

Report of the Chief Executive

19/00122/FUL
CONSTRUCT SINGLE/TWO STOREY REAR EXTENSION AND CHANGE OF USE
FROM DWELLING HOUSE (CLASS C3) TO AN 8 BEDROOM HOUSE IN MULTIPLE
OCCUPANCY
44 FLETCHER ROAD, BEESTON, NOTTINGHAMSHIRE, NG9 2EL

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

1 Details of the application

- 1.1 The application seeks permission to construct a single/two storey rear extension and to change the use of the property from a C3 single dwelling house use to an eight bedroom house in multiple occupancy. An integral car parking space and cycle store will be provided. The existing single storey rear extensions will be demolished. The proposed two storey extension will have a hipped roof, a height to eaves of 5m and height to ridge of 8.1m and will be set down 0.3m from the main ridge. It will project 2.5m from the rear elevation of the house and extend across the full width. A single storey extension with a sloping roof will project beyond the rear elevation of the two storey rear extension by 4.2m and extend across the full width. It will be 3m in height and have a canopy roof which extends 1m to the rear. Two roof lights are proposed in the front roof slope and one roof light is proposed in the rear roof slope of the main roof of the property.
- 1.2 During the course of the application, the plans were amended to remove the hip to gable roof extension, reduce the number of bedrooms from 10 to eight, include a cycle store for two bikes and retain the integral car parking space.
- 1.3 The extension and change of use will serve a kitchen/dining/living room, car port/cycle store and three bedrooms with en-suites at ground floor level. At first floor level they will serve four bedrooms with en-suites and at second floor level they will serve a bedroom with en-suite.

2 Site and surroundings

- 2.1 The application property is a semi-detached house with hipped roof, front porch with lean-to roof and integral garage. The property has previously been extended with a single storey rear extension and adjoining rear conservatory and two storey side extension. A 1m high stone wall extends across the front boundary and a 1.8m – 2m high fence extends across the rear boundaries. There are two large coniferous trees and low level deciduous and coniferous vegetation in the rear garden. There is a patio and decking area positioned in the rear garden that is elevated by approximately 0.75m. There is an outbuilding with pitched roof positioned next to the rear boundary on the raised patio. The tram route runs along Fletcher Road and unallocated parking bays are positioned at either sides of the road.
- 2.2 Fletcher Road contains a traffic plug created by the tram route with mainly detached and semi-detached houses and is relatively flat. No. 46 is a semi-

detached house positioned to the north east and no. 42 is the adjoining house positioned to the south west and these are both semi-detached houses. No. 24 Myrtle Grove is a semi-detached house positioned to the south east which has a single storey front and two storey side extension. A number of the properties have had permission for single storey rear extensions including nos. 12, 14 and 49.



North west (front) elevation of application property



South east (rear) elevation of application property



Rear/side boundary with no. 42



Rear garden

3. Relevant planning history

- 3.1 A planning application (01/00676/FUL) for a two storey side and single storey rear extension received permission in October 2001.
- 3.2 A planning application (04/00837/FUL) for conservatory received permission in October 2004.
- 3.3 The extensions and conservatory have been built.

4. Policy context

4.1 **National Policy**

4.1.1 The National Planning Policy Framework (NPPF) February 2019, 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 Paragraph 109 states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 105 states if setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

4.1.3 Paragraph 155 outlines how inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

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 1: Climate Change' sets out how climate change will be tackled and adapted to and sets requirements for sustainable design of buildings.

4.2.4 'Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6,150 in the Broxtowe Borough part of GN, of which 3,800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.

4.2.5 'Policy 8: Housing Size, Mix and Choice' states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. All residential developments should contain adequate internal living space.

- 4.2.6 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 has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy H4 'Subdivision or adaption of existing buildings' states that new housing will be permitted if an acceptable standard of amenity and parking is provided.
- 4.3.3 Policy T11 'Guidance for parking provision' states that new development will not be permitted unless appropriate provision is made for vehicle parking and servicing.

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 recently been examined, with the Inspector's report awaited. The representations on the plan included 7 representations in relation to Policy 1, 12 representations in relation to Policy 15 and 11 representations in relation to Policy 17. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 1 and 17. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 1 and 17 can now be afforded moderate weight. As further modifications have been requested for Policy 15, this can only be afforded limited weight.
- 4.4.2 Policy 1 'Flood Risk' states that development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt; and in the case of fluvial flooding, the proposal is protected by the Nottingham Trent Left Bank Flood Alleviation Scheme or other flood defences of equivalent quality; and adequate mitigation measures are included.
- 4.4.3 Policy 15 'Housing Size, Mix and Choice' states that development should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the borough are met.
- 4.4.4 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.

