

Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>23/00627/FUL</b>
<b>LOCATION:</b>	<b>181 Nottingham Road, Nuthall</b>
<b>PROPOSAL:</b>	<b>Construct a single storey side/rear extension</b>

The application is brought to the Committee at request of Councillor P J Owen.

1. Purpose of the Report

1.1 The application seeks planning permission to construct a single storey side / rear extension.

2. Recommendation

**The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix.**

3. Detail

3.1 The application seeks full planning consent to construct a single storey side and rear extension to create an open plan lounge/kitchen and downstairs shower room. There is currently a rear conservatory with hipped roof and a detached garage to the rear of the site, both will be removed as part of the proposal.

3.2 The application site consists of a two storey semi-detached dwelling with a drive way and garden area to the front and a garden to the rear. The dwelling is located in a residential area with a mix of two storey and single storey properties.

3.3 The benefits of the proposed work are that it would extend an existing residential dwelling, would improve the property to the benefit of the occupants, be of an acceptable design, be of an acceptable scale, 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 to be no negative impacts.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:  
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

None.

## APPENDIX

1. Details of the application

- 1.1 This application seeks consent to construct a single storey side and rear extension following the demolition of the existing conservatory and rear garage. The extension will have a depth between 6m and 7.6m with a total width of 7.6m. The extension would have a flat roof with a maximum height of 3m and would have a pyramidal roof lantern (bringing the total height to 3.4m). Two rooflights would be inserted in the existing roof above the utility / dining area. The rear elevation would have a window and bi-folding doors, the west (side) elevation would have a window and the east (side) and front elevations would be blank.

2. Site and surroundings

- 2.1 The application site is located within a predominantly residential area and consists of a two storey semi-detached house with a hip roof. The materials are red bricks, white render and dark roof tiles. The property has a single storey rear extension with lean-to roof, a rear conservatory and a detached garage to the rear beside the boundary with no.179 Nottingham Road.
- 2.2 To the front, the site slopes up from south to north. There is a drop in level at the rear of 0.4m (stepped down, rather than sloped from south to north), and then slopes down towards the rear boundary with the A610.
- 2.3 At the front there is a paved driveway partially open to Nottingham Road with parking space for three vehicles.
- 2.4 No.179 Nottingham Road is a detached bungalow situated to the west of the application site. This property is at higher level than no.181 by approximately 0.8m, and has two windows on the side elevation facing the application site. The common side boundary is formed by a 0.8m high block wall with a 1.4m high fence above. The common rear boundary is a 1.6m high fence.
- 2.5 No.183 Nottingham Road is the adjoining two storey dwelling situated to the east of the application site. This property has a single storey rear extension and a rear conservatory extending outwards from this. There is an outbuilding in the rear garden along the boundary with no.185 which has a length of approximately 5.7m. The common rear boundary is a 1.8m high fence which decreases to 1.5m high towards the rear.
- 2.6 The rear garden is relatively generous with a length of 22m and is bound to the north by the A610.

3. Relevant Planning History

- 3.1 Planning permission was granted under reference 10/00122/FUL to construct a rear conservatory.

4. Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- 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 on 16 October 2019.

- Policy 17: Place-making, Design and Amenity

4.3 **Nuthall Neighbourhood Plan**

4.3.1 The Nuthall Neighbourhood Plans was approved on 13 December 2018

- Policy 5: Design and the Historic Environment

4.4 **National Planning Policy Framework (NPPF) 2023:**

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

5. Consultations

5.1 Two neighbours were consulted on the application, with two responses received. One raising no objection and one objecting for the following reasons:

- Design
- Size of the extension
- Light pollution
- Sense of enclosure/ tunnel effect
- Loss of light and over-shadowing
- Loss of privacy/overlooking
- Noise and smell
- Loss of view

6. Assessment

6.1 The main issues relate to whether the design and scale of the development would be acceptable, and whether there would be an unacceptable impact on neighbour amenity.

## 6.2 Design

- 6.2.1 In terms of mass and scale, it is considered that the development does not represent a disproportionate addition and will appear subservient to the main dwelling as the single storey rear extension would be situated in a similar position to the existing rear conservatory and would occupy part of the space of the existing garage. It is considered that because the extension is single storey, has a flat roof and would not significantly reduce the size of the application property's rear garden, the scale is acceptable.
- 6.2.2 In terms of design, the proposed extension is considered acceptable for a contemporary single storey side/rear extension not readily visible from the street. The development has been designed to provide an enhanced kitchen space for the occupiers. The design is considered acceptable and would not result in harm to the street scene, given its position to the rear, the set back and the existing boundary treatment.
- 6.2.3 The proposed materials are off white render and glass fibre with grey finish. The materials are considered to be acceptable.

