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Direct dial 0115 914 8482
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Our reference:
Your reference:
Date: 5 July 2017

To all Members of the Council

Dear Councillor

A meeting of the **Planning Committee** will be held on Thursday 13 July 2017 at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

Yours sincerely



Deputy Monitoring Officer

AGENDA

1. Apologies for absence and substitute Members
2. Declarations of Interest
 - a) Under the Code of Conduct
 - b) Under the Planning Code
3. Minutes of the Meeting held on Thursday 15 June 2017 (pages 1 - 13).
4. Planning Applications

The report of the Executive Manager - Communities is attached (pages 14 - 46).
5. Appeal Decisions

There are no Planning Appeal Decisions.

Membership

Chairman: Councillor R L Butler
Vice-Chairman: Councillor J A Stockwood
Councillors B R Buschman, J N Clarke, M J Edwards, J E Greenwood,
R M Jones, Mrs M M Males, S E Mallender, Mrs J A Smith and J E Thurman



Rushcliffe Community
Contact Centre
Rectory Road
West Bridgford
Nottingham
NG2 6BU

In person
Monday to Friday
8.30am - 5pm
First Saturday of
each month
9am - 1pm

By telephone
Monday to Friday
8.30am - 5pm

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0115 981 9911
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Postal address
Rushcliffe Borough
Council
Rushcliffe Arena
Rugby Road
West Bridgford
Nottingham
NG2 7YG



Meeting Room Guidance

Fire Alarm Evacuation: in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: are located to the rear of the building near the lift and stairs to the first floor.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY 15 JUNE 2017**

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road,
West Bridgford

PRESENT:

Councillor R L Butler (Chairman)
Councillor J A Stockwood (Vice-Chairman)

Councillors M Buckle (Substitute for J E Greenwood) B R Buschman,
A M Dickinson (Substitute for Mrs J A Smith), M J Edwards, S J Hull
(Substitute for R M Jones), Mrs M M Males, S E Mallender, Mrs M Stockwood
(Substitute for J N Clarke) and J E Thurman

ALSO IN ATTENDANCE

6 Members of the public

OFFICERS IN ATTENDANCE

P Cox	Senior Solicitor
A Goodman	Constitutional Services Officer
M Hilton	Area Planning Officer
D Mitchell	Executive Manager – Communities
A Pegram	Service Manager – Communities

APOLOGIES FOR ABSENCE

Councillors J N Clarke, J E Greenwood, R M Jones and Mrs J A Smith

1. DECLARATIONS OF INTEREST

There were none declared.

2. MINUTES

The Minutes of the Meeting held on Thursday 18 May 2017 were confirmed as a correct record and signed by the Chairman.

3. PLANNING APPLICATIONS

The Committee considered the written report of the Executive Manager - Communities relating to the following applications, which had been circulated previously.

Item 1 - 17/00582/FUL - Demolish existing house and ancillary buildings, erect 2x apartment blocks comprising 8x2 bed apartments, 1x1 bed apartment, plus gym facility with parking - 134A Trent Boulevard, West Bridgford, Nottinghamshire NG2 5BW.

Updates

A representation from the Applicant received after the Agenda had been finalised, had been circulated to Members of the Committee prior to the meeting.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS

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 permitted shall not proceed beyond foundation level until details of the facing and roofing materials, including the colour finish of any render and cladding, 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. Thereafter, the development shall be maintained in accordance with the approved details.

[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].

3. The development shall be carried out in accordance with the mitigation measures included in the Flood Risk Assessment March 2017 / 17-0036/BSP Consulting.

[To ensure protection against flooding and to comply with policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. The development shall not be brought into use until the proposed access and parking/turning area, the bin store and bicycle storage facilities have been constructed with the access driveway fronted by a dropped kerb vehicular crossing with any redundant sections returned to footway. These facilities shall be retained for the lifetime of the development.

[To ensure adequate car parking facilities are provided in connection with the development; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

5. 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 before development commences. 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 thereafter unless the Borough Council gives written consent to a variation.

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

6. Prior to the installation of any externally mounted plant or equipment or any internally mounted equipment which vents externally, serving the gym area, the noise levels for such items shall be submitted to and approved in writing by the Borough Council. Thereafter, the plant and/or equipment shall only be operated in accordance with the approved details.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

7. Before development is commenced, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. Where the Report identifies potential contamination a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required.

[To make sure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

8. Prior to the use of the proposed gym commencing, an insulation scheme to effectively reduce the transmission of noise to the apartments in the building shall be carried out in accordance with details first approved in writing by the Borough Council.

