

**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>19/00738/FUL</b>
<b>LOCATION:</b>	<b>21 Hilltop Rise, Newthorpe, Nottinghamshire, NG16 2GD</b>
<b>PROPOSAL:</b>	<b>Construct two storey rear extension</b>

This application has been called to Planning Committee by Cllr M Handley.

1 Executive Summary

- 1.1 This application seeks permission to construct a two storey rear extension. The plans originally submitted have been amended following the initial consultation period to reduce any potential impact from the scheme on neighbouring properties.
- 1.2 The proposed extension is not considered to be harmful to the character of the host dwelling or out of keeping with the character of the surrounding area.
- 1.3 It is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring properties.
- 1.4 The size of the garage will be reduced, although as this is an internal change it does not require planning permission. The existing two off road parking spaces to the front of the dwelling will be retained and therefore it is considered that parking and highway safety will not be adversely affected by the proposal.
- 1.5 Overall, the scheme is considered to be acceptable and it is therefore recommended that planning permission be granted in accordance with the resolution contained in the appendix.

## 1 Details of the Application

- 1.1 This application seeks permission to construct a two storey rear extension. Following the initial public consultation the proposed extension has been amended by the applicant to bring the north west side elevation of the proposed extension in from the boundary with No. 19 Hilltop Rise by a further metre, reducing the overall width of the extension.

## 2 Site and surroundings

- 2.1 The application property is a two storey detached residential dwelling, located in a residential area. The rear garden is bordered by timber fences circa 1.6 – 1.7m high, with residential dwellings adjoining each boundary. The application property is set down from the neighbouring property, No.19 Hilltop Rise, by approximately 1m, with the application site being mostly flat. There are two off road parking spaces to the front of the dwelling that remain unaffected by the proposal.

## 3 Relevant Planning History

- 3.1 No relevant planning history.

## 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 **National Planning Policy Framework (NPPF) 2019:**

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

## 5 Consultations

- 5.1 Six properties either adjoining or opposite the site were consulted. Four responses have been received, all of which raise objections. The reasons for objection can be summarised as follows:

- Loss of daylight for neighbouring property.
- Sense of enclosure for neighbouring properties.
- Design not in keeping with the surrounding area.
- Reduction in size of garage results in the loss of an off street parking space and increases potential for on street parking issues.
- Loss of privacy for neighbouring properties.
- Noise as a result of building works.
- The size of building would not be able to be recovered financially due to the ceiling property value on the street.

## 6 Assessment

6.1 The main issues for consideration are the design and appearance of the proposed extension and the impact on neighbouring amenity.

### 6.2 **Principle**

6.2.1 The application site is not covered by any site specific planning policy and therefore the principle of development is considered acceptable subject to the design and appearance of the proposed extension and the impact on neighbouring amenity.

### 6.3 **Design and Appearance**

6.3.1 The application property is a large two storey detached dwelling and therefore it is considered that the proposal will not be a disproportionate addition. The proposed extension has been set in from each side elevation of the host dwelling and a step down in the roof line has also been incorporated, giving the proposed extension a clearly subservient appearance. The extension will have a hipped roof which also helps to reduce its prominence in relation to the host dwelling. It is therefore considered that the proposal will be in keeping with the character of the host dwelling.

6.3.2 The proposed extension will be contained to the rear of the dwelling and therefore will not be visually within the street scene. The proposed rear projection of the extension is not considered disproportionate to the size of the host dwelling, and it is considered that the size of the plot within which the application property sits is capable of withstanding the scale of development proposed without resulting in a cramped effect that would be out of keeping with the character of the host dwelling.

6.3.3 No details regarding materials have been identified on the plans submitted. However, the details within the application form state that the extension will be constructed using bricks and tiles to match the host dwelling. It is therefore considered appropriate to condition that the extension is constructed using bricks and tiles to match the host dwelling.

