

24/00776/FUL

Applicant Ms Anna Mann

Location 26 Lyme Park, West Bridgford, Nottinghamshire

Proposal Two-year temporary permission for side boundary fencing. New side gate. Planting of side perimeter hedging. Alterations to existing garage with new hardstanding and adequate drainage to create driveway for parking (Retrospective)

Ward Compton Acres

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Request to amend condition 1 and retain one fence panel

RECEIVED FROM: Ms Anna Mann (Applicant)

SUMMARY OF MAIN POINTS:

- The planning application specifically says it is for two year temporary permission so would assume Dec 2026. Whilst a few of the laurels are 1.5m the ones towards the front of the house are growing quite slowly as they don't get as much light. I doubt they will be higher than 1.5m by next Dec.
- I wish to maintain the single fence panel next to the gate at the front of my house. This panel sits on the edge of the original paved front path that led to the driveway and so doesn't have laurel hedging planted directly in front of it. However, I have planted a variety of evergreen bushes in the border in front of the path that will grow and screen the single fence panel and gate from the road. As the ground level for this panel is lower than the road level it is already partially hidden from the road.

PLANNING OFFICERS COMMENTS:

- Upon further consideration of the proposed plans and the growth rate of the hedge (shown in the hedge table) in line with observations from the most recent site visit, it is considered reasonable to amend condition 1 in line with the applicants comments and recommend that condition 1 is amended as follows:

“The fence, and associated posts, hereby approved, as shown on the block plan, shall be retained on site on a temporary basis and, apart from the single fence panel next to the gate attached to the house, shall be removed once the laurel hedge planting reaches the height of the fence, or within 2 years of the date of this permission, whichever is the sooner.”

- It should be noted that the removal of the fence and associated posts may be required to be undertaken sooner than the 2 years if the hedge planting reaches the height of the fence prior to the 2 year period expiring.
- The retention of the fence to the front (next to the side gate) is considered to be acceptable and not have a significant detrimental impact on the character of the area.

2. **NATURE OF REPRESENTATION:** Consultee Response

RECEIVED FROM: NCC Highways

SUMMARY OF MAIN POINTS:

- NCC Highways have confirmed that if cars overhang the highway service margin slightly then this wouldn't be significant enough to warrant an objection on highway safety grounds in this instance.

PLANNING OFFICERS COMMENTS:

- No further comments to add to the report.

23/02182/FUL and 24/00211/RELDDEM

Applicant Mr Forlani

Location 48 Main Street, East Leake, Nottinghamshire

Proposal Proposed Demolition of Part of Existing Barns; Conversion of Existing Barns and Rebuild New Barn with a Single Storey Extension to form 1 New Dwelling

Ward Leake

LATE REPRESENTATIONS FOR COMMITTEE

3. **NATURE OF REPRESENTATION:** Objection
RECEIVED FROM: Cllr C Thomas

SUMMARY OF MAIN POINTS:

- a) The proposal would negatively impact the future residents of The Farmhouse (No.48) by obscure glazing the side elevation windows, shared use of front garden, maintenance, boundary ownership and wall maintenance of No.48
- b) The proposal would harm the Conservation Area through changes to the front garden, storage of bins in the front garden plus the increased roof heights of the building which would alter the character of the historic building
- c) Shares concerns with Cllr Way and Cllr Billin that increased traffic would cause highway safety concerns, the uncertainty regarding the extent of demolition and loss/damage to trees and displacement of wildlife
- d) The proposal would cause overlooking and overbearing impacts of new dwelling by No.48
- e) No external garden access to back garden for bins, cycle storage, etc.
- f) Failure to demonstrate compliance with Policy V1 of East Leake Neighbourhood Plan and there are no firm conditions which require secure adaptability
- g) Narrow and unsighted access across busy pavement not suitable for number of cars a home of this size would generate in addition to existing dwellings
- h) Insufficient detail provided about the parts of the barn to be demolished

