

# 19/01330/FUL

**Applicant** Mr Baldwin

**Location** The Lodge 7 Trevelyan Road West Bridgford Nottinghamshire NG2 5GY

**Proposal** Refurbishment, alterations and two storey side extension to existing property

**Ward** Lady Bay

## THE SITE AND SURROUNDINGS

1. The application relates to an existing two storey detached, brick built, 'Lodge' building with hardstanding forecourt area. The property has an integrated garage and is currently vacant. The property is located behind 7 Trevelyan Road and 59 Crosby Road, which are in use as flats and the area is predominantly residential in character. The site is within an area identified as flood zone 3 on the Environment Agency flood maps but benefits from flood defences along the River Trent.

## DETAILS OF THE PROPOSAL

2. It is proposed to extend to the side of the existing property with a two storey addition, with materials comprising brick and grey slate to match the existing, with internal alterations to the existing building to provide a 3 bedroom dwelling. The existing building currently comprises a one bedroom dwelling. The extension would have a gable-ended pitched roof with a height to the ridge of 6.2 metres and to the eaves of 4.4 metres, to match the existing building. The design would include large glazed windows to the front elevation. A replacement door to the front elevation, replacing the existing garage door, is also proposed. Parking would be to the front accessed via the existing vehicular access on Trevelyan Road. The proposal involves the removal of the shed building to the rear. Amended plans have been received showing a revised layout within the building and the removal of the first floor rear facing bedroom window. There would be no windows at first floor level in the southern elevation of the building, facing 61 Crosby Road, or in the eastern elevation facing properties on Ella Road. In addition, there would be no windows in the side (west) elevation of the extension facing 59 Crosby Road and 7 Trevelyan Road.

## SITE HISTORY

3. Demolition of existing sheds and refurbishment, alteration and extension of existing lodge to provide 1 additional dwelling with parking, ref: 19/00591/FUL - Withdrawn May 2019
4. Two storey extension, ref: 91/00462/A3P - Approved June 1991
5. Two storey side extension, ref: 76/03697/HIST - Approved January 1977

## REPRESENTATIONS

### Ward Councillor(s)

6. One Ward Councillor (Cllr R Mallender) objects to the application. The development is overbearing and will result in loss of amenity to neighbours at 61 Crosby Road. Taken together with the existing property at 59 Crosby Road, it will mean that one entire side of no.61s rear boundary will be high brick walls. This will be incredibly overbearing and oppressive, limiting light. The window proposed for the first floor side/end elevation of The Lodge, 7 Trevelyan Road will overlook into the garden patio seating area at no. 61 Crosby Road. Secondly, access to the main entrance at the rear of 59 Crosby Road would be closed off. Residents can only access the side alley between the properties, this would result in disturbance from pedestrians accessing these flats. There is currently no dividing fence between no 61 and 59 Crosby Road, consequently tenants will cross onto no 61s property.

### Town/Parish Council

7. Not applicable.

### Statutory and Other Consultees

8. Nottinghamshire County Council as Highway Authority consider that there is no proof available at this time that the tarmacked area outside the Lodge is associated with the use of the flats and any present parking occurring outside the Lodge associated with the flats is purely transitory due to available area at present and not intended to be permanent. Consequently, they have no objection to the proposal subject to a condition requiring the parking and turning areas to be established prior to first use of the building.
9. The Borough Council's Trees and Landscape Officer has no objection to the proposal. They were able to estimate the trunk diameters of the trees on the adjoining site from within the application site. The largest tree had a root protection area of 3.1m, this is measured as a radius from the trunk. Given that the proposed building is now 6m from the boundary they are confident the tree will not be affected by it. Tree protection measures in accordance with BS5837 will still need to be conditioned.

### Local Residents and the General Public

10. 11 representations have been received objecting to the proposal on grounds which can be summarised as follows:
  - a. Extension would be out of character with the Victorian houses in Trevelyan Road and Crosby Road.
  - b. Adverse impact on traffic and parking in the area.
  - c. The application also appears to enable access to upstairs flats via a side alley on Crosby Road.
  - d. The proposed extension is still very large and an imposing and overbearing structure.

- e. Impact on trees.
- f. The addition of the rear windows would cause overlooking directly.
- g. Overdevelopment of the site.
- h. Loss of light.

## **PLANNING POLICY**

11. The Development Plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as 'Core Strategy') and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Other material planning considerations include the National Planning Policy Framework (NPPF), the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) and the Rushcliffe Residential Design Guide 2009.