6.3.4 Overall, it is considered that a satisfactory standard of design has been achieved.

## 6.4 Amenity

- 6.4.1 The proposed extension will be approximately 2m from the north west boundary of the site, adjoining No. 19 Hilltop Rise. The existing rear elevations of No. 19 and the application property are stepped, with the rear elevation of No. 19 currently projecting beyond the application property. The rear elevation of the proposed extension will project beyond the rear of No. 19 by approximately 3m. No. 19 is at a higher level than the application property and there will be a separation distance of approximately 3m between the side elevation of No. 19 and the proposed extension. The roof of the proposed extension is set down from the ridge of the host dwelling, and has been hipped to minimise any potential impact on the neighbouring property. Taking these factors into account it is considered that the proposed extension will not result in an unacceptable sense of enclosure or loss of light for the residents of No. 19. Furthermore, No. 19 is positioned to the north west of the application property meaning the proposed extension is unlikely to impact on direct sunlight to the rear of No. 19 in the afternoon, when the sun moves round to the front of the properties.
- 6.4.2 No. 19 has a first floor window on the side elevation facing towards the application property. Whilst this window may result in some loss of light as a result of the proposed extension, the window is reliant on light from outside of the boundary of its property. Furthermore, the window is currently positioned directly opposite the side elevation of the application property, with light to the window already restricted as a result of this positioning. It is therefore considered that any further loss of light as a result of the proposed extension will not significantly affect the overall amount of light into this opening.
- 6.4.3 The proposed extension will be approximately 4.05m from the south east boundary of the site. The neighbouring dwellings to the south east are positioned perpendicular to the host dwelling and back on to the side boundary, resulting in a separation distance of approximately 14m from the side elevation of the proposed extension and the rear elevation of the neighbouring properties. This is considered a sufficient distance to ensure the proposal will not result in an unacceptable sense of enclosure or loss of light to the residents of the neighbouring properties to the south east.
- 6.4.4 The proposed extension will be approximately 9.2m from the rear boundary of the application site. The dwellings to the rear include a mix of single storey dwellings and dormer bungalows. The principal rear elevation of No. 15 Fairdale Drive is approximately 21m from the proposed extension, with No. 11 Fairdale Drive being approximately 23m from the proposed extension. These are considered sufficient separation distances to ensure the proposal will not result in an unacceptable sense of enclosure or loss of light for either of these dwellings. It is also considered that these distances are acceptable to ensure the proposed extension will not result in an unacceptable loss of privacy as a result of overlooking from the proposed extension.
- 6.4.5 The proposed extension will have a first floor window in the south east side elevation, facing towards No. 23 and 25 Hilltop Rise, with an additional first floor window proposed in the existing side elevation. Due to the proximity of these windows to the boundary, which adjoins the rear gardens of No. 23 and 25, it is

considered appropriate to condition that these windows are obscurely glazed and non-opening to 1.7m above the floor level. Subject to this condition it is considered that the proposal will not result in an unacceptable loss of privacy for the residents at No. 23 and 25 Hilltop Rise.

- 6.4.6 A secondary window is also proposed in the existing north west side elevation at first floor level to serve an existing bedroom. Due to the existing window in the side elevation of No. 19 facing towards the application property this may result in a loss of privacy for the residents of the neighbouring property. It is therefore considered appropriate to condition that this window is obscurely glazed and non-opening to 1.7m above the floor level.
- 6.4.7 It should be noted that in accordance with the Town and Country (General Permitted Development) Order 2015, the windows proposed in the existing side elevations at first floor level could be inserted without planning permission, subject to them being obscurely glazed and non-opening to 1.7m above floor level. The applicant could therefore insert these proposed windows, regardless of the outcome of this planning application. Taking this into account it is considered that these proposed windows are acceptable, subject to the recommended condition as set out in the previous paragraphs.
- 6.4.8 Overall it is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring residents.

## **6.5 Parking**

- 6.5.1 Drawing number JW2/11/19 shows that the proposal will include internal alterations resulting in a reduction in the length of the garage to 2.9m, which would not be sufficient space to park a vehicle. The internal alterations to reduce the size of the garage could be carried out without planning permission as there are no historic conditions requiring the garage to be retained to a certain size and to only be used for the storage of vehicles. Furthermore, the application property has space for two vehicles to be parked to the front of the dwelling and it is considered that the provision of 2 off-street parking spaces within a residential area with no on-street parking restrictions is sufficient. It is therefore considered that the proposal will not have an unacceptable impact on parking or highway safety.