[To protect the amenities of the neighbouring residential property and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

9. Details of any proposed external lighting shall be first approved in writing by the Borough Council and the lighting shall be installed and maintained to accord with the approved details, for the lifetime of the development.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

10. Prior to demolition of the existing buildings, a method statement detailing techniques for the control of noise, dust and vibration shall be submitted to and approved in writing by the Borough Council and the works shall be carried out in accordance with the approved details.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

11. Prior to the development being brought into use/occupied, the open areas of the site shall be finished in hard surfacing and soft landscaping in accordance with details to be submitted to and approved by the Borough Council. The open areas of the site shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

12. The proposed gym shall only be for the use of the occupants of the proposed flats.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

13. The development shall be carried out in accordance with the submitted plan no's 16058-A-3010- P05, 16058-A-2002-P05, 16058-A-2002-P05, 16058-A-3002-P04, 16058-A-3003-P04, 16058-A-5011-P03, 16058-A-4002-P04, 16058-4001-P04.

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

14. The roof area above flats 7, 8 and the gymnasium shall not be used as a balcony, roof garden or similar amenity area.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

15. In the event that the proposed development does not commence within 12 months of the date of this permission, a further bat survey shall be carried out and submitted to the Borough Council and any mitigation measures carried out in accordance with the report.

[To ensure the survey reflects the situation pertaining at the time and to comply with policy EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

16. Prior to occupation of the respective flats, the frosted glass screens shall be installed on the western end of the balconies at first and second floor level on the rear elevation of the building, shown on drawing number 16058-A-4002 - revision P04. The glass screens shall be rendered permanently obscured to Grade 5 level of privacy or equivalent. Thereafter, the frosted glass screens shall be retained and maintained for the life of the development.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

Although the submitted Bat Survey found no evidence of bats, it points out that bats are mobile and could appear at any time. If bats are found when development commences, work should cease and an ecologist consulted.

The render and cladding to be used on all external elevations, details of which are required to be submitted pursuant to condition 2, should be of a neutral colour and not bright/bold colours.

Item 2 - 17/00043/COU - Use of land to provide vehicle parking with measures to improve bio-diversity (part retrospective) - Artex Ltd, Pasture Lane, Ruddington, Nottinghamshire NG11 6AE.

Updates

Representations from the Applicant's Agent and a local resident, received after the Agenda had been finalised, had been circulated to Members of the Committee prior to the meeting.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plan(s): 1:1250 Site Location Plan; Drawing numbers 17-0181-001 and 17-0181-002; the Protected Species Survey and Enhancement Strategy and the Planning Statement.

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

2. Before any further works are undertaken on the bio-diversity area of the site, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. In those cases where the detailed investigation report confirms that contamination exists, a remediation report and validation statement will also be required. All of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council, prior to any further works, including clearance, continuing, and thereafter any mitigation measures shall be implemented and the development shall be carried out in accordance with the approved details.

The existing soils and any soil or forming materials brought to site shall be tested for contamination and suitability for use on site.

Contamination testing should take place within UKAS and MCERTS accredited laboratories, unless otherwise agreed with the Borough Council. Laboratory certificates shall be submitted to and approved in writing by the Borough Council prior to any soil or soil forming material being imported onto the site.

Details of the source and type of the imported materials and the estimated amount to be used on the site are also required to be submitted prior to any further works continuing on the bio-diversity area of the site.

[To ensure that the site is free from contamination and to comply with policy GP2 (Design and Amenity) of the Rushcliffe Borough Non-Statutory Replacement Local Plan. A Contaminated Land Report is required prior to development commencing in the biodiversity area because it may be necessary to carry out remediation measures which could not be carried out once development has commenced].

3. Prior to the erection/installation of the proposed lighting within the development hereby approved details of any such lighting including the number, height, materials, finish, hours of operation including timings (and mechanism for doing so) shall be submitted to and approved in writing by the Borough Council, together with a lux plot of the estimated illuminance at the nearest residential premises. Thereafter the lighting shall be installed, maintained and operated only in accordance with the approved details.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

4. No development, including site works and clearance, shall continue until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Borough Council:
 - (a) the treatment proposed for all ground surfaces, including hard areas;
 - (b) full details of tree planting;
 - (c) planting schedules, noting the species, sizes, numbers and densities of plants;
 - (d) finished levels or contours;
 - (e) all existing trees, hedges and other landscape features, indicating clearly those to be removed; and,
 - (f) a landscape management plan and schedule of maintenance.

Thereafter the approved landscape scheme shall be carried out in the first tree planting season following the date of this permission and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[To make sure that a satisfactory landscaping scheme for the development is agreed and implemented in the interests of the appearance of the area and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. Continuation of development in advance of the submission of a landscaping scheme could result in inappropriate species being proposed and avoidable harm to the existing species on site that could result in the loss of trees and/or hedges which should otherwise be retained.]

5. The mitigation/compensatory measures referred to in the Protected Species Survey and Enhancement Strategy shall be completed before any further works commence on site and shall be submitted to and approved in writing by the Borough Council.