### **Relevant National Planning Policies and Guidance**

12. The relevant national policy considerations for this proposal are those contained within the 2019 National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The proposal falls to be considered under section 12 of the NPPF (Achieving well-designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 109 states that development should only be prevented or 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 155 states; *"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."*

### **Relevant Local Planning Policies and Guidance**

13. Policy 1 of the Core Strategy sets out that the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The proposal should be considered under Core Strategy Policy 10 (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should be assessed in terms of the criteria listed under section 2 of Policy 10, and of particular relevance to this application are 2(b) whereby development should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.

14. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Plan are a material consideration. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) specifically GP2d, whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development. The policy also requires that a suitable means of access can be provided to the development without detriment to the amenity of adjacent properties or highway safety and that the provision of parking is in accordance with the guidance in the county council's parking provisions for new developments.
15. Policy WET2 – Flooding of the Non Statutory Plan specifies that development will not be permitted in areas where a risk of flooding or problems of surface water disposal exist, unless the criteria within the policy are satisfied.
16. The 2009 Rushcliffe Residential Design Guide implies that the style and design of any extension should respect that of the original dwelling and should not dominate over it. Extensions should be designed so that they are not readily perceived as merely 'add-ons' to the original building and therefore scale, proportion, and roof form are very important. Rushcliffe Residential Design Guide states that rear gardens should be at a depth of 10m to the boundary, and gardens sizes should be 110sq metres for detached properties.

## **APPRAISAL**

17. The existing Lodge building is currently capable of residential occupation and the proposal involves an extension to the building to increase the size of the dwelling, i.e. the extended property would remain in residential use. Furthermore, the site is located within a built up and mainly residential area. As such, it is considered that the principle of the development is acceptable subject to other issues including residential amenity, visual amenity, parking, flood risk and impact on trees.
18. The extension would be situated 6 metres from the boundary with the neighbouring property at 61 Crosby Road. The plans as originally submitted included a first floor rear bedroom window facing this neighbour. This would have resulted in overlooking and a loss of privacy to this neighbour. The amended plans show a revised layout within the building and the omission of this window, which overcomes the concerns about the overlooking of the neighbouring property. Given there is a 6 metre gap to this boundary, with no windows in the first floor elevation facing the boundary, it is considered that a suitable separation would be achieved and that the proposal would not result in a significant or unacceptable over dominant impact to this neighbour. The side elevation of the proposed extension is located close to the rear of the flats at 7 Trevelyan Road and 59 Crosby Road. However, there are no windows that serve habitable rooms facing the side of the extension, the only window in the rear elevation of 7 Trevelyan Road serves a toilet at ground floor level. The proposal is located away from other residential properties. Overall, it is considered the proposal, as revised, would not have an unacceptable impact on residential amenity.

19. The extension would be set back from the road and the front of the existing building. The extension would have a traditional form, constructed in materials to match the existing building, with fenestration having a more contemporary appearance. It is considered that the design and materials proposed are sympathetic to the existing property and the surrounding area. There is no objection to the use of large glazed windows to the front elevation, which would add a contemporary feel to the property. It is not considered that the proposal would have a significant or detrimental visual impact.
20. There are trees around the site including in neighbouring gardens and a street tree to the front of the site. The extension is situated within the centre of the site away from the root areas of these trees. The largest tree, within the neighbouring property, has a root protection area of 3.1 metres measured from the trunk and the extension is 6 metres from the boundary. The Tree Officer is confident the proposal would not affect the closest trees although a tree protection condition is nevertheless recommended. An informative regarding any possible work to the street tree on Trevelyan Road is also recommended advising that the applicant contact Nottinghamshire County Council's tree department if they wish to carry out any work to that tree.
21. The site is situated within an area identified as flood zone 3 on the Environment Agency flood maps and an area benefitting from flood defences. The finished floor levels are set no lower than existing dwelling, in accordance with the Environment Agency Standing Advice, which is acceptable. An informative is recommended advising that flood resilience measures are incorporated into the extension. The site is predominantly hard surfaced and the proposal would not result in loss of significant areas of permeable surface, in fact, the demolition of the existing outbuilding and provision of a garden area has the potential to increase the amount of permeable area within the site. It is considered that the proposal would have a minimal impact on flood risk at the site and will not cause risk to flooding elsewhere.
22. The proposal would provide approximately 75sq metres of rear private amenity space. This is less than the Design Guide recommended 110sq metres of amenity space for detached properties. However, presently the Lodge building doesn't provide any amenity space, only a forecourt area used for parking so the proposal represents an improvement on the existing situation. In addition, the proposed garden area is not dissimilar to some garden areas to other properties in the surrounding area, which tend to have smaller garden areas and the density within this built up area is greater here than in other locations in the borough.
23. Concerns have been raised regarding parking in the area. On street parking is relatively limited in the area. However, it is noted that the majority of properties in the area do not have off street parking. At present, it is understood residents of the flats at the front informally park in the forecourt area, even though this area belongs to the Lodge building. The proposal would remove this informal arrangement and provide two dedicated off street parking spaces for the Lodge. The proposal would provide the recommended amount of parking off street for a 3 bedroom dwelling in this location, which is acceptable. Turning space would also be achieved within the site allowing vehicles to enter and leave in a forward direction. It should be noted that the local Highway Authority do not raise an objection to this proposal and no additional dwellings are being created on the site, albeit there is an increase in the number of bedrooms within

