



## ADDITIONAL / TO FOLLOW AGENDA ITEMS

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

### NOTTINGHAM CITY COUNCIL PLANNING COMMITTEE

**Date:** Wednesday, 17 August 2016

**Time:** 2.30 pm

**Place:** Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG

**Governance Officer:** Catherine Ziane-Pryor **Direct Dial:** 0115 8764298

### AGENDA

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## PLANNING COMMITTEE

### UPDATE SHEET

(List of additional information, amendments and changes to items since publication of the agenda)

17 August 2016

#### 4b 14 Victoria Crescent

Further comments from occupiers of Number 16:

We have reviewed the latest report for the committee meeting and we wish to highlight some errors within the report. We are also seeking some clarification on some of the points you have made in the report. We request that these are included on the amendment sheet.

Paragraph 7.11 states "The amended proposal with the reduced height mono-pitch roof to the front portion of the original footprint of the bungalow, and the removal of the existing roof pitch to the rear of the original bungalow, would maintain the outlook from the main ground floor living area of number 16". This is incorrect, whilst the changes partially maintain the outlook to the bay window, the outlook from the large sash window in this room will most definitely be affected. This window will look directly onto the brick wall which forms the second storey of the proposed development at close range and the new taller roof. The impact to this window will be the same as the impact to the two windows of the secondary living room. All these windows and therefore both rooms will suffer an overbearing impact due to massing, loss of light and loss of outlook. Due to the flow of our ground floor these effects will also be felt in our hall and kitchen. This is not made clear in your report.

***It is accepted that the extension will be visible from the lounge at the rear corner of number 16, which currently enjoys long distance views across the city. Views towards the horizon will be partly blocked by the extension, particularly from the side window, although the view from the large bay window will be largely unobstructed. It should be noted that the planning process controls development in the public interest and cannot protect views from individual properties.***

Paragraph 7.13 states "Concern has been expressed by the occupants of 16 Victoria Crescent regarding overlooking and loss of privacy from and to the proposed windows within the first floor side elevation. The amended plans show these as being high level and obscurely glazed to serve bathrooms on the first floor. It is considered reasonable to condition that these remain obscurely glazed and fixed, as annotated on the plans, to ensure no loss of privacy." We are not sure that the point we have made has been correctly understood. It is not just loss of privacy that we have expressed concerns over. It is the perception of being overlooked. These windows are directly in line with our windows and while we accept that they are high level, non opening and obscured glass we will still suffer the perception of being overlooked at close range which will be detrimental to our residential amenity.

***It is considered that the perception of overlooking from these windows would not be a sustainable reason for refusal of planning permission.***

Paragraph 7.3 states "The Mapperley Park/Alexandra Park Conservation Appraisal seeks to resist extensions on the front or principal elevations and secure extensions that are of subordinate scale. However, it is considered that the application proposal is a comprehensive remodeling of the original building and that it is appropriate to consider the proposals against the guidance for new development. All proposals for new development must be in keeping with the character of the residential area, taking into account the physical scale and form of the prevailing area; existing trees; and the impact in the street scene. Any proposal that harms this character will be resisted." We are struggling to understand how the planning department perceives that the proposed development complies with this policy. Whilst we appreciate in its current form the bungalow is architecturally unremarkable, it is not visually prominent or harmful to the conservation area and as an infill property it sits quietly between the older historic properties as detailed in the Mapperley and Alexandra Park conservation area plan. The proposed building in our opinion is neither in keeping and nor does it seek to preserve the character of the area. We have also expressed concerns throughout this process regarding the planning precedent that will be set by allowing the bungalow to add a second storey. We feel this concern has not been addressed. Should the other single storey dwellings on the crescent wish to add additional floors this will further erode the character of the conservation area.

***The proposed development uses contemporary forms and detailing. In an area where there are a variety of house types, of different ages, it is considered that it would be inappropriate to rule out the use of a contemporary architectural style.***

***All planning applications are assessed on their individual merits, but there is no fundamental planning policy objection to the vertical extension of single storey properties.***

Paragraph 7.5 states "As a remodeling of an existing property, the application does not involve the development of a previously undeveloped garden. The development is well designed in its own right and it is considered that it will make a positive contribution to local character and distinctiveness by virtue of being a distinct modern structure that adds to the overall history and development of the Conservation Area. The proposal is therefore considered to represent a form of development that will enhance the Conservation Area." Again we are struggling to understand how the planning department feels that the proposed development complies with this policy. The plans do involve increasing the footprint of the building by the addition of the side two storey extension which houses the fifth bedroom. This involves developing part of the garden, as does the creation of the front drive which is partially underway. This was previously the front garden of the property. Rather than enhancing the conservation area it is clear to us that the design is primarily aimed at maximising floor space and dispute that its design will make a positive contribution to the area.