5. Consultations

- 5.1 Nottinghamshire County Council as Highways Authority: no objection. They note one car parking space has been provided which is acceptable as the application

has outlined the future occupants will likely be students and the use of private vehicles will be discouraged unless to support those with a disability. Their preference is for the parking space to be used as a cycle store unless to support a future occupant with a disability as mentioned in the Design and Access Statement.

- 5.2 Nottingham Express Transit (NET): A permit will be required due to the close proximity to the overhead lines and tramway and no vehicles should cause delays or disruptions by obstructing the tramway. A "Working Near NET" leaflet should be issued to the applicant. Skips being located on the application site, the reduction in bedrooms and no highway safety concerns raised by the Nottinghamshire County Council means there is no objection to the application.
- 5.3 The Environmental Health Officer raises no objection subject to an advisory in respect of sound insulation, working hours and no bonfires taking place on the site at any time.
- 5.4 The Private Sector Housing Officer has no objection but has stated that the kitchen/dining/living room does not have natural light or ventilation and provision should be made, fire safety methods should be incorporated and the property would be subject to licensing.
- 5.5 There have been 8 objections received and one letter of support which can be summarised as follows:
- Increased noise/disturbance from additional residents
 - Reduction in light to side facing windows and patio area from two storey extension
 - Road is already heavily congested and parking is severely limited
 - Insufficient parking
 - Road is congested by builders vans and skips
 - Supporting documents states Fletcher Road is subject to permit parking which is incorrect
 - Not in keeping with local area
 - Sets a precedent for overdevelopment of properties in local area
 - The Council should impose the same restrictions Nottingham City Council have in regards to HMO properties
 - More than half the properties along Lower Road and Fletcher Road have been converted from houses into student accommodation to the detriment of young couples trying to find family homes
 - Family area being turned into a student ghetto
 - Increase in student lets since the tram works have been completed
 - Drains are in poor condition on Fletcher Road
 - Negatively impacting on the social cohesion of the area
 - Neglect of gardens
 - Increase concentration of other demographics in other areas of Beeston which will affect local services such as primary schools.

6.1 Appraisal

- 6.1.1 The main issues to consider with this application are the principle of the change of use and impact on the character of the area, the impact on neighbour amenity, design and parking.
- 6.1.2 Specific concerns raised in the consultation responses relate to an increase in traffic and parking problems, increase in noise, out of character with the area and the contribution to a rise in HMO's in this area. These concerns will be addressed below.

6.2 Principle

- 6.2.1 Policy 8 'Housing Size, Mix and Choice' states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. The policy also states that all residential developments should contain adequate internal living space. The policy then refers to the need to redress the housing mix within areas of concentration of student households and Houses in Multiple Occupation.
- 6.2.2 Policy 8 encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the street. Fletcher Road is characterised by varying styles of properties including family homes and HMO's. The development would add to the housing mix and it is considered that the character of the street would not be harmed to an extent which would justify refusing planning permission. It is also noted that the property is within walking distance to Beeston town centre and located on a tram route.
- 6.2.3 It is acknowledged that due to the location of Fletcher Road being close to The University of Nottingham's campus and the Article 4 direction imposed from Nottingham City Council, family homes have been and are being developed into student houses within Beeston. There are no planning restrictions to prevent a House in Multiple Occupation (HMO) (up to and including six residents) and although this application is for a change of use for eight residents which requires planning permission, the cumulative impact of family homes being converted is a valid concern raised by residents. However, there are still a considerable amount of houses occupied by families on Fletcher Road and elsewhere in central Beeston. In addition, the extension and conversion of a property that is already being rented to individual tenants is considered to be acceptable that it would not be detrimental on the character of the surrounding area. To conclude, the proposed extension would be acceptable irrespective of the type of tenant and retains a 'family home' appearance that is in keeping with the character of Fletcher Road.

6.3 Amenity and design

- 6.3.1 The two properties that will be mostly affected by this application are the adjoining property no. 42, positioned to the south west and no. 46, positioned to the north east. The proposed two storey rear extension will project 2.5m from the rear elevation of the main property which is considered to be a modest size. It will

have a height to eaves of 5m, a height to ridge of 8.1m and a hipped roof which is set down from the main ridge by 0.3m. The north east and south west elevations will be blank and the two storey extension will be approximately 0.4m from the boundary with no. 46. Whilst it is accepted the extension being positioned south west of this neighbouring property will cause some loss of light to the rear patio area of no. 46, it is considered the combination of the modest sized projection, blank north east elevation, hipped roof and distance from the boundary are sufficient that the extension will not have a detrimental impact on the occupants of this neighbouring property. The proposed two storey extension will be built up to the boundary with no. 42. However, considering the application property is positioned to the north east of the property, the blank south west elevation of the extension, hipped roof and modest sized projection, it is considered there will not be a significant detrimental impact on the occupants of no. 42.