the Lodge building. It is, therefore, considered that the proposal would have a minimal impact on parking and thus the proposal would not cause detriment to highway safety through parking displacement.

24. Concerns have been raised that the proposal would block up an access for residents of the adjacent flats. The proposal would prevent residents of the flats walking in front of the proposal, which would have privacy issues for future residents and possible noise disturbance. Access to the flats is still provided via existing pedestrian entrances at the side on Trevelyan Road and at the front on Crosby Road. The proposal therefore represents an improvement on the layout of the site and on the living environment of the occupiers. Little information has been provided on the boundary treatment separating the proposal from the flats to the front, a condition is therefore recommended requiring further details to be submitted and implemented prior to occupation of the dwelling.
25. Overall it is considered that the proposed extension, as amended, would have a minimal impact on parking, residential amenity and visual amenity within the street and the proposal is compliant with local and national planning policy.
26. The application was the subject of pre-submission discussion when no policy or amenity issues were identified and none arose during consideration of the application. Therefore, there was no requirement for further negotiations or discussions with the applicant's agent.

## **RECOMMENDATION**

It is **RECOMMENDED** that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby approved shall be carried out in accordance with the submitted Site Layout Plan received 13/06/2019 and the revised plans ref no. DL/442/352 Rev A, DL/442/353 Rev A and DL/442/354 Rev B received on 19/07/2019.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The development hereby permitted shall not proceed above foundation level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. No part of the extension hereby approved shall be brought into use until the parking and turning areas are provided in accordance with the approved site plan ref no DL/442/351 Rev A. The parking/turning areas shall not be used for any purpose other than parking/turning of vehicles and shall be retained for the life of the development.

[To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems in the area and enable vehicles to enter and leave the site in a forward direction, in the interests of Highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and the National Planning Policy Framework].

5. Prior to the commencement of development, tree protection details, relevant for all trees to be retained within and adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. The agreed tree protection measures shall be installed prior to the commencement of development and remain in situ until the development is complete.

[This is a pre-commencement condition to ensure that the protection measures are agreed and erected before work commences on site to ensure existing trees are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

6. Details of all screen fencing/walling and means of enclosure to be erected on the site shall be submitted to and approved in writing by the Borough Council prior to occupation of the development hereby approved. The development shall not be brought into use until the approved screen fencing/walling and means of enclosure have been completed, and they shall be retained as such thereafter.

[In the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

## **Notes to Applicant**

You are advised that your property falls within an area identified to be at risk of flooding in the Environment Agency's Flood Risk Maps. It is therefore recommended that the design and construction of the extension incorporates advice with regard to flood resilience and resistance techniques which is available to view on the Environment Agency's website

The tree within the pavement is outside of your control and you would need to contact Nottinghamshire County Council if any work to the tree was needed.

It was noted at the time of the consideration of the application that there was a significant amount of ivy growth on the building. Removal of this growth should take place outside of the bird nesting season (March to September). If it is proposed to remove the ivy during this period, it should first be checked for nesting birds and if nests are found work should cease and not recommence until after the nesting season. It is an offence under the Wildlife and Countryside Act 1981 to disturb nesting birds and their eggs.

The proposed work would necessitate removal of slates from the roof and cutting into the existing roof structure. Prior to work commencing, the roof should be inspected by a competent person for the presence of bats and if evidence of bats is found, work should not take place and advice should be sought from Natural England. Bats and their roost are protected under the Wildlife and Countryside Act 1981 and it is an offence to remove, injure or kill a bat or to damage or destroy their roost.