Considers that if planning permission were to be granted, the below conditions should be included:

- i) New dwelling built to standard M4(2) of building regulations

- j) Mobility scooter and cycle storage with charging facilities
- k) Details of bin storage and collection arrangements for both dwellings
- l) Detailed landscaping plan for front garden, including boundary treatments and surfacing
- m) Construction management plan to minimise disturbance to neighbours
- n) Removal of permitted development rights for both dwellings to control future amenity given close proximity

PLANNING OFFICERS COMMENTS:

In response to the representations, officers have the following comments:

- a) This has been addressed in the officer report. The ward member notes that the side window on the first-floor level would be obscure glazed. This window serves a spare bedroom which is served by another larger window to the northern elevation. It is considered that the proposal to obscurely glaze this window would protect the amenity of future occupiers of both dwellings and that the existing northern elevation window is sufficient to ensure no adverse impact to the amenity of future occupiers for No.48. The use of the front garden as parking would not be dissimilar to the current parking arrangement on the site. Further, matters of ownership and property maintenance are private legal matters and are not considered to be a material planning consideration.
- b) The impact to the Conservation Area has been addressed in the committee report. Ultimately, the Conservation Officer and case officer is satisfied that the proposal would preserve the character of the East Leake Conservation Area.
- c) Highway safety has been addressed within the committee report. NCC Highways have considered that the proposed development would not generate significant levels of traffic on the site. The access is a longstanding access and it is considered appropriate for the number of dwellings proposed. With regards to loss of wildlife, the trees on the site will be protected via condition and will be retained. Conditions also include submission of details of biodiversity net gain.
- d) Overlooking and overbearing impacts has also been addressed within the committee report. The buildings would only be marginally extended and it is considered that the proposed extensions would not give rise to undue overbearing impacts to No.48. The issue of overlooking has been addressed at length within the committee report but officers consider that the proposal would not cause undue overlooking impacts to No.48, nor the future occupiers of the proposed dwelling.
- e) External access to the rear garden is not required within planning policy. Access to the dwelling via the north via a front door and would be accessed directly from the parking area associated with the proposed dwelling. The comment regarding cycle storage is noted, however, there is no requirement under planning policy for the proposed development to provide separate cycle storage and the lack of cycle storage provision is not considered sufficient reason to warrant refusal of the application on this basis.

- f) As highlighted within the committee report, officers are satisfied that the proposed dwelling has been designed to be highly accessible for older people, wheelchair users and people with mobility issues. Officers therefore consider that the proposal would comply with Policy V1 of ELNP and would be acceptable in principle.
- g) NCC Highways are satisfied. See committee report and c) above.
- h) The application was accompanied by a Structural Survey which details the level of demolition required for safety reasons. It is considered that the demolition of part of the barns is essential to ensure its conversion and long term retention. The Conservation Officer is also satisfied that the level of demolition proposed is appropriate considering the condition of the barns. A Demolition Plan has also been received.

In terms of the suggested conditions, the committee report includes relevant conditions that officers considers meets the tests and are acceptable in order to mitigate the adverse impacts of the proposal when considering the proposal against the development plan.

4. **NATURE OF REPRESENTATION:** Objection
- RECEIVED FROM:** Cllr L Way

SUMMARY OF MAIN POINTS:

- a) Concerns that the proposal is for complete demolition of the barns
- b) Concerns with the loss of circular windows on southern elevation of E/W barn
- c) Concerns with the need to raise the height of the building and this would make the building more visible
- d) Concerns that the building will be internally renovated to include a second floor and that the use of the ‘multigenerational’ use of the building implies that it will be developed this way in the future
- e) Considers that Condition 10 should request a higher height for vegetation
- f) No access to the rear of the property
- g) Concerns that the Highways comments only relate to single storey dwelling and future development of further floors would increase traffic
- h) Concerned that the access would cause harm to pedestrian safety
- i) Condition 5 which refers to Tree Protection measures should refer to all trees on the site rather than the trees within the front garden area
- j) Level of demolition needs to be clarified and the methods of demolition need to accord with the Heritage Statement
- k) Requests that the application is refused due to harm to the Conservation Area due to roof lights changing character, impact of raising roof heights, lack of clarity as to which building is referred to in different documents
- l) Considers that the application should be deferred until clarification is received to ensure as much of the original building is being retained as possible

