

Report of the Chief Executive

APPLICATION NUMBER:	23/00676/VOC
LOCATION:	76 Abbey Road, Beeston, Nottinghamshire, NG9 2QH
PROPOSAL:	Variation of condition 2 of application 21/00376/FUL

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

1. Purpose of the Report

1.1 The application seeks planning permission to vary condition 2 of 21/00376/FUL. The drawings submitted under reference 21/00376/FUL reflected the incorrect measurements of the original building meaning it would have not been possible to build in accordance with the approved plans in respect of the rear dormers. The dormers have therefore been redesigned in accordance with the correct dimensions of the building to closely resemble the previously approved rear dormers.

2. Recommendation

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

3. Detail

3.1 An application, reference 21/00376/FUL, to construct a two storey side extension, single storey rear extension and loft conversion with front and rear dormers was approved in July 2021. An application, reference 21/00696/FUL to change the use from a 3 bed HMO (house in multiple occupancy) to Class C4 for an eight bed HMO was approved in October 2021.

3.2 The 21/00376/FUL permission was not built in accordance with the plans and the main discrepancy was the rear dormers being built bigger. An application, reference 22/00861/FUL, was submitted to regularise this but was refused in January 2023 for the following reason: *The rear dormers, by virtue of their substantial size, dominate the roof resulting in a form of development that is harmful to the character of the host dwelling. The development is therefore contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Aligned Core Strategy (2014) and the NPPF (2021).* The application was not appealed.

3.3 The dormers have now been reduced in size under this application and it is considered this is more reflective of the originally approved scheme 21/00376/FUL.

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.

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 Nil.

APPENDIX

1. Details of the application

- 1.1 An application, reference 21/00376/FUL, to construct a two storey side extension, single storey rear extension and loft conversion with front and rear dormers was approved in July 2021. An application, reference 21/00696/FUL, to change the use from a 3 bed HMO (house in multiple occupancy) to Class C4 for an eight bed HMO was approved in October 2021.
- 1.2 The 21/00376/FUL permission was not built in accordance with the plans and the main discrepancy was the rear dormers being built bigger. An application, reference 22/00861/FUL, was submitted to regularise this but was refused in January 2023 for the following reason: *The rear dormers, by virtue of their substantial size, dominate the roof resulting in a form of development that is harmful to the character of the host dwelling. The development is therefore contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Aligned Core Strategy (2014) and the NPPF (2021).* The application was not appealed.
- 1.3 As previously stated the drawings approved under reference 21/00376/FUL were incorrect in their dimensions that the dormers could not be built in accordance with the approved plans. Therefore, they have been amended to take into consideration the comments from the Inspector and to align more so with the originally approved dormers. It is considered their reduction in size is now acceptable, does not dominate the roof space and is not dissimilar to the design of the 21/00376/FUL permission.
- 1.4 Minor amendments have been made to the internal arrangements but the property still will have eight bedrooms which has received approval via the 21/00696/FUL permission.

2. Site and surroundings

- 2.1 The site consists of a semi-detached house with gable roof, front gable feature with mock Tudor boarding and ground floor bay window in the front elevation. House is constructed from red bricks, white render and rosemary tiles. The house has been extended and has a two storey side extension with front/rear dormers and a single storey rear extension.
- 2.2 The site is enclosed by hedging to the rear and fencing to the front.
- 2.3 The site is located within walking distance of Beeston town centre and is within a residential area.

3. Relevant Planning History

- 3.1 Planning permission (ref: 21/00376/FUL) was granted in April 2021 to construct a two storey side extension, single storey rear extension and loft

conversion with front and rear dormers. This was implemented but the rear dormers were constructed incorrectly.

3.2 Planning permission (ref: 21/00696/FUL) was granted in October 2021 to change of the use of the property from a HMO for 3 occupants (Class C4) to 8 bed HMO. This has been implemented.

3.3 Planning permission (ref: 22/00861/FUL) to construct a two storey side extension, single storey rear extension and loft conversion (revised scheme) was refused in January 2023. This was an attempt to regularise the rear dormers that had been built incorrectly. This was appealed and subsequently dismissed (reasons stated above in paragraph 1.2).

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

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making

5. Consultations

5.1 7 neighbours were consulted on this application and no comments were received.