## **6.6 Objections**

- 6.6.1 Objections beyond those which have already been covered in this report include concerns about noise as a result of building works and the potential of the extension resulting in the dwelling having a value that could not be recovered due to the ceiling property value on the street. Neither of these are planning matters and therefore do not form part of the consideration for this application. However, a note to applicant will be included on the decision notice reminding the applicant that noisy works should be limited to between 08.00 – 18.00 Monday – Friday, 09.00 – 13.00 Saturdays and not at all on Sundays or bank holidays.

7 Planning Balance

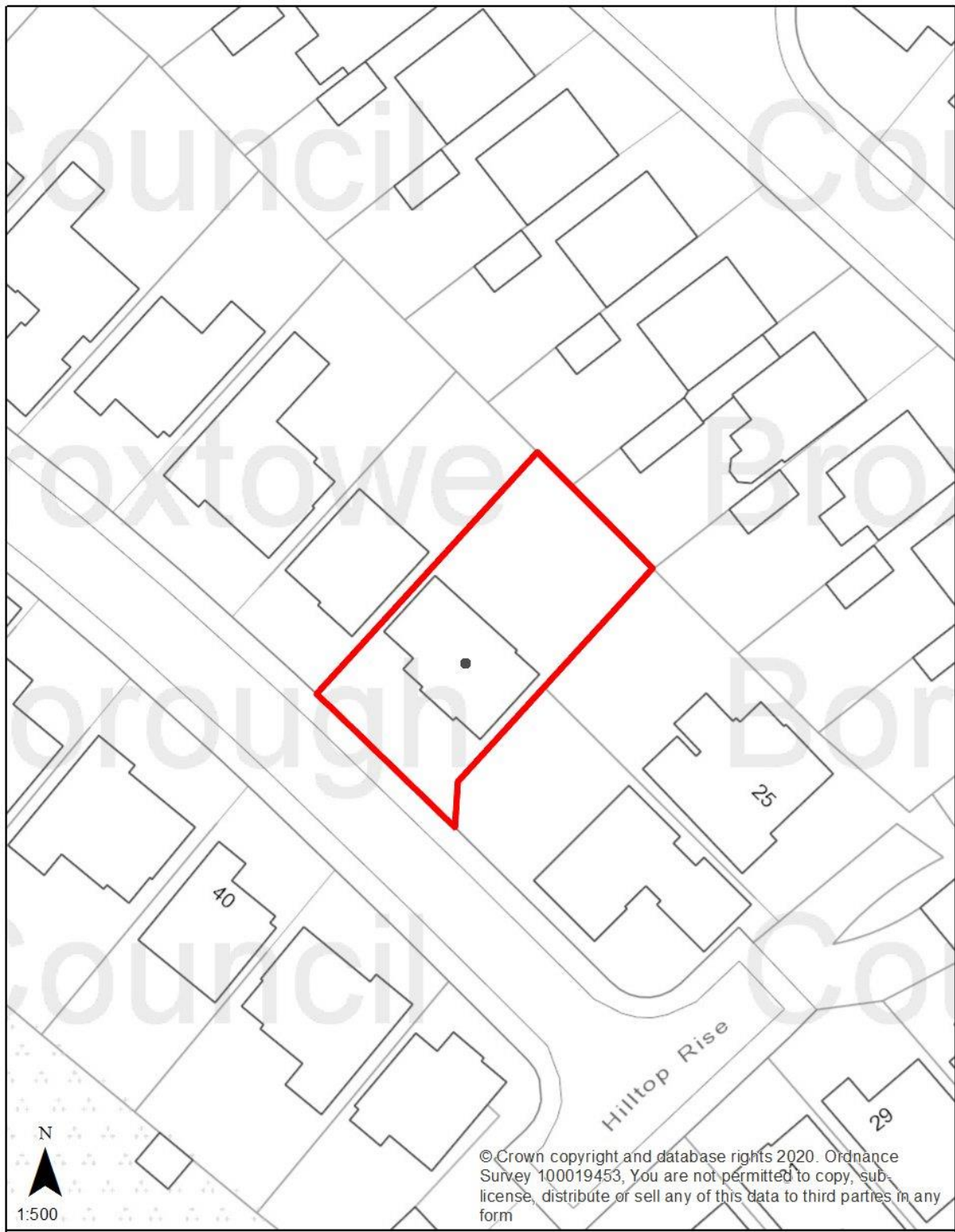
7.1 The proposal will provide additional living space for the applicant and their family. The design is considered to be in keeping with the host dwelling and not harmful to the street scene or out of keeping with the character of the surrounding area. Whilst concerns have been raised that it will result in a loss of amenity for neighbouring properties it is considered that acceptable measures have been taken to reduce any potential impact resulting in a scheme that will not result in the unacceptable loss of amenity for any neighbouring properties. On balance it is therefore considered that the proposal is acceptable.

