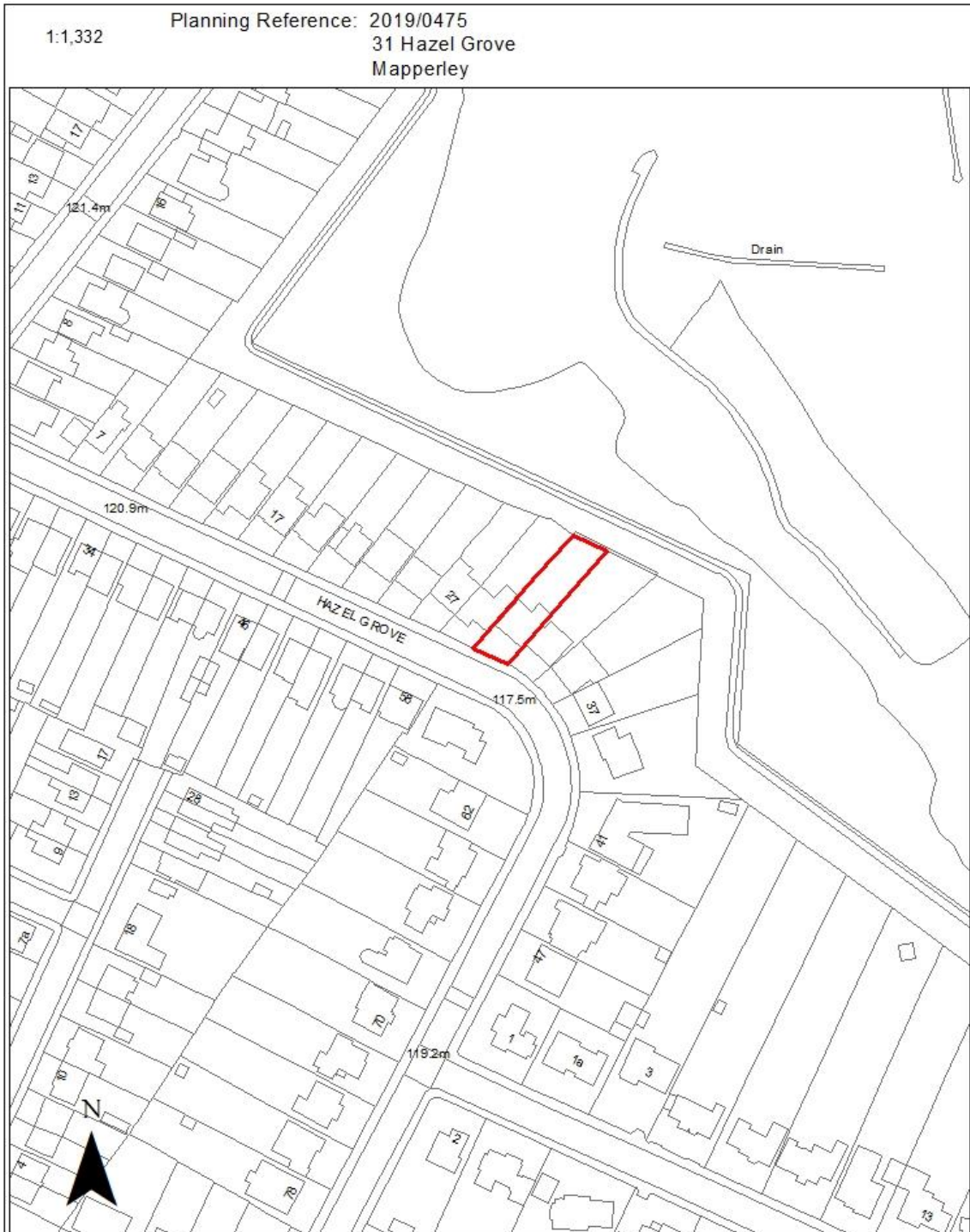




Planning Report for 2019/0475



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number:	2019/0475
Location:	31 Hazel Grove Mapperley
Proposal:	Single storey rear extension, new elevated hardstanding deck area and roof lantern above existing flat roof.
Applicant:	Mr And Mrs Solley
Agent:	Mr Ian Walton
Case Officer:	Alison Jackson

The applicant a member of staff and therefore in accordance with the Council's Constitution, this application has been referred to the Planning Committee.

1.0 Site Description

- 1.1. The application site relates to 31, Hazel Grove, Mapperley, a two storey detached property which is set back from the road. There is a driveway to the frontage of the site.
- 1.2. The neighbouring properties are similar in design.
- 1.3. There is an existing single storey rear extension to the property and an existing elevated decked area with steps leading down to the rear garden area to the property. Land slopes slightly downwards away from the rear of the property to the rear boundary of the site, the rear boundary adjoining the Mapperley golf course.
- 1.4. There is well established hedging to the side boundaries of the site.