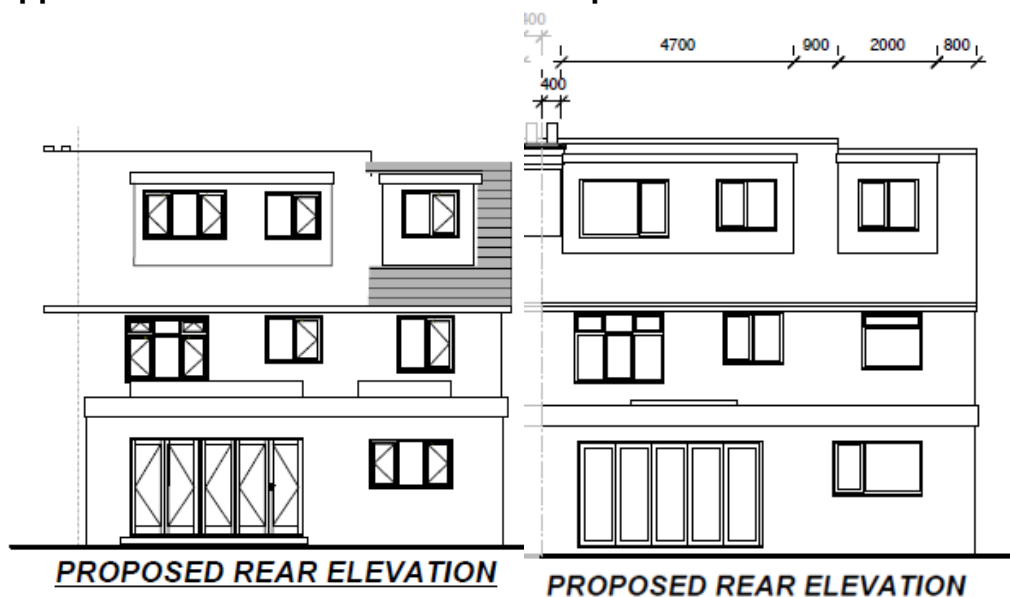
6. Assessment

6.1 The main issues relate to whether the principle of the rear dormers is acceptable. The two storey side extension (with front dormer), single storey rear extension and the use of the property as an eight bedroom HMO has received permission via the 21/00376/FUL and 21/00696/FUL permissions. Therefore, only the rear dormers will be assessed in detail below.

6.2 The below shows the dormers that were approved under 21/00376/FUL and the proposed dormers in this scheme.

Approved 21/00376/FUL

Proposed 23/00676/VOC



- 6.3 The larger rear dormer under the 21/00376/FUL permission was measured at 4.7m by 2m and the smaller rear dormer at 1.9m by 2m. The larger rear dormer under 23/00676/VOC is measured at 4.7m by 2m and the smaller rear dormer at 2m by 2m. The width of the full rear elevation as shown on 20/00751/FUL permission measured at 9.2m whereas on this application it is 8.8m. This means that whilst the proposed dormers are largely in line with the dimensions of the 20/00751/FUL permission, they will appear slightly bigger due to this discrepancy.
- 6.4 It is noted since the approval of the 21/00376/FUL permission there are some minor differences to the rest of the scheme, the main changes are e.g. removal of a roof light in single storey extension, difference in fenestration, single storey extension built up to the adjoining boundary line and different shaped front dormer.
- 6.5 Whilst it is acknowledged the dormers will not completely align with the approved dormers under 21/00376/FUL permission, it is considered they still represent an acceptable massing, scale and design. The dormers are considered to have been sufficiently reduced in size that they do not dominate the roof slope and are more in proportion with it which aligns with Policy 17 4(c) of the Part 2 Local Plan (2019) which states that dormers should not dominate the roof and Policy 10 2(d) which states massing, scale and proportion should be considered when assessing development. To conclude, it is considered the rear dormers are split and set up from the eaves, in from the sides of the roof and down from the ridge. The dormers do not strictly align with the original scheme under reference 21/00376/FUL but it is considered they are acceptable, represent a subservient appearance and accord with policy.

6.6 It is considered the other alterations proposed in this scheme are relatively minor and are not significantly different to what was approved under the 21/00376/FUL permission. Overall, the scheme, included the dormers, is considered to represent an acceptable level of design and there are no reasons that are apparent for its refusal. The comparison of both this scheme and the 21/00376/FUL permission can be seen in the appendix.

7. Planning Balance

7.1 The benefits of the proposal are that it would approve a scheme that is largely reflective of the original proposal which received permission under reference 21/00376/FUL. The proposal reflects an acceptable level of design and would not appear out of character with the surrounding area. Whilst it is acknowledged the history of the application, it is considered the proposal is acceptable and the dormers do not dominate the roof slope. On balance, the scheme is acceptable and should be approved.

