

Member Interest:

Delegated Report

Application Number: V/2025/0053

Address: Land Adjoining 131, Papplewick Lane, Hucknall, Nottinghamshire, NG15 8BG

Description of Works: Application to Vary Condition 3 - Approved Plans of Planning Permission V/2023/0298

The Application	Application to Vary Condition 3 - Approved Plans Of Planning Permission V/2023/0298
Policy Considerations	<p>Ashfield Local Plan Review (ALPR) (2002)</p> <p>ST1 – Development</p> <p>ST2 – Main Urban Area</p> <p>HG5 – New Residential Development</p> <p>National Planning Policy Framework (NPPF) (2023)</p> <p>Part 2 – Achieving sustainable development</p> <p>Part 5 – Delivering a sufficient supply of homes</p> <p>Part 9 – Promoting sustainable transport</p> <p>Part 11 – Making effective use of land</p> <p>Part 12 – Achieving well designed places</p> <p>Part 15 – Conserving and enhancing the natural environment</p> <p>Supplementary Planning Documents (SPD)</p> <p>Residential Design Guide</p> <p>Residential Extensions Design Guide</p> <p>Residential Car Parking Standards</p>
Relevant Planning History	<p>V/1982/0313 – Extensions for Garage – Conditional</p> <p>V/1988/0854 – Change of Use, Extensions and Alterations to Form Home for the Elderly/Nursing Home – Conditional</p> <p>V/1992/0319 – Erection of One Bungalow – Conditional</p> <p>V/1993/0720 – Change of Use and Extensions to Home for the Elderly/Nursing Home – Conditional</p> <p>V/1995/0040 – Study and Car Port – Conditional</p> <p>V/2010/0094 – 2 Dwellings – Conditional</p>

	<p>V/2022/0807 – Rear Two-Storey Extension and Glazed Porch – Conditional</p> <p>V/2022/0808 - Erection of 4 Bedroom Bungalow to the North of the Site Occupied by Number 131 Papplewick lane – Withdrawn</p> <p>V/2024/0015 - Conditional discharge of condition 2 - materials and finishes for V/2023/0298 – CDDetermind</p> <p>V/2023/0298 - Proposed three-bedroom dwelling to the south of 131 Papplewick lane – Conditional</p>
Summary of comments received	<p>NottsCC Highways: The highway authority therefore has no objection to this planning application.</p> <p>Residents: Three residents’ comments have been received objecting to the proposal. Concerns have been raised over overlooking due to raised ground levels, increasing risk of drainage issues and the impact of the fencing on both visual and residential amenity.</p>
Comments on above	<p>Issues with visual and residential amenity will be addressed in the summary below.</p> <p>The changes to the ground level have been done to get the correct fall and flow on the drains to the rear of the property and as such should alleviate any future drainage issues.</p>
Summary	<p>The Site and Application</p> <p>The application site is a plot of land that forms part of the existing garden of No.131. It is located off Papplewick Road in the main urban area of Hucknall down an access which is shared with 7 other properties. The site is surrounded by existing residential development.</p> <p>The original application sought consent to erect a 3-bedroom dwelling (bungalow) to the south of No. 131 Papplewick Lane. The dwelling has now been erected, and this application wishes to vary condition 3 – approved plans to include the alteration to ground levels.</p> <p>The amendments to the ground level are minimal. The site originally was on an area of sloping land. The ground level at the front of the site and eastern side of the site will see very little change to the ground level. The rear garden will see a step up of 0.45m in ground level occurs in line with the eastern side elevation in the rear garden.</p> <p>Visual Amenity</p> <p>The proposal will not be visible within the street scene only from the private drive and neighbouring properties. There is no visual change to the dwelling or the materials from application V/2023/0298 only a slight change in the ground levels of the site.</p> <p>Concerns have been raised over the fencing on site and the harm on the visual outlook of the property. The fencing around the side and rear of the site are timber boards, the fences do not exceed 2m in height</p>

from the ground level in which they are placed. No alterations have been made to the boundary treatment at the front of the site. It is considered that the fencing is acceptable and does not look out of character for a residential property.

Therefore, it is considered that the changes to the ground level will not have a detrimental impact on the visual amenity of the area.

Residential Amenity

A number of comments have been received with concerns overlooking from the raised ground area. The alterations to the ground levels are very minimal the garden area being raised approximately 0.47m at most.

Concerns have been raised that privacy issues will occur to the neighbouring properties. The adjacent property is 129b Papplewick Lane. A site visit has been undertaken, and it is clear that from standing on the raised garden area that no overlooking will occur. The fencing to all sides of the garden obstructs the view into the adjacent properties.

Concerns have also been raised in regard to overlooking at 129c and 129a Papplewick Lane. Both of these properties are located approximately 35m away from the site, this is over the 21m separation distance referred to in the Council's adopted supplementary planning document (SPD), 'Residential Design Guide' (2014).

In relation to the overlooking residents have also expressed concerns over the fencing on site. The fencing has been measured on site, none of the fencing on site exceeds 2m in height from the ground level it has been placed on. The ground level directly adjacent to no.129b Papplewick lane does not alter is most part and in some areas is slightly lower. There are no side windows on the neighbouring property that runs adjacent to the fencing. The fencing runs approximately 30cm higher than the existing brick wall. Given this it is unlikely that the fencing will result in a significant overbearing impact. Furthermore, a fence of up to 2m can be erected under permitted development, the fencing on site is between 1.63m-1.95m in height.

Overall whilst the site is in proximity to other residential dwellings it is considered that from the officer visit on site that there will be no elevated concerns in regard to the impact in terms of overlooking from the changes in ground level.

Conclusion

Having reviewed the submitted information and comments, as well as undertaking a site visit, against all relevant policies and material planning considerations, it is considered that the alterations to the ground level will be unlikely to have a detrimental impact on the amenity of neighbouring properties. Therefore, the application is recommended for conditional consent.

Recommendation	RVCCC		
Conditions & Reason	Condition Code	Text	Monitor
	1.	<p>This permission shall be read in accordance with the following plans:</p> <ul style="list-style-type: none"> a. Site Location Plan received 07/02/2025. b. Block Plan (Dwg no. PL-DD-10001-A) received 07/02/2025. c. Proposed Revised External Levels (Dwg no. PL-DD-20001-A) received 07/02/2025. d. Proposed Ground Floor Layout & Elevations, (Dwg No. (22)3000 Rev P04) received 26/05/2023. e. Proposed Roof Layout, (Dwg No. (22)2001 Rev P03), received 26/05/2023. <p>The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.</p>	
	2.	<p>Prior to the occupation of the hereby approved dwelling, the parking provision shown on submitted plan Dwg No. (22)3000 Rev P04 shall be implemented.</p>	
	3.	<p>Trees to be retained at the site shall be done so in accordance with the submitted Arboricultural method statement dated 07 September 2023, Arboricultural Impact Assessment Dwg No. Arbtch AIA 02 Rev a, Planting Plan Dwg No. ArbtchPP02 Rev a, Tree Protection Plan Dwg No. Arbtch TPP 02 Rev a, all received 08/09/2023.</p>	
	Reason Code	Text	Monitor

	1. 2. 3.	To define the terms of this permission and for the avoidance of doubt. In the interests of highway safety. To ensure safe retention of trees onsite.	
Informative	Informative	Informative Text The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).	
Proactive Working	The application as submitted is acceptable. In granting planning permission, the District Planning Authority is implicitly working positively and proactively with the applicant.		

	Signed	Dated
Case Officer	L.Murray	17/04/2025
Development Team Manager		17/04/2025
Determined by Service Director Or on their behalf		17/04/2025