The mitigation shall include, but not be limited to, the following:

- Creation and maintenance of meadow areas and glades as specified;
- Enhancement of woodland area through native bulb planting, shrub and tree planting and on-going maintenance as specified;
- Enhancement of riparian habitats (stream edge) through pre-planted coir rolls and seeding banks and on-going maintenance as specified; and
- Use of bat boxes, hibernacula and bird nesting boxes as specified.

Thereafter the Borough Council shall be notified when these measures have been carried out and there shall be no alteration to the measures taken without the prior written approval of the Borough Council. Any mitigation measures required shall be implemented in accordance with the survey.

[To ensure that adequate compensatory measures are undertaken and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan. Commencement of development in advance of the submission of these details could result in habitats or other items of wildlife interest being damaged or destroyed.]

6. Prior to any further works continuing on site an on-going Ecological Management Plan shall be submitted to and be approved in writing by the Borough Council and shall include details for:
 - The monitoring of all ecological and mitigation works stating the timescales and period for implementation and the future maintenance and monitoring and management measures, including timescales for doing so and to ensure that the works are successful not only immediately following implementation but also in the future.
 - Details of the removal of any trees with potential to support roosting bats, including the method and timescales for doing so to ensure that such felling only be undertaken between late August and early October and March and April, when bats are active but outside the main breeding season. If any such trees are required to be removed a pre-works bat survey to check bats are not present, shall be undertaken by suitably qualified and licenced person(s), and a report confirming the findings shall be undertaken prior to the removal of said tree(s) and submitted in writing for approval by the Borough Council. Thereafter the works shall be undertaken in accordance with the approved details. If bats or roosts are found the works should either not be carried out or should be carried out according to the conditions of a European Protected Species Derogation licence from Natural England and should be soft-felled in the presence of a licenced bat ecologist.

- Details of how all workers / contractors will be made aware of the potential of protected species being found on site and how they will be advised that care should be taken during works to avoid harm, including during any tree works. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted and they have prepared a report to be submitted in writing to the Borough Council for consideration. Thereafter the works shall only be undertaken in accordance with the approved details.
- Details of how all works impacting on vegetation used by nesting birds will be timetabled to avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted, a report has been prepared and submitted in writing for approval by the Borough Council. Thereafter the works shall be undertaken in accordance with the approved details.
- Details of the design and positioning of external lighting, including temporary light set up to enable works, to avoid adverse impacts on bat populations, see http://www.bats.org.uk/pages/bats_and_lighting.html for advice.
- Confirmation that best practice will be followed during building work to ensure trenches dug during works activities are left open over night, they should be left with a sloping end or ramp to allow animal that may fall in to escape. Any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Tree root protection zones should be established around trees.

Thereafter all works shall be undertaken in accordance with the approved details within the Ecological Management Plan.

[To ensure that adequate compensatory measures are undertaken and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan. Commencement of development in advance of the submission of these details could result in habitats or other items of wildlife interest being damaged or destroyed.]

7. Prior to any further works continuing on site details of the number and location(s) of the interceptor unit(s) installed on the car park area of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the interceptor unit(s) shall be maintained in accordance with the manufacturer's specification for the lifetime of the development.

[To ensure that adequate drainage facilities are provided in connection with the development free from contamination, in the interests of public health and safety and to comply with policy GP2 (Design & Amenity Criteria) and policy WET3 (Ground Water Resources) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

Due to the close proximity of neighbouring residents, there shall be no burning of waste/wood on the site.

Guidance on lighting installations can be found at:
<https://www.theilp.org.uk/documents/obtrusive-light/>, Guidance Notes for the Reduction of Obtrusive Light GN01:2011.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

Your attention is drawn to the requirements of Condition 2 in respect of potential contamination of the site. For further information on the content of Contaminated Land Reports, please refer to the Council's Publication "Developing Land within Nottinghamshire - A Guide to Submitting Planning Applications for Land that may be Contaminated." This booklet is available from both Rushcliffe Borough Council's website www.rushcliffe.gov.uk (use the A-Z search for Contaminated Land) or by contacting the Neighbourhoods Service directly or use the following link. <http://www.rushcliffe.gov.uk/media/rushcliffe/media/documents/pdf/environmentandwaste/Notts%20developers%20guide%202013.pdf>.

Item 3 - 17/00450/FUL - Division of existing site to form a separate plot to allow the construction of a four bedroom family home - 2 Field Bungalow, Chapel Lane, Aslockton, Nottinghamshire NG13 9AR.

Updates

There were none reported.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS

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 permitted shall be carried out in accordance with the following approved plans:

16-123-08-04 Revision A, 16-123-08-03 Revision A, 16-123-08-10 Revision A.