***The loss of garden area to accommodate the additional footprint of the side extension is not considered to be harmful to the character of the conservation area.***

Paragraph 7.10 states “Having regard to the design, scale, location and outlook from the proposed development, and the relationship with the site boundaries, it is considered that the proposal would have an acceptable impact on neighbouring properties in terms of privacy, daylight, sunlight and outlook”. We’d like to understand the criteria used that brought you to this conclusion, as you saw when you attended site, the current outlook from our main living area and secondary living area (the playroom) currently has unobstructed views for many miles to the hills to the west, these will be totally obscured by the new development and all we will be able to see is a brick wall. We’d also like clarification on how you reached the decision that the loss of daylight and sunlight is acceptable to the rooms on the lower ground floor, this is an area where I spend a large proportion of my working day and the new building will mean that these rooms are permanently in shadow? In addition to this the windows on the rear of the building will look directly onto the most private area of our garden.

Paragraph 7.12 states “Whilst it is accepted that the new first floor will be visible from the secondary, linked living area on the ground floor, and also from the first floor bedroom, it is considered that the impact on these rooms will be acceptable in terms of light and outlook due to the distance away from these windows that the increased roof height Page 41 will be (the highest part of the new roof would be approximately 11 meters from the boundary with number 16).” This statement neglects to mention that majority of the new brick wall will only be approximately 6-7 meters away from our west facing windows and will totally obscure the uninterrupted views we currently have. Again we’d like to understand the decision making criteria you used that led you to this decision?

Paragraph 7.13 states “The windows to the lower ground floor have a relatively limited outlook and whilst it is accepted that the first floor extension would be visible from these windows, it is considered that it would not have an overbearing impact, and that the effect on sunlight/daylight would be acceptable”. We are really struggling to understand how it was concluded that this will not have an overbearing impact, we will be looking out onto a solid brick wall, how can this be described as not overbearing? To further compound the effect on this the room it will be totally denied of any sunlight or daylight, again under what criteria can this be deemed acceptable?

***The assessment is a matter of judgement based on the circumstances of the case. The council has no rigid criteria enshrined in planning policy that it would apply to an assessment of this nature.***

Further comments from the occupiers of number 12:

I was advised by my planning consultant to email each member of the planning committee with the concerns I have for the proposals for 14 Victoria Crescent - which I did earlier today. I also copied you into the email so you should have received a copy (a copy is also included below for your reference). I wanted to do this to ensure that my concerns were viewed in full and in the context in which I intended (i.e. as opposed to being paraphrased). I hope that this is ok.

I would like to stress that this was done as I have genuine and serious concerns about the proposals and I just cannot help but feel that the decision is terribly wrong and so detrimental to us as neighbours and to the conservation area as a whole. I am sure you can appreciate that these proposals, if passed, will affect our lives

immeasurably and destroy the enjoyment of our homes. I hope that you can therefore understand our need to address what we feel is wrong with the application.

As I have set out in my last email I feel that the greatest injustice will be for the adjoining neighbours at Number 16 who will be seriously impacted by the addition of an extra storey in front of their windows. Having spent several hundreds of thousands of pounds renovating and restoring the building (and in doing so enhancing the conservation area considerably), it is absolutely heart breaking that the applicants should suffer this terrible ordeal of having a brick wall being built in front of their beautiful windows. This will undoubtedly ruin the one aspect of their house which is really very special - the views. The whole house was built for those views and the proposals will destroy this, which is devastating. I am in absolute disbelief that the planning department consider this to be acceptable. Having seen the property for yourself on Monday do you still share the view that this would be acceptable? I know that you had previously not seen the site in person.

I have also argued against the addition of the single storey side extension which we feel should be removed from the design due to the loss of amenity that this causes for us, the development of garden land which was previously not built upon (which the council should aim to resist in this area), the loss of trees which will exacerbate the issues of overbearing impact we will already suffer through increasing the mass so considerably and unnecessarily.

As you are aware we have also argued against the design which we feel is not up to standard and lacks any special qualities that should be expected in an area of such historical significance; not to mention the impact of allowing an infill property to be overdeveloped in such a way to the size and scale that has been proposed.

I feel there are many issues which still need to be addressed which I have discussed in my email below. I am writing to you to request that the comments in my email to the Councillors are included in the next planning committee, along with my previous emails which discuss the impact on the conservation area in more detail.

I really hope that you can see that my intention is not to be difficult and is purely to stand up for something which affects us so deeply.  
I would be grateful if you could confirm that my comments will be added to the late report for consideration at the meeting.

***The points raised in the further comments are covered by the committee report and the further comments above.***

(Additional background papers: email dated 11/8/16 from the occupiers of 16 Victoria Crescent; 12/8/16 from occupier of 12 Victoria Crescent)

# PLANNING COMMITTEE

## UPDATE SHEET

(List of additional information, amendments and changes to items since publication of the agenda)

17 August 2016

### **5 Bulwell Conservation Area – Proposed Conservation Area Designation**

The report of the Chief Planner on at paragraph 8.2, point no. 5 is amended so that it reads “Permitted development rights for dwelling houses are subject to certain additional restrictions” only, and the succeeding words “(the area proposed does not include any dwelling houses)” are deleted, as these were included in error.”

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