- 6.3.2 The single storey rear extension will project from the rear elevation of the two storey rear extension by 4.2m. It will have a sloping roof with a maximum height of 3m and a canopy roof that extends 1m beyond the rear elevation. Whilst it is acknowledged both extensions will project a total of 6.7m at ground floor level from the rear elevation of the main property, 4.2m of this will be the single storey rear extension which is a maximum of 3m in height which is considered acceptable. Furthermore, the extension will have blank side elevations and will be partially obscured by the boundary treatment of a fence extending across the north east and south west boundaries. It is considered the single storey rear extension will not have a detrimental impact on the amenity of the occupants of nos. 46 and 42.
- 6.3.3 The extension will be a minimum of 16.1m from the rear boundary of the application site and therefore it is considered it will have minimal impact on the amenity of the occupants of no. 24 Myrtle Grove. It is considered the proposed extension is a sufficient distance from the remaining surrounding neighbours that there will be minimal impact on their amenity.
- 6.3.4 Although the roof lights will serve bedrooms, they are in the front and rear elevations and therefore it is considered they will not be directly overlooking neighbouring properties and are therefore considered to be acceptable in relation to impact on neighbour amenity.
- 6.3.5 The Private Sector Housing Officer has raised concerns that the living area does not have any natural light or ventilation. Whilst the proposed kitchen/dining/living area will not have any windows for natural light or ventilation, the opportunity for additional windows are not practical due to the north east elevation of the property facing a brick wall (south west elevation of no. 46). Albeit approximately 4m from the kitchen/dining/living room, the rear door in the single storey extension is fully glazed and will provide some light and can provide ventilation if required. It is considered the application is acceptable on amenity grounds as each bedroom has sufficient outlook and it would not be justifiable to refuse the application based on this issue.
- 6.3.6 It is considered the proposed extension and subdivision of the property into eight bedrooms provides an acceptable standard of amenity for future occupants. Each bedroom is an acceptable size and has an individual en-suite and although

the kitchen/dining/living room will be required to rely on artificial light, for the reasons stated above, it is considered this is acceptable and will not be detrimental to the amenity of the future occupants.

- 6.3.7 It is considered the proposed extension achieves an acceptable level of design and is in keeping with the main property. As a two storey side extension has been previously constructed to the north east of the application property, it was advised to retain the hipped roof to ensure a cramped effect is not created with no. 46. The hipped roof of the two storey rear extension ties in with the main hipped roof and the set down of 0.3m creates a subservient appearance. It is considered the single storey rear extension is of a simple design and the sloping roof reduces the bulk of the extension compared with a pitched roof. As the extensions are to the rear of the property, they will be largely obscured from view and therefore have minimal impact on the street scene of Fletcher Road. The proposed roof lights are considered to be modest additions to the roof and are of an acceptable design. The garage door in the front elevation will be removed and will remain open to serve the integral parking space which is considered an acceptable design feature. The application form states a matching rosemary clay tile and white sand cement render will be used for the extensions. As these materials are not stated on the plans, they will be conditioned to ensure they match the main property. To conclude, it is considered the extensions are acceptable in relation to design and size and a 'family home' appearance will still be retained.

6.4 **Parking**

- 6.4.1 It is evident within the consultation responses that there is concern that this application will lead to increased demand for on-street parking which would be detrimental to the area.
- 6.4.2 In relation to assessing the highway impacts of a proposal, paragraph 109 of the National Planning Policy Framework states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of planning applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.
- 6.4.3 The site lies within a sustainable location which is within walking distance of Beeston town centre, walking distance of regular bus services along Middle Street and Broadgate and it is positioned on a regular tram route. Fletcher Road is not a through route for cars due to the traffic plug with Lower Road. The Highways Authority have not raised any concern in relation to the application. Although it is accepted the residents associated with this development may have cars, it is likely that car ownership will be low and therefore it is considered the impact on highway safety would not be detrimental. Parking bays are situated on either side of Fletcher Road and although unallocated, when full, this would restrict the amount of parking on this road.

- 6.4.4 To conclude, it is acknowledged there might be an increase in the amount of cars associated with this property. However, as the intention is to let the rooms individually, it is likely that car ownership will be low. Considering the traffic plug, no private car through traffic can be increased from such a development and therefore, a pragmatic approach needs to be taken in respect of assessing the impact this development would have on highway safety within this area.