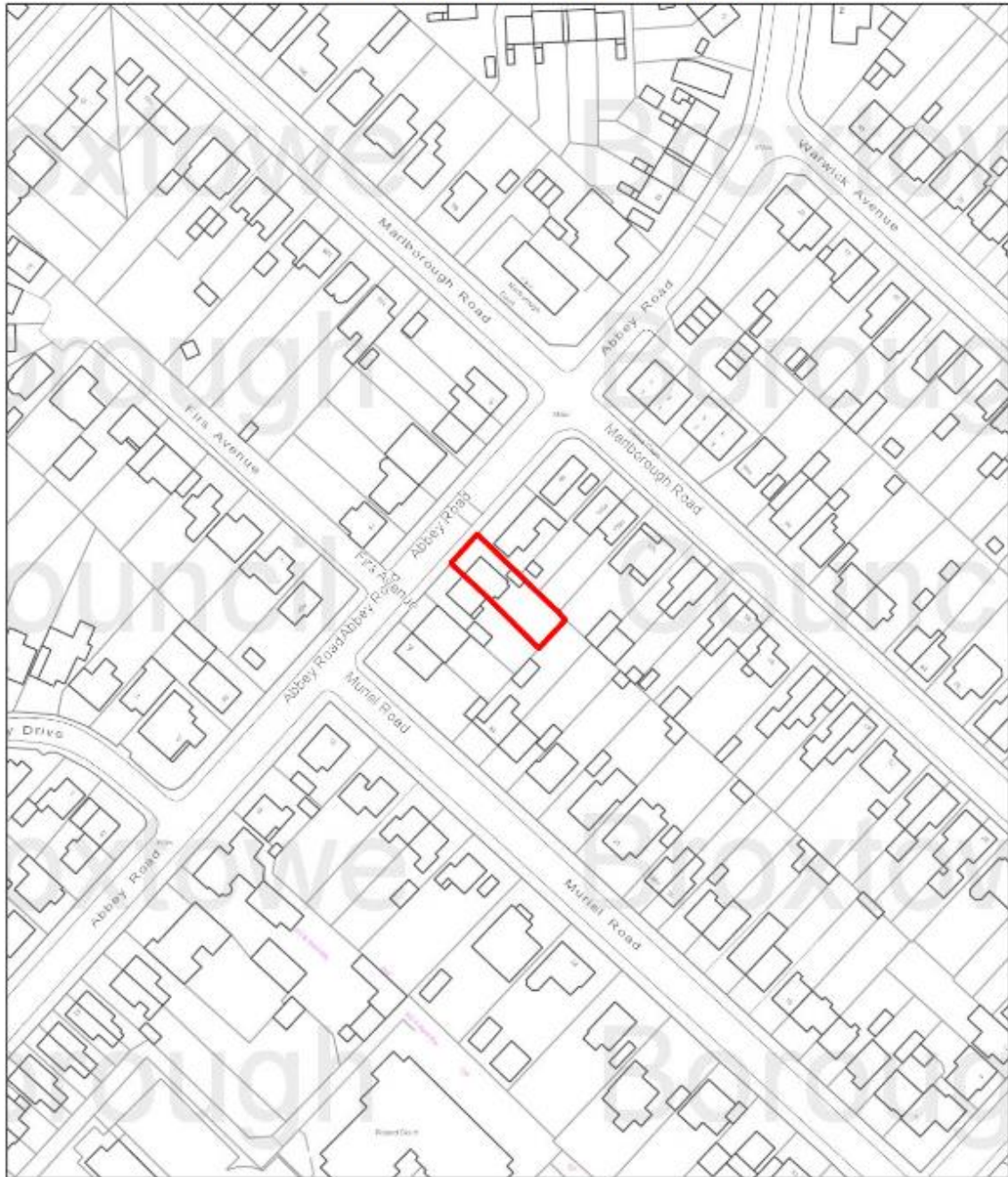
8. Conclusion

8.1 It is recommended that conditional planning permission be granted subject to the recommendation set out below.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be retained in accordance with drawings:</p> <p>Received on by the Local Planning Authority on 14 September 2023:</p> <ul style="list-style-type: none"> • Proposed Elevations ref: 74AR-23-P02 • Site Location Plan, Proposed Floor and Roof Plans and Site Location plan ref: 74AR-23-P01 Rev A <p>Reason: For the avoidance of doubt.</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.

