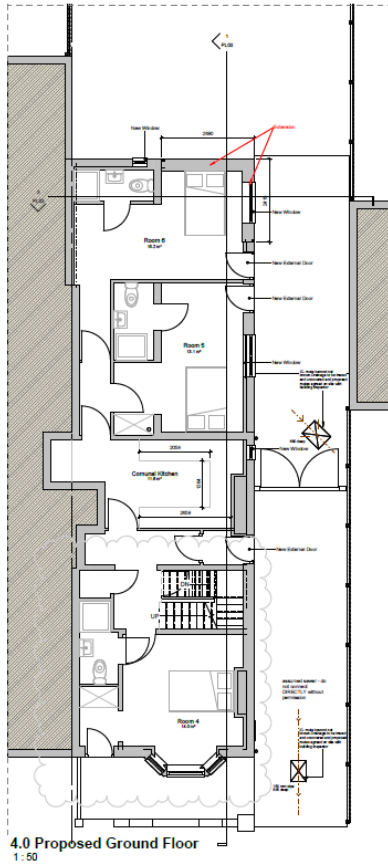


4 West Proposed
1 : 100



4 South Proposed
1 : 100

Proposed elevations



All drawings to be read in conjunction with the Planning Committee Report. The drawings are for information only and do not constitute a contract. The contractor shall be responsible for the construction of the works shown on the drawings. The contractor shall be responsible for the construction of the works shown on the drawings. The contractor shall be responsible for the construction of the works shown on the drawings.

Proposed floor plans