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

3. Prior to construction of the development hereby permitted reaching Damp Proof Course level, specific details of the facing and roofing materials to be used on all external elevations shall be 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 policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

4. The dwelling hereby permitted shall not be occupied until the garage and/or driveway/parking area is available for the parking of vehicles, and a minimum of 2 parking spaces (2.4m x 4.8m) shall be retained for the lifetime of the development.

[To ensure that adequate off street parking is provided and retained 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].

5. The hedgerow along the south and west boundaries shall be retained and maintained at a minimum height of 2 metres for the lifetime of the development and any part of the hedgerow removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants of such size and species, details of which shall be submitted to and approved in writing by the Borough Council, within one year of the date of any such loss being brought to the attention of the Borough Council.

[The hedgerow is an important feature in the area and to comply with policy GP2 Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

This Authority is charging for the discharge of conditions in accordance with revised fee regulations which came into force on 6 April 2008. Application forms to discharge conditions can be found on the Rushcliffe Borough Council website.

Attention is drawn to the fact that this permission does not entitle the applicant to obstruct in any way the footpath adjacent to the land to which this application relates. If it is intended to divert or stop up the footpath, the appropriate legal steps must be taken before development commences. Please contact the Borough Solicitor for advice on the procedures (Tel 01159 9148215).

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

Item 4 - 17/00656/FUL - Single storey side extension with accommodation in the roof - 44 Daleside, Cotgrave, Nottinghamshire NG12 3QN.

Updates

There were none reported.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS

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 permitted shall be carried out in accordance with the following approved plan(s): 1:1250 Location Plan; SK005; SK006 A and SK007 A.

[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 extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[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. Notwithstanding the provisions of Schedule 2 Part 1 Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no windows shall be inserted in the roof of the extension hereby approved, other than those shown on the approved plans and there shall be no alteration to the roof without the prior written approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Notes to Applicant

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

4. APPEAL DECISIONS

The report of the Executive Manager - Communities was submitted and noted.

The meeting closed at 8.25 pm.

CHAIRMAN

Report of the Executive Manager - Communities

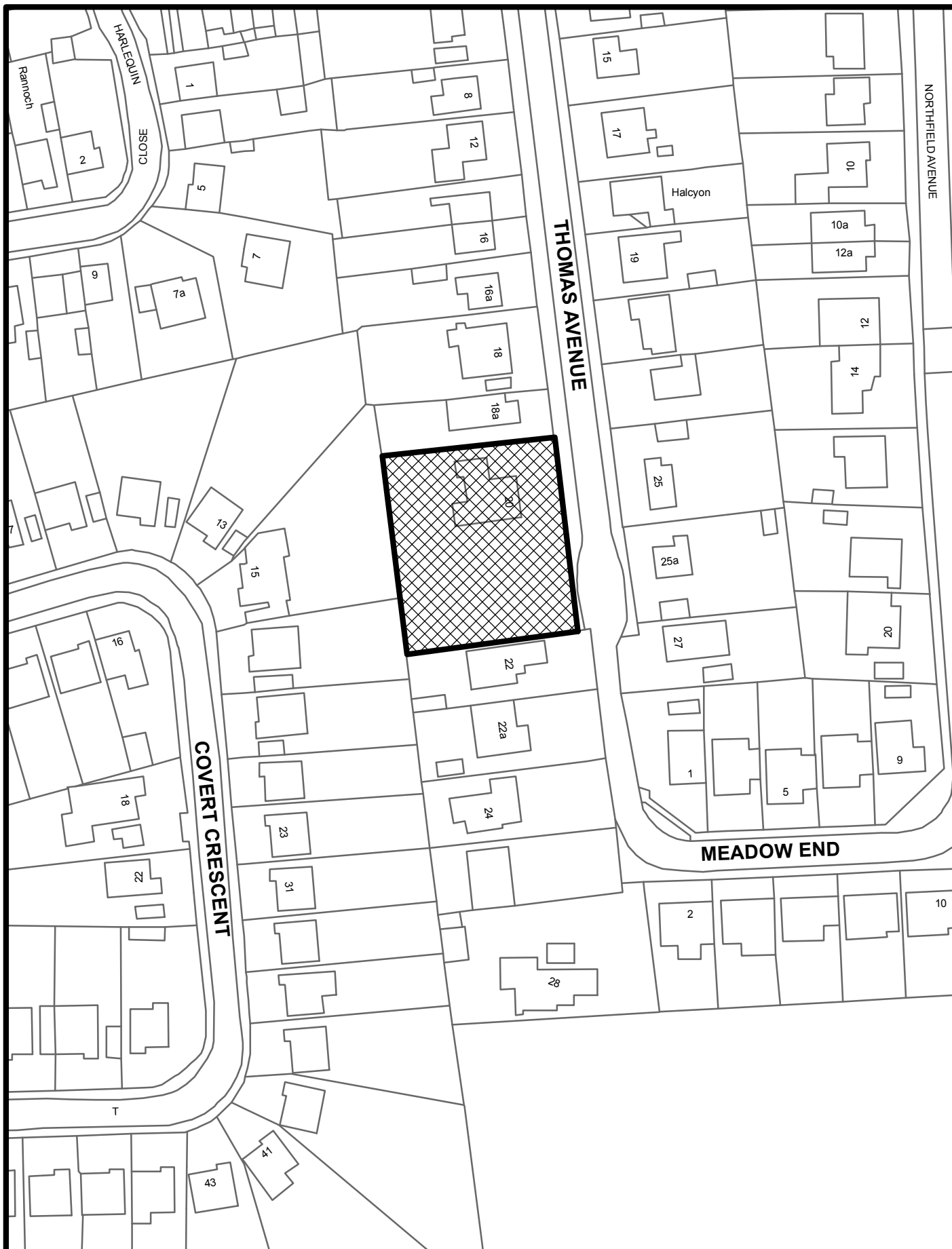
PLEASE NOTE:

