

Report of the Interim Chief Executive

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| APPLICATION NUMBER: | 25/00724/FUL |
| LOCATION: | 15 Newton Drive, Stapleford. NG9 7GS |
| PROPOSAL: | Construct two storey side/rear extension and single storey rear and front extensions |

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

1. Purpose of the Report

- 1.1 The application seeks planning permission for a two storey side/rear extension and single storey front and rear extensions.

2. Recommendation

The Committee is asked to resolve that planning permission be granted for the reasons outlined in the appendix.

3. Detail

- 3.1 The application seeks planning permission for the construction of a two storey side/rear extension and single storey front and rear extensions. The two storey side extension will extend to the side by 3m and will have a depth of 9.9m and would lightly extend 0.6m towards the rear elevation. The two storey extension would have a hip roof with a ridge height between and 6.8m and 6.2m as the rear section is set down further, with an eaves height to match the house. The single storey rear extension will project 4.1m beyond the rear wall and would have a total width of 8.2m, the rear element would have a lean-to roof with a ridge height of 3.6m and an eaves height of 2.5m. The front porch will extend 1m beyond the front elevation and would have a width of 1.9m, it would have a gable roof with a ridge height of 3.5m.

- 3.2 The main issue relate to whether the principle of the proposed development is acceptable in terms of location, design, scale, parking issues and impact on neighbour amenity.

- 3.3 The benefits of the proposal are that it would that it would be an enlargement to an existing residential dwelling, would have an acceptable design, 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 no negative impacts therefore the proposal is acceptable.

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:

- 7.1 Nil.

Appendix

1. Details of the application

- 1.1 The application seeks permission for a two storey side/rear extension and single storey front and rear extensions.
- 1.2 The plans as originally submitted specified that the two storey side/rear extension would extend to the side by 4m and would have a depth of 9.9m at first floor level and 11.6m at ground floor level. Amended plans have been received which show that the two storey side extension has been reduced in width and length, the extension would be 3m wide and will have a depth of 9.9m. The two storey extension would have a hip roof with a ridge height between 6.8m and 6.2m with an eaves height to match the house. The roof would be set down from the main roof between 0.5m and 1.1, and the front elevation would be set back by 1.7m from the principal elevation. The single storey rear extension will project 4.1m beyond the rear wall and would have a total width of 8.2m, the rear element would have a lean-to roof with a ridge height of 3.6m and an eaves height of 2.5m. The front porch will extend 1m beyond the front elevation and would have a width of 1.9m, it would have a gable roof with a ridge height of 3.5m.

2. Site and surroundings

- 2.1 The application site consists of a semi-detached two storey dwelling with a driveway to the side, a small garden area to the front, and a garden to the rear. The dwelling is located on a cul-de-sac with similar dwellings within the street scene. The application site is located within a residential area.
- 2.2 In regards to neighbouring properties, the site is located in a built up residential area of Stapleford. Immediately to the south is located 17 Newton Drive a two storey detached dwelling that has a single storey side/front extension that projects toward the common boundary. 16 Newton Drive which is a semi-detached two storey property is located to west of the application site, on the opposite side of Newton Drive, this property has a two storey side extension and a detached garage to the south.
- 2.3 12A Newton Drive is the adjoining two storey property which is to the north of the application site. This property has a single storey rear extension that projects approx. 3.3m and forms part of the common boundary. To the north east of the site are located nos.10 and 11 Portland Crescent semi-detached two storey properties. To the south east of the application site is located 4 Borlace Crescent a semi-detached two storey dwelling. Due to the existing boundary treatment which consists of tall mature trees properties on Portland Crescent and Borlace Crescent are not visible from the application site's rear garden.

3. Relevant Planning History

- 3.1 There is no relevant planning history for this site post 1974.

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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**

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) 2024**

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making.
- Section 12 - Achieving well-designed and beautiful places

5. Consultations

5.1 Consultees

- Cllr J W McGrath - called in to committee
- Cllr S Paterson – no comments received
- Stapleford Town Council – no comments received

5.2 6 Neighbours were consulted on the application. Ten responses were received raising objections to the proposed development and can be summarised as follows:

- Parking issues
- Highway safety / access issues
- Impact on neighbour amenity
- Loss of light
- Sense of enclosure/ overbearing impact
- Design not in keeping with surrounding properties
- Overdevelopment
- Potential use as a HMO which would increase on street parking availability
- Potential increase of occupants
- Issues related to internal works been carried out
- Disruption due to building works, noise
- Potential presence of asbestos
- Rubbish left outside the property
- Impact on street scene