2.0 Relevant Planning History

- 2.1. Planning permission was granted in April 2004, reference 2004/0579, for the erection of a single storey rear extension to the property.
- 2.2. Planning permission was granted in May 2005, reference 2005/0190, for the erection of a two storey side extension to the property.

3.0 Proposed Development

- 3.1. Planning permission is sought for the erection of a single storey rear extension, an elevated patio area and the insertion of a roof lantern within the flat roof to the existing rear extension.
- 3.2. The proposed single storey rear extension would project out from the rear elevation of the existing dwelling by approximately 2.6 metres and would extend across the rear elevation of the dwelling by approximately 4.7 metres. The extension would have an overall height of approximately 5.5 metres. The extension is proposed to be constructed in brick work to match the existing dwelling and grey roof tiles to match the existing dwelling.
- 3.3. Bi-fold patio doors are proposed to the rear elevation of the extension with roof lights to the roof slope of the extension.
- 3.4. The elevated patio area would project out from the rear elevation of the proposed single storey extension by approximately 5.6 metres, the floor level of the first section of the elevated patio area would be level with the ground floor of the proposed rear extension, steps would then lead down from this first section of the raised patio area, reducing the height of the remainder of the raised patio area by approximately 0.6 of a metre. A glass balustrade would be erected to the front and side elevations of the raised patio area. The established hedge to the side boundary of the site with no. 29, Hazel Grove is shown to be retained.
- 3.5. Steps are also proposed to be provided leading from the first section of the raised patio area down to the rear garden area.
- 3.6. Revised plans were submitted during the processing of the application to show amendments to the scheme, including amendments to the height of the elevated patio, changes to the screening to the elevated patio and clarification of the height of the existing boundary hedging to the north west side elevation of the site.

4.0 Consultations

4.1. Neighbour Consultation

The occupiers of adjoining residential properties have been consulted by letter and a site notice has been posted – three letters of representation were received following the consultation undertaken in respect to the initially submitted plans, the contents of these are summarised below:

- The floor level of the elevated patios area is too high in relation to neighbouring properties resulting in a loss of privacy.
- The proposed steps would result in loss of privacy to neighbouring properties.

- If screening is provided this would form a substantial extension to the property, dominating the landscape, reducing light to neighbouring properties and resulting in an invasive impact.
- Loss of light to neighbouring properties given the extent of the structure.
- Impact on the welfare of neighbouring residents.
- Un-neighbouring form of development.
- Overbearing impact.

Following the receipt of the revised plans, neighbouring properties were re-notified and two letters of representation were received, the contents of these are summarised below;

- Loss of privacy to neighbouring properties.
- Neighbouring residents fences would need to be increased in height in order to retain privacy but this would probably need planning permission.
- Impact on the welfare of neighbouring residents

5.0. Assessment of Planning Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0. Development Plan Policies

- 6.1 The following policies are relevant to the application:

6.2 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

Policy 10: Design and Enhancing Local Identity – states that development should be designed to make a positive contribution to the public realm and sense of place.

6.3 Local Planning Document (Part 2 Local Plan)

The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:

LPD 32: Amenity – states that planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 43: Extensions to Dwellings not in the Green Belt – states that planning permission will be granted for extensions and alterations to dwellings provided the appearance of the proposal is in keeping with the surrounding character

and results in no significant adverse impact on the amenity of neighbouring properties.

7.0 Planning Considerations

Visual Amenity

- 7.1 The proposed extension would be visually acceptable when viewed from neighbouring properties, given the design of the extension together with the materials to be used in the construction of the extension which would match those of the existing dwelling. It is also considered, given the above, that the extension would complement the character of the existing dwelling.
- 7.2 The proposed elevated patio area would also be visually acceptable when viewed from neighbouring properties, whilst I appreciate that the elevated patio area would be larger than the one which would be replaced and the access arrangements to the garden area would be different to how the garden area is currently accessed, I consider that the proposed works are acceptable in terms of their design and how the elevated patio sits in relation to the existing dwelling and proposed extension.
- 7.3 I note the comments made in respect to the screening to the elevated patio area and I am satisfied that the glazed screening proposed, given its height and design would be visually acceptable. I also note that the boundary hedging is proposed to be retained at the site which also provides screening and is visually acceptable, softening the appearance of the development proposed.
- 7.4 For the reasons set out above I therefore consider that the proposed development accords with the aims of the National Planning Policy Framework 2019, policy 10 of the Aligned Core Strategy 2014 and policy LPD43 of the Local Planning document 2018.