1. Slides relating to the application will be shown where appropriate.
2. Plans illustrating the report are for identification only.
3. Background Papers - the application file for each application is available for public inspection at the Rushcliffe Customer Contact Centre in accordance with the Local Government Act 1972 and relevant planning legislation/Regulations. Copies of the submitted application details are available on the website <http://planningon-line.rushcliffe.gov.uk/online-applications/>. This report is available as part of the Planning Committee Agenda which can be viewed five working days before the meeting at <http://www.rushcliffe.gov.uk/councilanddemocracy/meetingsandminutes/agendasandminutes/>. Once a decision has been taken on a planning application the decision notice is also displayed on the website.
4. Reports to the Planning Committee take into account diversity and Crime and Disorder issues. Where such implications are material they are referred to in the reports, where they are balanced with other material planning considerations.
5. With regard to S17 of the Crime and Disorder Act 1998 the Police have advised they wish to be consulted on the following types of applications: major developments; those attracting significant numbers of the public e.g. public houses, takeaways etc; ATM machines, new neighbourhood facilities including churches; major alterations to public buildings; significant areas of open space/landscaping or linear paths; form diversification to industrial uses in isolated locations.
6. Where the Planning Committee have power to determine an application but the decision proposed would be contrary to the recommendation of the Executive Manager - Communities, the application may be referred to the Council for decision.
7. The following notes appear on decision notices for full planning permissions:

“When carrying out building works you are advised to use door types and locks conforming to British Standards, together with windows that are performance tested (i.e. to BS 7950 for ground floor and easily accessible windows in homes). You are also advised to consider installing a burglar alarm, as this is the most effective way of protecting against burglary. If you have not already made a Building Regulations application we would

recommend that you check to see if one is required as soon as possible. Help and guidance can be obtained by ringing 0115 914 8459, or by looking at our web site at <http://www.rushcliffe.gov.uk/planningandbuilding/buildingcontrol/>

Application	Address	Page
17/00892/FUL	20 Thomas Avenue, Radcliffe On Trent, Nottinghamshire NG12 2HT	16 - 25
	Construction of two detached dwellings and alterations to existing dwelling	
Ward	Radcliffe On Trent	
Recommendation	Planning permission be granted subject conditions	
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17/00694/FUL	25 Cranford Gardens, West Bridgford, Nottinghamshire NG2 7SE	26 - 33
	Detached Garage (revised scheme)	
Ward	Compton Acres	
Recommendation	Planning permission be granted subject conditions	
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17/00891/FUL	Redroofs 4 Upper Holme, Main Street, Zouch, Nottinghamshire	34 - 39
	Replacement of existing dwelling (reapplication)	
Ward	Sutton Bonington	
Recommendation	Planning permission be refused	
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17/01035/FUL	Birchwood Nicker Hill, Keyworth, Nottinghamshire NG12 5ED	40 - 46
	Erect oak framed, 3 bay car garage/shelter	
Ward	Keyworth and Wolds	
Recommendation	Planning permission be refused	
<hr/>		



Application Number 17/00892/FUL
20 Thomas Avenue, Radcliffe on Trent

scale 1:1000



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Rushcliffe Borough Council - 100019419

17/00892/FUL

Applicant Mr Craig Longley

Location 20 Thomas Avenue Radcliffe On Trent Nottinghamshire NG12 2HT

Proposal Construction of two detached dwellings and alterations to existing dwelling