- Construction Management Plan should be submitted
- Limited neighbour consultation
- Removal of permitted development rights to avoid the change of use
- Breach of planning control / construction works already started

Revised plans were submitted and 14-day neighbour consultations undertaken. Seven responses were received raising further objections reiterating the same issues as set out above and highlighting the following issues:

- Loss of privacy
- Scale of development
- Site's lack of off-street parking
- Traffic issues caused by delivery lorries

6. Assessment

6.1 Principle

6.1.1 The principle of single storey front and rear extensions and a two storey side/rear extension to an existing dwelling within a residential area in this location, is deemed acceptable in regard to the existing character of the dwelling and the surrounding area. The main issues for consideration are the impact of the development on neighbour amenity, the design of the development and the impact on the street scene and impact on highway safety.

6.2 Design and Layout

6.2.1 Policy 10 states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.

6.2.2 Policy 17 of the Part 2 Local Plan 2019 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. Policy 17 also states that two storey side extensions should avoid a terraced or cramp effect.

6.2.3 In terms of mass and scale, it is considered that the extensions do not represent a disproportionate addition, and are considered to be of a size and scale that is in keeping with the host dwelling. The two storey side extension will extend to the side by 3m and will replace the existing garage and an existing single storey side extension. The roof height will be set down between 0.5m and 1.1m from the main roof, and the set back will help to ensure the extension is subservient in appearance to the main dwelling. Furthermore, following the receipt of amended plans, the proposed side extension has been reduced in length, being set further back into the site, and as such is not considered to have an overly wide frontage relative to the host dwelling, therefore is not considered to dominate the host dwelling.

6.2.4 The proposed side extension is not considered to be harmful to the street scene or out of keeping with the character of the area. There are no neighbouring

properties directly to the south of the application site and the extension will therefore not result in a terracing effect.

6.2.5 The front porch is a relatively minor addition to the front of the dwelling. It will not be prominent in the street scene and is of a size that is not considered to be out of keeping with the character of the surrounding area. Overall, the design of the porch is considered acceptable. The design of the single storey rear extension is relatively simple with a lean-to roof arrangement, and the sliding doors are positive additional design element. Overall, the design of the single storey rear extension is considered acceptable.

6.2.6 To summarise, it is considered the proposed development achieves an acceptable level of design that is not out of keeping with the surrounding area.

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 Numbers 4 Borlace Crescent and 10-11 Portland Crescent which are to the south-east and north east would not be impacted by the proposal since the works would be largely screened by the existing boundary treatment and these properties would be over 19m away from the proposed development. Due to the boundary treatment, the potential impact of the development on these neighbours is considered to be minimal, meaning loss of light, privacy and overlooking would not be considered significant.

6.3.3 The most directly affected by the development will be number 17 Newton Drive. This property is located to south of the application property and is positioned at lower level than the application site, with an approx. difference in level of 0.7m. The proposed side extension would have no windows in the side elevation and would be 3.1m away from the common boundary. Whilst this property is at a lower level and the extension is in close proximity to the common boundary, no.17 is a two storey detached dwelling, has a large front and side single storey extension which projects toward the boundary with no.15 that provides separation distance between the main part of this property and the proposed development. Furthermore, no.17's front extension forms a garage and the extension to the rear of the garage is not visible from the application site's rear garden. Whilst the proposed extension will be clearly visible from no. 17, it is considered that there is sufficient separation distance to ensure the proposal will not result in an unacceptable loss of light or sense of enclosure for the residents of this neighbouring property. It is also considered the separation distance is sufficient to ensure an unacceptable loss of privacy will not occur, especially given that no windows are proposed in the side elevation.

6.3.4 In respect to no.12A, the adjoining property located to the north of the application site, as the two storey side extension is positioned to the opposite side (south) elevation, it will be located 4.6m from the common boundary. The proposed

single storey rear extension will only project 0.7m beyond no 12A's rear elevation and the proposed roof height would be similar to no.12A's rear extension. The two storey element has no windows at first floor level in the facing elevation. As such, it is considered that neither element of the proposed development would have a significant impact on the amenities of the occupiers of this property in terms of loss of light, overbearing impact, outlook or privacy.

6.3.5 The proposed development is considered to be an acceptable separation distance from all other surrounding neighbours. To conclude, it is acknowledged that there will be some impact on neighbour amenity, however, the impact would not be so detrimental as to warrant a refusal.