## 6.3 Amenity

- 6.3.1 Whilst the proposal would extend beyond the west (side) elevation and would have a window in the side elevation, it will only project 1.4m towards no.179 Nottingham Road and the window will be obscurely glazed. Furthermore, there is currently a degree of mutual overlooking between the application site and no.179 due to the existing side windows (on both properties) facing each other. Therefore, it is considered that this would not impact upon the current situation and the extension would have no significant impact on the amenities of the occupiers of this property in terms of outlook, loss of light or privacy.
- 6.3.2 The extension is beside the boundary with no.183. Whilst the building is adjoining the common boundary and projects 2.1m beyond no.183's rear conservatory, it has a flat roof with a limited height of 3m and will not extend for the full length of no.183's rear outbuilding. No.183 has a long garden (approx. 17.4m) so this will help maintain openness. It is therefore considered that the development does not result in an unacceptable sense of enclosure for the residents of the neighbouring property.
- 6.3.3 Whilst the extension may result in some limited loss of light for the adjoining property, no.183 has a rear conservatory with glazed elevations and the properties have north east facing rear gardens, therefore the proposal does not have a significant impact on afternoon sunlight for the residents of no.183.
- 6.3.4 In regards to noise from the use of the extension, it is not considered that this would be excessive, the extension is for domestic purposes and the property

already has outside amenity space with a raised patio immediately outside the existing conservatory. Furthermore, the properties are bound by the A610, a heavily trafficked dual carriageway.

- 6.3.5 In regards to light pollution, although the single storey rear extension would be built beside the boundary with no.183, it is considered that the impact of the roof lantern and rooflights would be unlikely different to the impact caused by the existing glazed roofed conservatory. The proposed rooflights will only protrude a maximum of 0.4m above the roof and would be 3.3m away from no.183's rear elevation, therefore, it is considered unreasonable to condition them to be obscurely glazed given that direct views into the neighbouring property would be significantly limited due to the angle of view.
- 6.3.6 With regard to impact on loss of privacy, the extension will have a blank east elevation, therefore it is considered that the impact of the bi-folding door and rear window, would be unlikely different to the impact caused by the existing conservatory and first floor windows.
- 6.3.7 Overall it is considered that the proposed single storey rear and side extension will not result in an unacceptable loss of amenity for the residents of any neighbouring properties.

## 7. Planning Balance

- 7.1 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.

## 8. Conclusion

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

<b><u>Recommendation</u></b>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
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, Proposed Block Plan and Proposed Floor Plans and Elevations received by the Local Planning Authority on 12 September 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The extension shall be faced using off-white render finish, in accordance with the approved plans.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of Broxtowe Aligned Core Strategy (2014) and Policy 17 of Part 2 Local Plan (2019).</i></p>
4.	<p>The en-suite bathroom window on the side (west) elevation of the extension hereby permitted 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). This window shall be retained as such 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 10 of the Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<b>NOTES TO APPLICANT</b>	
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.	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.

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 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](http://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.