8 Conclusion

8.1 Overall it is considered that the proposal is acceptable and that planning permission should be granted.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
<b>1.</b>	<b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b>  <b><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></b>
<b>2.</b>	<b>The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:1250) and drawings numbered JW4/11/19 (1:100), JW2/11/19 (1:50), JW3/11/19 (1:50); received by the Local Planning Authority on 15 November and 5 December 2019.</b>  <b><i>Reason: For the avoidance of doubt.</i></b>
<b>3.</b>	<b>The extension shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing building.</b>  <b><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b>
<b>4.</b>	<b>The windows at first floor level on the existing side elevations and the south east side elevation of the extension hereby approved shall be obscurely glazed to Pilkington Level 4 or 5 and non-opening to 1.7m above the floor level and retained as such for the lifetime of the development.</b>  <b><i>Reason: In the interest of protecting the privacy of neighbouring</i></b>

	<i>properties and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i>
	<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 development involves building works and given the proximity of residential properties to the site the applicant is reminded to ensure contractors limit noisy work to between 08.00 and 18.00 hours Monday to Friday, 08.00- 13.00 hours on Saturday and no noisy works on Sundays. There should be no bonfires at any time.



**Legend**

 Site



**Photographs**



Rear elevation.



Relationship with No. 19 Hilltop Rise.



Relationship with No. 23 and 25 Hilltop Rise.