6.5 Flood Risk

- 6.5.1 The site lies within Flood Zone 3 which is land with a high probability (1 in 100 or greater) of river flooding. A Flood Risk Assessment has been submitted with the application. Paragraphs 155 – 158 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere. Plans should apply a sequential, risk-based approach to the location of the development. However, if the application comprises a change of use then this approach is not required, especially considering the vulnerability class will remain the same. The site is therefore considered to be acceptable sequentially.
- 6.5.2 Within Beeston there are substantial areas which are within Flood Zones 2 and 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Moderate weight can be attached to Policy 1 of the Part 2 Local Plan which acknowledges that sites protected by the Nottingham Trent Left Bank Flood Alleviation Scheme bring the opportunity to provide affordable housing in areas of substantial need and the Green Belt will be treated as a major constraint with regard to whether other sites are 'reasonably available'.
- 6.5.3 The Environment Agency (EA) have raised no objection to this application subject to conditions requiring the development to be carried out in accordance with the submitted flood risk assessment and flood mitigation measures, such as raised electrical sockets, flood resistant flooring and air brick covers, being incorporated. A recommendation has been made for future occupants to sign up to the EA's flood warning system and that a flood evacuation plan is made available for such residents by the property owner.
- 6.5.4 To conclude, it is considered that a sufficient assessment of this application has been made considering the site is protected by good quality flood defences, has a site specific FRA demonstrating the development is acceptable on flood risk grounds and a suitably worded condition is included requiring the development to be carried out in accordance with the FRA and flood mitigation measures. It is considered that the development would be compliant with the requirements of the NPPF in relation to flood risk and is therefore acceptable on flood risk grounds.

6.6 Other Issues

- 6.6.1 The agent has confirmed the applicant will keep any skips on the application site so as to not obstruct the tram way.

- 6.6.2 The Environmental Health Officer has raised no objection subject to an advisory in respect of sound insulation, working hours and no bonfires taking place on the site at any time which will be included.
- 6.6.3 The Design and Access Statement states that on-street parking is subject to parking permits along Fletcher Road. However, parking is not restricted by permits along this road.
- 6.6.4 The Private Sector Housing Officer has raised no objection but has stated that fire safety methods should be incorporated and the property would be subject to licensing.
- 6.6.5 The quality of drains is not a planning consideration that can be taken into consideration with this application.
- 6.6.6 Any highway safety concerns in relation to vans and skips should be reported to the Highways Authority.
- 6.6.7 It is the responsibility of property owners to ensure a tidy garden is maintained and an assumption cannot be made this will not be continued by changing the use of this property.

7. Conclusion

- 7.1 In conclusion, it is considered that the extension would be in keeping with the original property in terms of style and proportion and will not have a detrimental impact on the street scene of Fletcher Road. It is considered the extension would not cause an unacceptable loss of privacy or amenity for the occupiers of neighbouring properties and it is considered the proposal is acceptable in terms of flood risk. The change of use from a Class C3 dwelling house to a house in multiple occupancy is considered to be acceptable given the varied character of the area. Whilst it is acknowledged one car parking space is provided, it is considered this would not be detrimental to highway safety due to the bedrooms being individually let so car ownership is likely to be low. Furthermore, the site is positioned within a highly sustainable area with frequent transportation links. Therefore, it is considered the proposal is acceptable for the reasons set out above.

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 drawings: Site Location Plan (1:1250) and JG/JR/18/049/01 Rev D received by the Local Planning Authority on 28 March 2019.**

3. The development hereby permitted shall be constructed in accordance with the submitted Flood Risk Assessment prepared by Michael Evans & Associates Ltd, ref: 19-010, dated February 2019, in accordance with the mitigation measures detailed in sections 5.4.1 and 5.4.2 and incorporate flood mitigation measures with raised electrical sockets, flood resistant flooring and air brick covers. These mitigation measures shall be maintained and retained for the lifetime of the development.
4. The extension shall be constructed using render, bricks and tiles of a type, texture and colour so as to match those of the existing house.

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 reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014).
4. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).

Note to applicant:

1. The Council has acted positively and proactively in the determination of this application by working to determine this application within the agreed determination timescale.
2. Given the proximity of residential properties, contractors should limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There should be no bonfires at any time.
3. Sound insulation to limit the transition of noise between each bedroom so that it achieves the minimum requirements as set out in the most current version of the British Standard Approve Document E should be installed.
4. Occupiers are advised to sign up to the Environment Agency's Flood Warning System for the River Trent:
<https://www.fws.environment-agency.gov.uk/app/olr/register>.

A completed Flood Evacuation Plan should be made available to all future occupants.

5. It is not permitted at any time for vehicles to obstruct the tramway and all works should be carried out in accordance with the instructions contained within the "Working Near NET" leaflet.

- 6. Properties containing five or more bedrooms, with the intention of being let out individually, will require a licence for a House in Multiple Occupancy (HMO). As the property is not currently mandatory licensable, please contact the Private Sector Housing team to ensure it complies with relevant housing legislation on 0115 917 7777.**

Background Papers
Application Case File