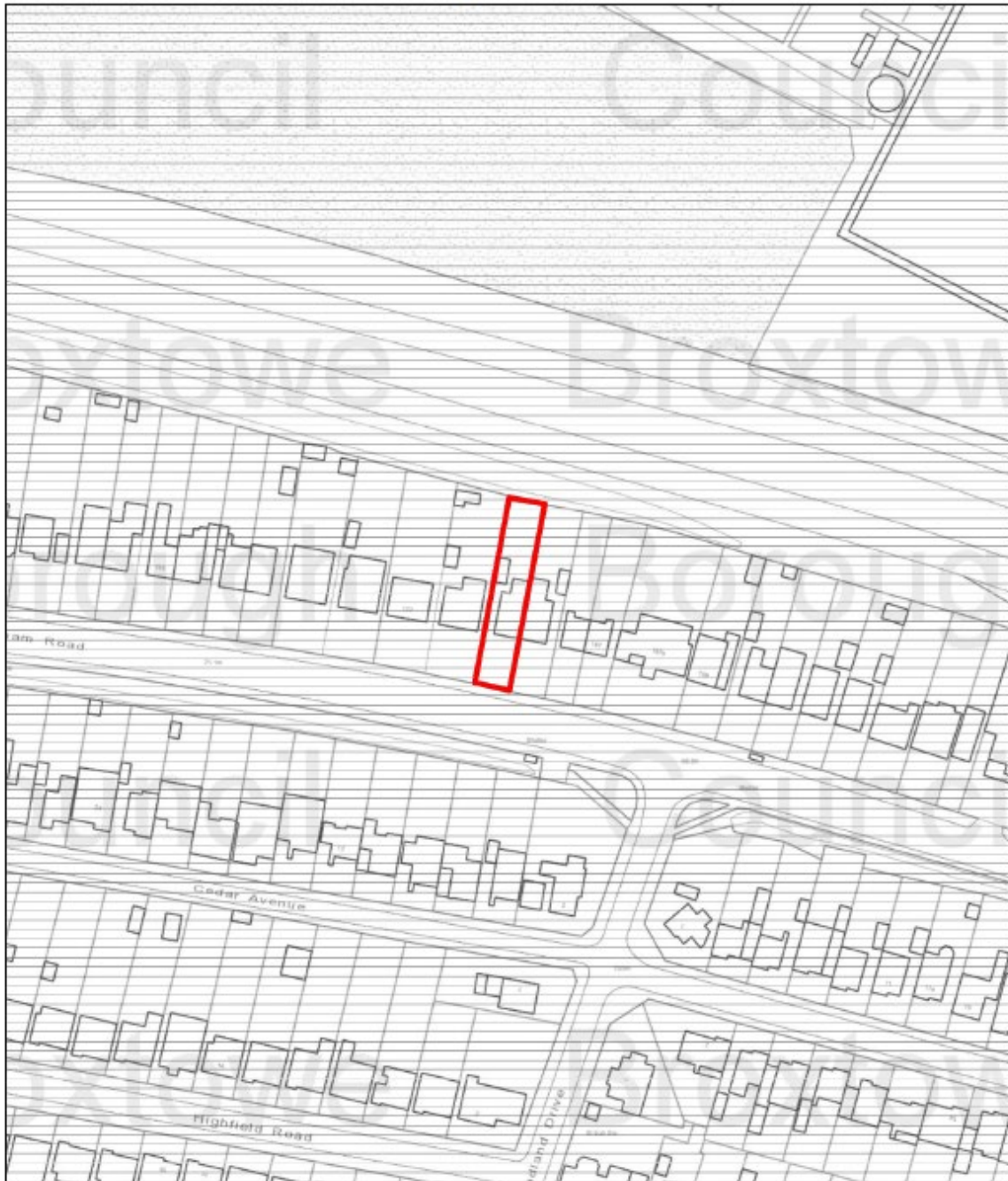
If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)





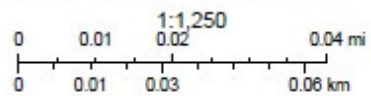
**Map**

23/00627/FUL -181 Nottingham Road, Nuthall NG16 1AE



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-  Coal Standing Advice
-  Site