Ward Radcliffe On Trent

THE SITE AND SURROUNDINGS

1. 20 Thomas Avenue is a large detached brick built bungalow set in a considerable plot which extends due south of the property, alongside the road. The existing property has private gardens to the west (rear) of the main house with the large side garden, a more publically visible area, and an unusual feature in the locality.
2. Thomas Avenue rises up from the north to the south, giving the site (including the existing bungalow) a relatively steep topography with a change in levels of more than 3.5 metres between the north boundary and south boundary of the side garden.
3. This garden area is mostly grassed with a 1.6m high hedge marking the eastern boundary with the road. To the southern boundary, with 22 Thomas Avenue, is a 1.8m high close boarded fence that is further screened by mature planting and to the west is a mature 1.8m high hedge. It should also be noted that there are several mature trees towards the western fringes of the site.
4. The Thomas Avenue street scene has no particular individual character or built rhythm with large amounts of infill development over time leading to a wide range of properties and materials. For example the properties due east of the site are both two storey detached dwellings, whilst directly to the north and south are bungalows with larger dormer bungalows visible from site on Meadow End to the south and further away towards the northern end of Thomas Avenue. Brick, render and cladding are all materials familiar to the local area.
5. Thomas Avenue itself is a residential street that runs along the eastern boundary of the site. There is a hammerhead turning point towards the south eastern corner of the site boundary which marks the point where Thomas Avenue becomes a much narrower private road, commencing in line with the southern boundary.

DETAILS OF THE PROPOSAL

6. This application seeks full planning permission for the erection of two dormer bungalows on the garden land to the south of 20 Thomas Avenue and includes modest changes to the existing dwelling.

7. The existing garden area to the south of 20 Thomas Avenue would be split into two plots, each measuring 34m in depth and 10.5m/11m in width. The site would be graded and stepped whilst both proposed dwellings would be set some 7m back from the road with garden areas measuring 14m in depth for the northernmost property and 10m (minimum) for the southernmost.
8. The individual properties proposed would be of similar form, both dormer bungalows with small single storey front projections. The northernmost property would have a flat rear elevation whilst the southernmost property would have a single storey rear projection. Both dwellings would have 3 bedrooms, two at first floor and one on the ground floor.
9. In terms of size, the two dwellings would have maximum ridge heights of 7m and eaves of 3m. The single storey sections would be lower than this with eaves at 2.5m and ridges between 4.5m and 4.9m. The dwellings would have first floor windows to the front and rear, with roof lights serving first floor rooms in both side elevations.
10. The dwellings would be finished in a more contemporary material finish with off white render and cedar cladding to the external walls and Marley Eternit Edgemere slate tiles in a smooth grey colour to the roof. The driveways are proposed to be finished in tarmac whilst landscaping strips are proposed to the front elevations facing Thomas Avenue.
11. Both properties are proposed to take individual access from Thomas Avenue with 2 off street parking places provided per property.
12. In respect of the existing property at 20 Thomas Avenue, it is proposed to remove the two existing south facing bay windows, with one blocked up and the other changed to a flat window. One existing opening to the rear would be enlarged.

SITE HISTORY

13. No relevant planning history

REPRESENTATIONS

Ward Councillor(s)

14. One Ward Councillor (Councillor Upton) objects to the proposal. He comments that although there is not a fundamental issue with a residential development on the site, the current proposal would seem over intensive for the plot. It is suggested that a single bungalow would be more in keeping.
15. The Ward Councillor also raises issues that the proposed development would cause an overbearing and overshadowing impact on the neighbouring residents at 22 Thomas Avenue, to the south. One final concern raised relates to the access for the new development, and impacts that the new driveways and proposals may have on the turning head which they would access onto. It is stated that the “functionality” of the existing turning point must be maintained.

Town/Parish Council

16. Radcliffe-on-Trent Parish Council object to the proposal and comment, *“Object - Over intensive development. Adverse impact on parking and turning in the immediate area.”*

Statutory and Other Consultees

17. This application falls to be considered under Nottinghamshire County Council’s standing advice issued in January 2017, as such, no comments were provided.

Local Residents and the General Public

18. 6 public comments were received from neighbouring residents. The reasons for objections are summarised as follows:
 - a. The first floor west facing windows of the development would cause a loss of privacy to the neighbours due west at 15 Covert Crescent whose property backs onto the site.
 - b. The proposed south facing roof lights in the southernmost property would cause a loss of privacy to the neighbour at 22 Thomas Avenue.
 - c. The southernmost property would have an overbearing and overshadowing impact on the two north facing windows of the dwelling due south at 22 Thomas Avenue.
 - d. The development would be over intensive for the site.
 - e. The number of dwellings would create a terracing impact.
 - f. The levels on site and heights of the proposed properties would be out of character with the area, particularly given that the ridge line of the southernmost property would match the ridge line of the property directly adjacent at 22 Thomas Avenue. Most properties along the road step down due to the topography.
 - g. The materials proposed would be out of character with the area.
 - h. Concerns over loss of the existing turning area adjacent the site.
 - i. Concerns over on street parking and the amount of off street parking provision at the proposed properties.
 - j. Harm to the environment and loss of wildlife from removal of the eastern boundary hedge.