Impact on neighbouring residential amenity

- 7.5 I note that concerns have been raised in respect to the potential overbearing impact of the development onto neighbouring properties. In my opinion the proposed extension, given its scale and relationship with neighbouring properties, would result in no undue overbearing or overshadowing impact onto neighbouring properties.
- 7.6 The bi-fold patio doors to the rear elevation of the extension, given that these would look onto the rear garden area to the application dwelling would result in no undue overlooking impact onto neighbouring properties. Given the location of the roof lights and their height above the floor level of the room they serve, I am satisfied that there would be no undue overlooking impact onto neighbouring properties from these proposed roof lights.
- 7.7 I note the comments of neighbouring residents in respect to the potential loss of privacy from the proposed elevated patio area, whilst the elevated patio

area is fairly elevated in nature with steps leading down to the rear garden area, I am satisfied given that part of the elevated patio area would be stepped down by approximately 0.6 of a metre from the first section of the decking area immediately adjacent to the proposed extension, together with the fact that the well-established hedge to the north west side boundary of the site would be retained, I am satisfied that the plans clearly show that there would be no undue overlooking impact from the elevated patio area onto the immediate neighbouring property no. 29, Hazel Grove or beyond.

- 7.8 In addition the elevated patio area is set in from the side boundary of the site with the immediate neighbouring property to the south east boundary of the application site, no. 33, Hazel Grove, I am satisfied given the distance of the elevated patio area from this side boundary of the site, together with the established hedge to this south eastern boundary, there will be no undue overlooking impact onto this neighbouring property or beyond.
- 7.9 I note that neighbouring residents have also raised concerns in respect to the proposed steps leading from the elevated patio area to the rear garden to the dwelling, in that the use of these steps would result in the loss of privacy to neighbouring dwellings. Whilst I appreciate that the steps are L-shaped and would bring these in closer proximity to the south eastern boundary of the site and the immediate neighbouring property, no. 33, Hazel Grove, I consider that the steps being a means of access only, together with the fact that the steps leading directly from the garden area, adjacent to the south eastern boundary of the site are at a lower level than the steps which access the main elevated patio area, there will be no undue overlooking impact onto neighbouring properties.
- 7.10 I note the comments in regard to the fact that some neighbouring residents may wish to increase the height of their boundary fencing in order to retain privacy, should any boundary treatments to the rear of the dwellings exceed two metres in height then planning permission would be required and these would be assessed on its own merits. However given the above, I consider that the boundary treatments currently in place are adequate to retain privacy to both neighbouring dwellings and to the application dwelling.
- 7.11 I do not consider that the proposed development would result in any undue impact on the amenity or welfare of neighbouring residents or result in an unneighbourly form of development, given the scale of the development, the relationship with neighbouring properties and the existing screening to the side boundaries of the application site.
- 7.12 For the reasons set out above I therefore consider that the proposed development accords with the aims of policies LPD32 and LPD43 of the Local Planning Document 2018.

8.0 Conclusion

8.1 In conclusion, the development is considered acceptable for the following reasons:

- The design of the extension and proposed elevated patio area are considered acceptable.
- The proposals result in no undue impact on neighbouring properties, in terms of any overlooking, overbearing or overshadowing impacts.

8.2 For the reasons set out above, the proposed development accords with the National Planning Policy Framework 2019, Policy 10 of the Aligned Core Strategy 2014 and Policies LPD 32 and 43 of the Local Planning Document 2018. It is therefore recommended that planning permission is granted subject to conditions.

Recommendation: It is recommended that planning permission is granted subject to conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be undertaken in accordance with the details as set out within the application form received on the 15th May 2019, the site location plan received on the 15th May 2019, the revised block plan received on the 10th December 2019, drawing number 0117 Rev 02, the revised floor plan received on the 10th December 2019, drawing number 0117 Rev 03, and the revised elevations received on the 28th January 2020, drawing number 0117 Rev 03.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt, to define the permission.

Reasons for Decision

The principle of the proposed development is acceptable, no material harm would be caused to the character and appearance of the area and the living conditions of neighbouring property occupiers. The proposed development therefore accords with the objectives of the National Planning Policy Framework 2019, Policy 10 of the Aligned Core Strategy 2014 and Policies LPD 32 and LPD 43 of the Local Planning Document 2018.

Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details

of CIL are available on the Council's website at www.gedling.gov.uk. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less than 100 square metres

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

Date Recommended: 21st August 2020