6.4 Access

6.4.1 A number of concerns have been raised regarding the parking arrangement once the extension is built which would form a 5 bedroom house and the impact that the proposed development will have on parking along the road. Following these concerns, amended plans were received showing that the two storey side extension has been reduced in depth from 11.6m to 9.9m in order to provide access to the side of the property and create off street parking for two vehicles. The driveway would have a length of approx. 10.4m with a width between 3.1m and 3.7 and it is considered that this would be sufficient for the parking of two vehicles off street. As such it is considered that the proposed development would not have a significant detrimental impact in respect of increased pressure to on-street parking, and that the provision of two parking spaces would be sufficient for a property of this size.

7. Other matters

7.1 Regarding the procedures followed by the Council to consult the neighbours, consultation letters were sent to all adjacent neighbours, therefore the Council has carried out its legal requirement for a neighbour consultation.

7.2 An observation was made regarding potential disruption during construction (noise). A degree of disturbance is to be expected from construction works. Anything that is considered to be excessive, for example at unreasonable times of the day or night, could be reported to the Environmental Health Department.

7.3 Concerns have been raised in relation to the potential use of the property as a HMO. Whilst the proposal will add additional bedrooms to the property with the potential to intensify the residential use of the dwelling, this is a residential property and there are no restrictions on the number of occupants. There is no evidence to suggest that the property will become a HMO. Notwithstanding this, should the applicant wish to operate the property as a C4 HMO (between 3 and 6 unrelated occupants) this can be done under permitted development.

Therefore, it is considered that the proposal would have minimal additional impact on the amenity of neighbouring properties through intensification.

- 7.4 In regard to the suggestion to remove permitted development rights, it would be unreasonable for the Council to remove permitted development rights for a domestic property such as this, particularly in this area where there are no restrictions to change the use of the dwelling from C3 to C4. The Government has given householders PD rights and it would be necessary to have very good reasons to take those rights away. As such, it would not be reasonable or necessary because it would not meet the tests for conditions as set out in the NPPF.

8. Planning Balance

- 7.1 The proposed extensions would provide additional living space for the occupiers of the application property. It is considered that the proposal would not result in an unacceptable loss of amenity for the residents of neighbouring properties, and would not be harmful to the street scene or out of keeping with the character of the area. The scheme has been amended to provide off street parking space for two vehicles, therefore the proposal would not pose a highway safety concern. On balance it is therefore considered that the proposal is acceptable.

9. Conclusion

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 raised in representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

Recommendation

The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:

(i) the following conditions:

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| 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> |
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| 2. | <p>The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 30 September 2025 and drawing numbered DB/LB/25/195/01 revision D received by the Local Planning Authority on 3 December 2025.</p> <p><i>Reason: For the avoidance of doubt.</i></p> |
| 3. | <p>The proposed development shall be constructed in accordance with the materials contained within the submitted application form.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p> |
| 4. | <p>No construction hereby approved shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials used in construction of the development; e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and f) details of dust and noise suppression to be used during the construction phase. <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: To protect nearby residents from excessive disturbance and loss of amenity 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> |
| 5. | <p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and in accordance with Policy 17 and 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p> |
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| | NOTES TO APPLICANT |
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| 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

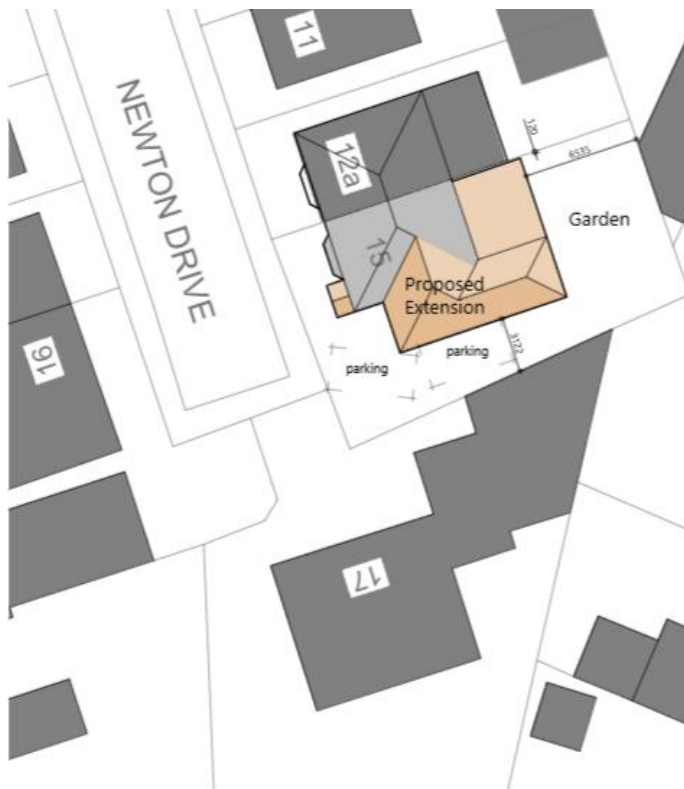


Plans (not to scale)