PLANNING POLICY

19. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the Rushcliffe Local Plan Part 1: Core Strategy.

20. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) and the emerging Radcliffe-on-Trent Neighbourhood Plan.
21. Any decision should therefore be taken in accordance with the Rushcliffe Core Strategy, the Neighbourhood Plan, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.
22. In addition Radcliffe on Trent has an emerging Neighbourhood Plan but to date this has not been adopted, it is therefore afforded limited weight in the determination of this application.

Relevant National Planning Policies and Guidance

23. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development and states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should approach decision making in a positive way to foster the delivery of sustainable development and look for solutions rather than problems, seeking to approve applications where possible. There are three dimensions to sustainable development: economic, social and environmental.
24. One of the Core Principles states that planning should “...*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”.
25. Chapter 6: ‘Delivering a wide choice of high quality homes’ states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
26. Paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
27. Para.64 of the NPPF states, “*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.*”

Relevant Local Planning Policies and Guidance

28. Policies 3 (Spatial Strategy) and 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy are relevant to the consideration of this proposal. Policy 3 recognises Radcliffe-on-Trent as a ‘Key Settlement’ and allocates a provision for a minimum of an additional 400 homes in the locality within the plan period.
29. Policies GP2 (Design and Amenity Criteria) and HOU2 (Development on unallocated sites) of the Rushcliffe Borough Non-Statutory Replacement

Local Plan (RBNSRLP) are considered relevant to the consideration of this proposal.

30. Policy HOU2 states that planning permission for development on unallocated sites within existing settlement boundaries should be granted provided that any development would not result in the loss of an open space which contributes to the character of the area, does not extend the built up area of the settlement and does not have an adverse visual impact or be prominent from locations outside the settlement.
31. Policy GP2 states that planning permission for new development, changes of use, conversions or extensions will be granted provided that, inter alia, the scale, density, height, massing, design, layout and materials of proposals are sympathetic to the character and appearance of neighbouring buildings and the surrounding area; that they do not lead to an over-intensive form of development; and that they are not overbearing in relation to neighbouring properties, and do not lead to undue overshadowing or loss of privacy.
32. Policies 11 (Infill Development) and 15 (Local Architectural Styles) of the emerging Radcliffe-on-Trent Neighbourhood Plan are also considered to be of relevance to this application. Policy 11 states that infill development may be appropriate subject to careful consideration of the design and layout to ensure a positive relationship with the existing settlement context and character. Policy 15 states that the character and identity of the parish should be reinforced through locally distinctive design and architecture taking account of the scale, mass, layout, design and materials found elsewhere within the parish and other nearby settlements.

APPRAISAL

33. The Radcliffe-on-Trent Neighbourhood Plan recognises infill development as the development of a site when it is bounded by existing development on two or more sides and is within the existing settlement boundary. The proposed site is bounded by private properties to three sides (north, south & west) with the access road running parallel to the eastern boundary. The site is also clearly within the wider built up area of Radcliffe-on-Trent and overall it is considered that the site can be clearly established as infill. Given this definition, together with the recognition in the Core Strategy that the settlement is to accommodate a minimum of 400 additional dwellings, the principle of redevelopment must be considered acceptable.
34. By dividing the land as proposed, the existing property would be left with a west facing garden measuring some 192 square metres. This would be well above the minimum guidance of 110 square metres set out on the Rushcliffe Residential Design Guide.
35. The two proposed plots would have private rear garden areas of 133 square metres (Plot 1) and 152 square metres (plot 2) with minimum garden depths of 10.96m and 14.52m respectively. These garden areas would exceed the minimum guidelines and the depths would be above the recommended 10m set out in the design guide. As such it is considered that the private amenity spaces for the two proposed dwellings would provide a good level of amenity for future occupants with sizes similar to that elsewhere along the road.