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**Photos**



Front elevation



Rear elevation



Rear relationship with 179 Nottingham Road

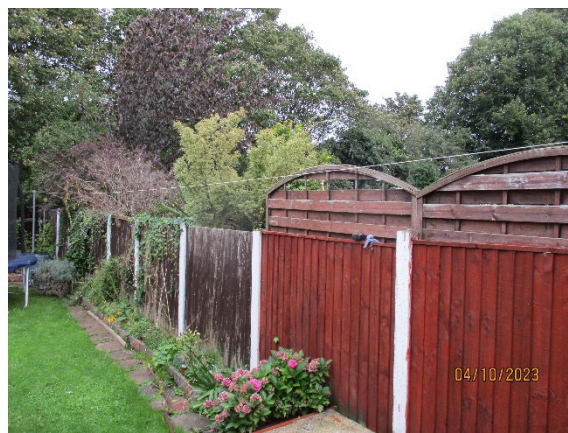


Front relationship with 179 Nottingham Road



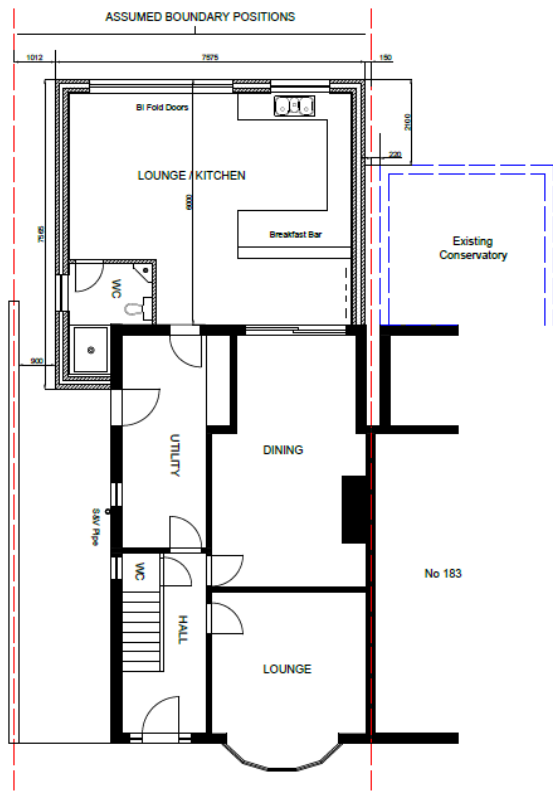


Relationship with 183 Nottingham Road

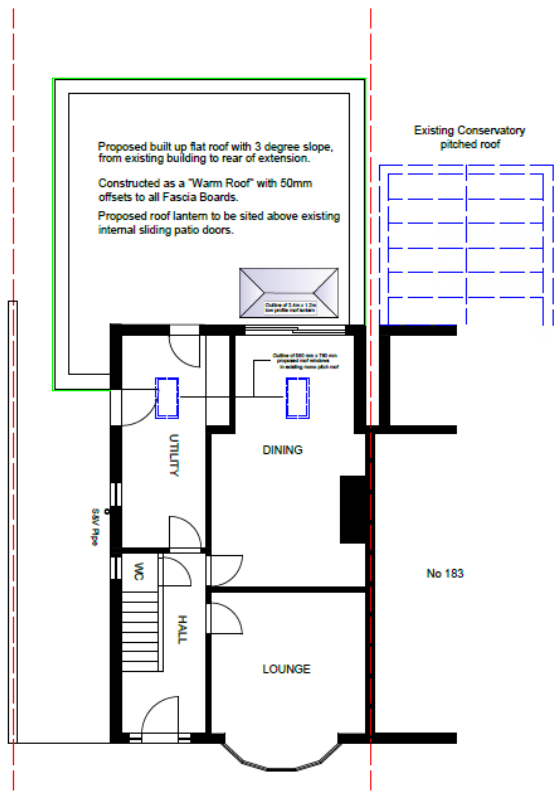


Rear boundary treatment with no.183

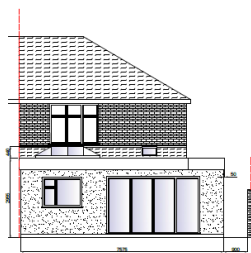
**Plans**



GROUND FLOOR PLAN



GROUND FLOOR ROOF PLAN



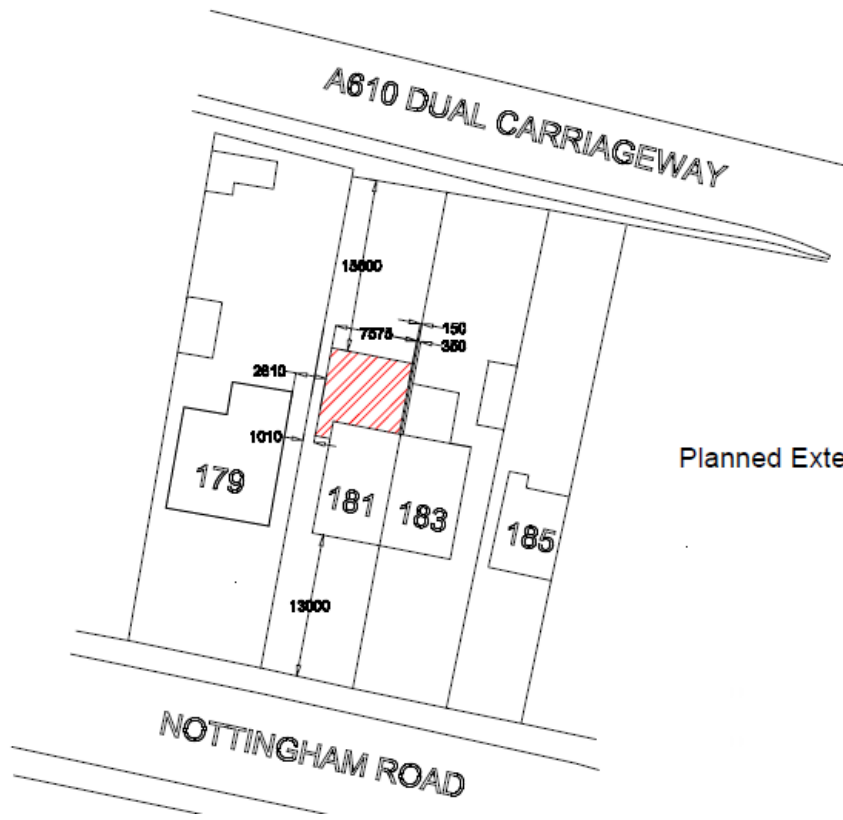
REAR ELEVATION



SIDE ELEVATION TO 179



FRONT ELEVATION



Planned Extension shown hatched