Site Location Plan and Proposed Block Plan



Proposed Floor Plan

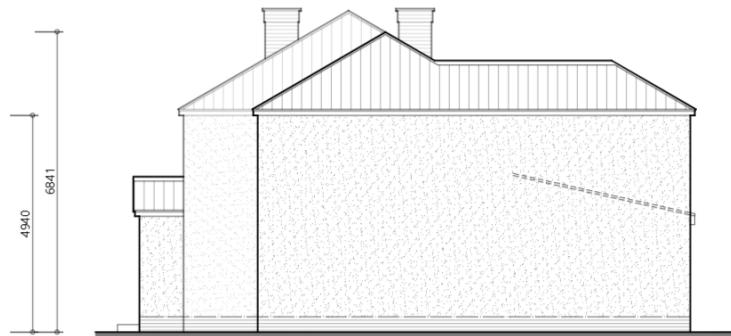


PROPOSED SITE PLAN
SCALE 1:200

Proposed Elevations



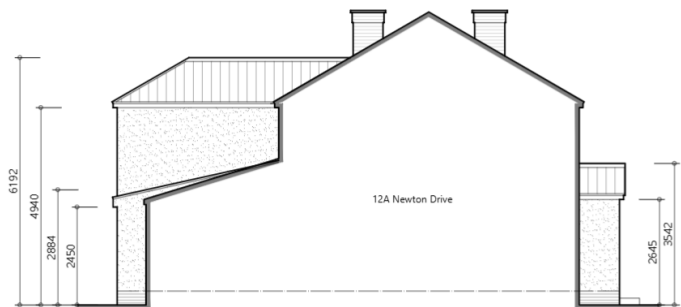
PROPOSED FRONT ELEVATION
SCALE 1:100



PROPOSED SIDE ELEVATION
SCALE 1:100

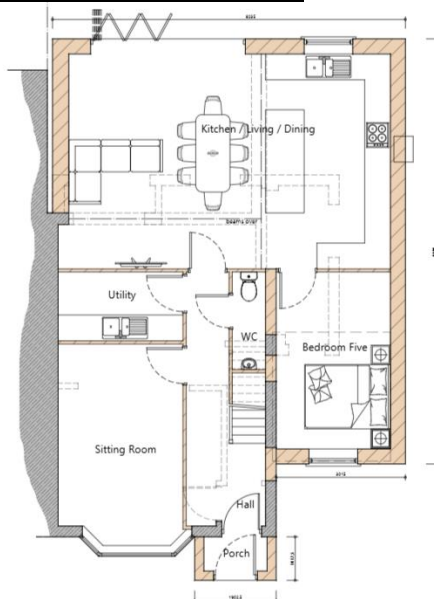


PROPOSED REAR ELEVATION
SCALE 1:100

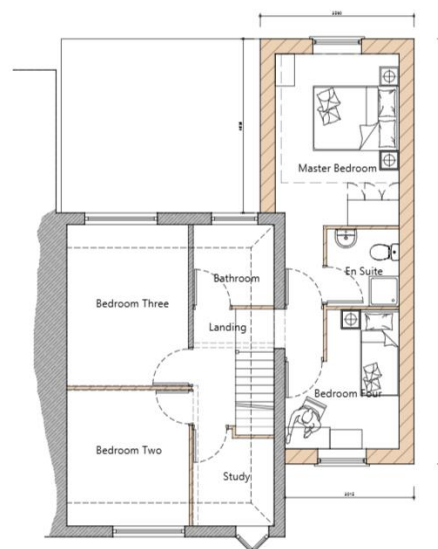


PROPOSED SECTIONAL SIDE ELEVATION
SCALE 1:100

Proposed Floor Plans



PROPOSED GROUND FLOOR PLAN
SCALE 1:50



PROPOSED FIRST FLOOR PLAN
SCALE 1:50