PLANNING OFFICERS COMMENTS

In response to the representations, officers have the following comments:

- a) The application is clear that the E/W barn will be retained and converted and that the N/S barn will be demolished for structural integrity reasons and would be reconstructed using reclaimed materials. Paragraph 52 of the Committee Report does refer to the E/W barn being demolished but this is an error. A further plan has been received demonstrating the areas of the barns to be demolished and retained and can be included to proposed condition 2. Condition 2 on both applications is proposed to read:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Proposed Plans and Elevations revision 14 (received 18th July 2024)
- Proposed Parking plan Revision 10 (received 18th July 2024)
- Proposed Block Plan and Site Location Plan Revision 14 (received 18th July 2024)
- Demolition Plan dated 9 October 2024 (received 9 October 2024)

- b) As detailed within the officer report, officers are satisfied that the proposal would preserve the character of the Conservation Area. The circular windows are not visible from the public realm and the Conservation officer has not identified them as an important feature of the barns. As such their removal is not considered inappropriate.
- c) This has been considered in detail within the committee report.
- d) The proposal does include a mezzanine floor within the E/W barn but no other first floor accommodation. The application is to be considered based on the plans and information submitted for consideration.
- e) It is the officers view that the height suggested within the condition is reasonable.
- f) There is sufficient access to the property from the north via the front door. Access to the rear garden is not a policy requirement.
- g) NCC highways comments are based on the application proposals that has been submitted and the proposal is be considered based on the plans proposed.
- h) NCC Highways have confirmed that the proposal would not cause undue harm to highway safety, which includes safety of pedestrians.
- i) Condition 5 does refer to all trees on the site and requires the submission of details through a discharge of condition application.
- j) The level of demolition has been clarified by the provision of a Demolition Plan received 9 October 2024.
- k) This has been considered at length within the officer report. With regards to rooflights, it is not considered that the addition of rooflights would harm the Conservation Area.
- l) The Heritage Statement and plans clearly indicate the level of demolition proposed and justification proposed for this has been provided.

5. **NATURE OF REPRESENTATION:** Objection

RECEIVED FROM:

Cllr J Billin

SUMMARY OF MAIN POINTS:

- a) Concerns that the level of demolition proposed is unclear
- b) Concerns regarding highway safety due to lack of visibility of access and being on the busiest street in the area
- c) Concerns regarding proposed parking to the front of no 48 that parking occurs on the driveway
- d) No justification for parking being at the front of No.48 main Street and considers that the parking should be to the rear of the site and access to the dwelling would also be from the rear. Considers that the front garden should be kept intact
- e) The raising of height for the N/S barn is not justified and considers that another floor will be inserted at a later date which would increase traffic to the site

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 - Demolition Plan dated 9 October 2024 (received 9 October 2024)
- b) NCC Highways have raised no objection and consider that the existing access meets the highways design guide.
- c) Main Street is subject to double yellow lines and the proposal would include adequate off street parking.
- d) The previously granted certificate of lawfulness application granted permission for the entirety of the front garden to be hardsurfaced. The front garden is already used for parking by No.48 so it is considered acceptable to have parking at the front of the site. This would also allow for direct access to the dwelling, putting the parking at the rear (significant distance from the dwelling)

would result in a dwelling that may be inaccessible and may not conform with Policy V1 of the East Leake Neighbourhood Plan.

- e) The proposal does include a mezzanine floor within the E/W barn but no other first floor accommodation. The application is to be considered based on the plans and information submitted for consideration.