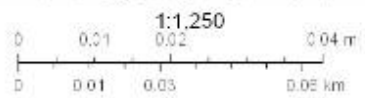
Map

23/00676/VOC 76 Abbey Road



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 Site



Photos



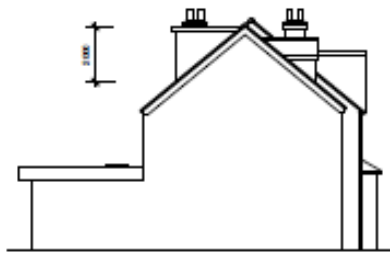
Rear elevation, no. 76 to the right



Front elevation of no. 76 to the left

Plans (not to scale)

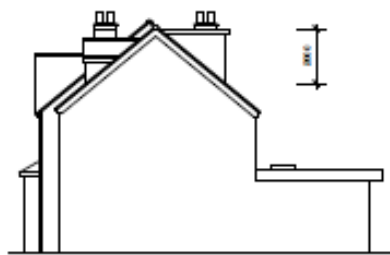
23/00676/VOC



SIDE (NORTH EAST) ELEVATION 1:100 @ A2



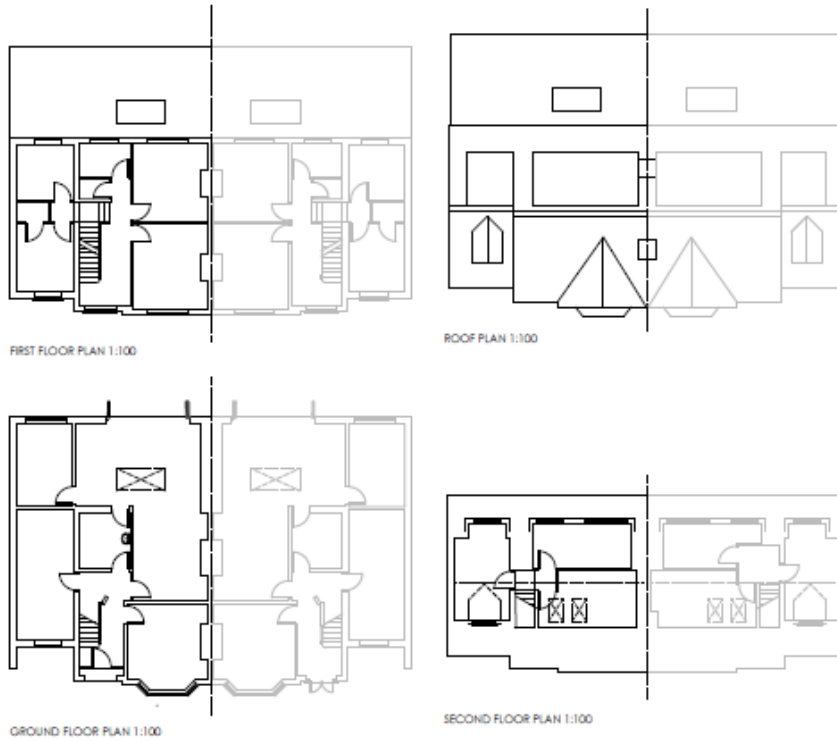
FRONT ELEVATION to ABBEY ROAD 1:100 @ A2



SIDE (SOUTH WEST) ELEVATION 1:100 @ A2



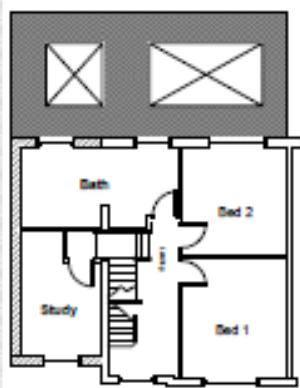
REAR (SOUTH EAST) ELEVATION 1:100 @ A2



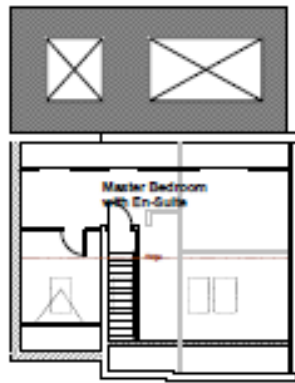
Plans (not to scale)

21/00376/FUL Approved

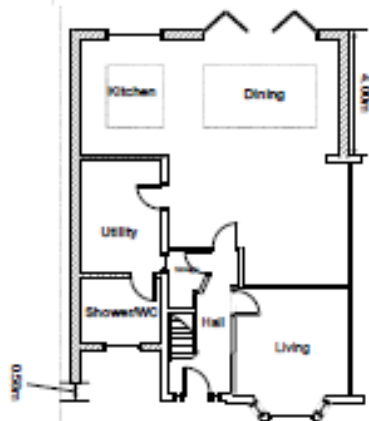




PROPOSED FIRST FLOOR



PROPOSED SECOND FLOOR



PROPOSED GROUND FLOOR