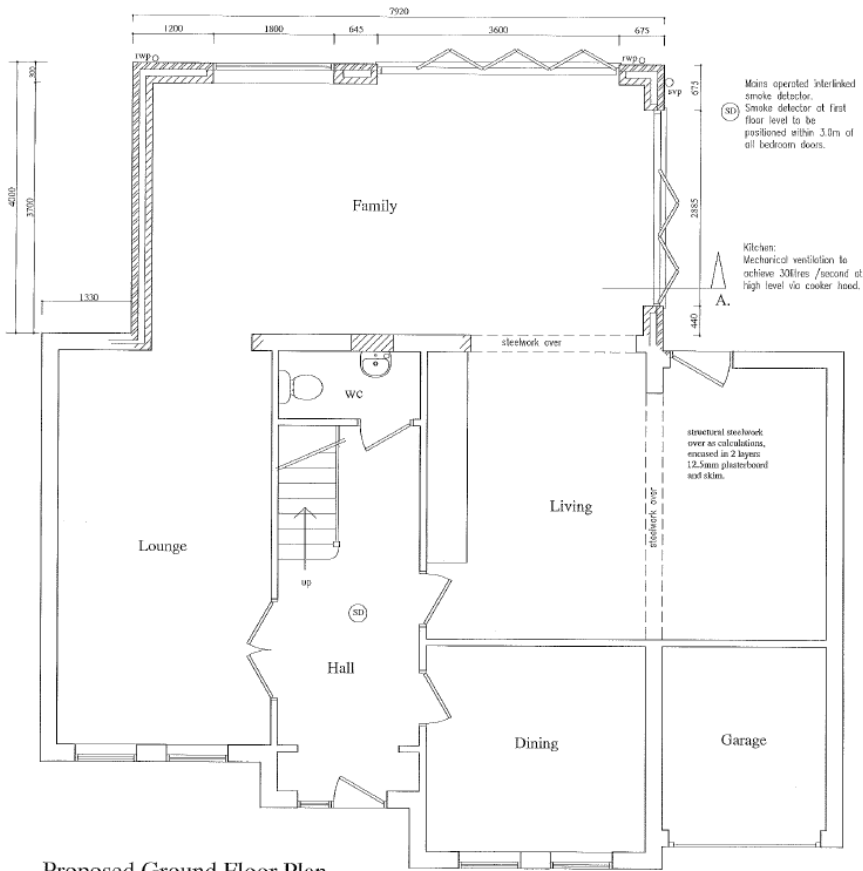


Rear boundary.

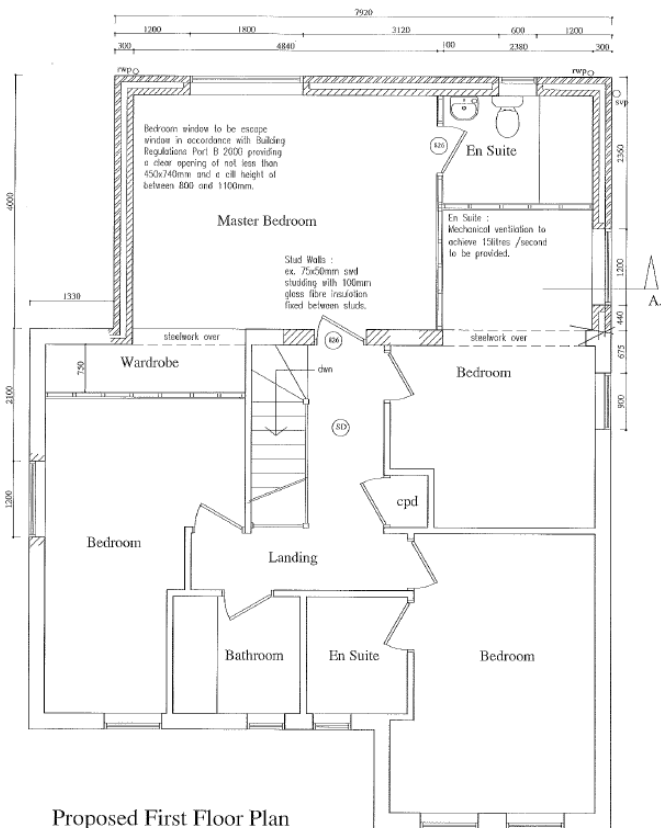


Front elevation.

**Plans (not to scale)**



Proposed Ground Floor Plan



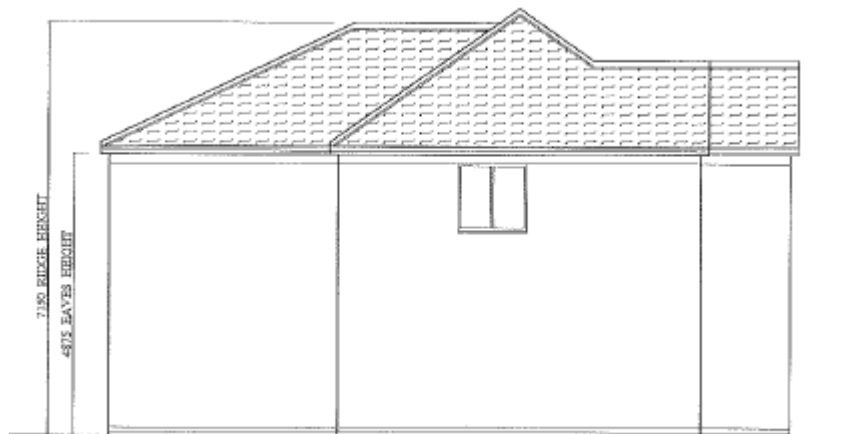
Proposed First Floor Plan



Proposed Rear Elevation



Proposed Side Elevation



Proposed Side Elevation