36. Both properties would be set back at least 7m from the road frontage and would respect the building line set by both 20 and 22 Thomas Avenue to the north and south. This set back would allow the properties to both benefit from off street parking areas measuring 5.8m in depth and 7m in width. This exceeds Nottinghamshire County Council's standing advice recommendations of a 4.8m width and 4.5m depth for a two car drive. Residents' concerns relating to parking issues are noted, however, it is concluded that two off street parking spaces would be appropriate for a three bedroom property. An appropriate condition to ensure the driveways are implemented and finished prior to occupation is considered necessary in the interests of highway safety.
37. The local concerns over accessibility issues along Thomas Avenue are also noted. The concerns would mainly seem to relate to the new access's causing harm to the availability of the turning point to the east of the site. There are no parking restrictions along the road in its current condition and it is considered that the provision of two new dropped kerbs is more likely to prevent anyone parking in the turning area, than encourage it with people less likely to park across a driveway entrance. As such it is concluded that the proposed access would protect the usability and 'functionality' of the Thomas Avenue turning area.
38. Given that both properties would have appropriate off street parking facilities to the front, and more than adequate gardens to the rear, it cannot be reasonably considered that the development of two detached properties on the land would be 'over development' or 'over intensive'.
39. Both proposed properties would leave 1m gaps to their respective side boundaries with more than a two metre gap to the southern boundary with 22 Thomas Avenue. These associated gaps would ensure a legible element of separation between the properties and along with the changes in level across the site, would help to ensure the development would not cause any possible terracing impacts within the street scene.
40. During the consideration of the application, the applicant's agent has provided written confirmation of the materials to be used in the construction of the dwellings. The off white render finish is not a new material finish in the area with the property opposite the site at 25A Thomas Avenue already finished in a similar way. The cedar cladding and slate styled roof are not recognisable in the immediate locality, however, they complete a more contemporary finish and are fairly recognisable materials on residential properties. Given the main render finish is already present in the locality, it is considered that the sympathetic use of more contemporary cedar detailing and dark slate tiles is appropriate in this instance.
41. The two proposed dormer bungalows would be set well back from the street frontage and finished in two varied materials that would prevent the appearance of any blank elevations. The proposed elevation materials would be light in colour and would have little visual weight on the street scene whilst the dark tiles would not draw undue attention given the similar coloured grey/brown concrete interlocking tiles on the adjacent sites. The street scene elevation plan shows how the roof lines would sit. On the whole the trend of rising roof ridges would be maintained with exception to the relationship between the proposed dwelling on plot 1 and 22 Thomas Avenue where the

ridge heights would be level. Overall this is considered to sit well within the wider streetscape and as such it is considered the proposed development would be sympathetic to, and sit comfortably within the wider Thomas Avenue street scene.

42. The proposal contains some soft landscaping to the front to break up the parking areas. Most properties in the locality have elements of soft landscaping to the front so this is considered appropriate and necessary to ensure the property frontages are in keeping with the locality. A condition is recommended to ensure appropriate landscaping is undertaken.
43. The southernmost property would be set some 2.4m inside the shared southern boundary and would be set down from the neighbouring bungalow at 22 Thomas Avenue. This property (No. 22) has 2 windows on the northern side elevation facing the site, one that serves a kitchen and one that serves a dining room. The change in levels means that these two windows would look out onto the roof slope of the plot 1 property with a separation distance of 4m. Given the roof would slope away from these windows it is not considered that the proposed dwelling would have an undue overbearing impact on the adjacent neighbour. Furthermore given the orientation of the sites, it is not considered that the proposal would cause any overshadowing impact with the windows facing north and only receiving ambient, rather than direct light. The south facing roof slope windows would serve bathroom and en-suite accommodation and would be at a height of 1.5m from internal floor level. As such it is considered necessary to condition the south facing velux windows to be permanently obscure glazed. Given the height from floor level and the rooms they serve, it would not seem necessary or reasonable to require the windows to be permanently closed. Overall it is not considered that the development would cause any undue impact on the property at 22 Thomas Avenue.
44. The northernmost (plot 2) property would be set 2.3m in from the wall of the existing property at 20 Thomas Avenue. The existing south facing bay windows would have to be removed to enable the development to proceed and as such works to the existing property have been shown to ensure the occupants would be afforded an acceptable level of amenity. It is accepted that the development would create a very different outlook to the existing situation, however, the property would retain an appropriate garden area and the works shown are considered appropriate to ensure all rooms would still retain a good level of natural light. As such a phasing condition is considered necessary to ensure the future amenity of occupants at 20 Thomas Avenue, however, subject to the works being completed first, the proposed development is not considered to have any undue impact on the existing house.
45. The north facing roof lights in the properties proposed would serve stairwells and as such would not provide any accessible views. The first floor front windows would face 2 storey dwellings opposite and would, as such, not impact their privacy whilst any views from the first floor west facing windows would be some 14m from the rear boundary. Further to this, there are a number of more mature trees to the western boundary that would screen any views across the gardens of properties on Covert Crescent. As such these windows are also considered appropriate and would not cause any undue harm to the privacy of surrounding residents.

46. The application was the subject of detailed pre-application discussions. Amendments in response to pre-application feedback have sought to address identified issues which has resulted in a recommendation to grant planning permission.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following conditions:

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 permitted shall be carried out in accordance with the following approved plans: '17/06/001'; '17/06/002' received on the 05/06/2017; '17/06/004' received on the 04/05/2017, and '17/06/005' received on the 20/04/2017.

[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 materials specified in the application and further specified in the email dated the 23/05/2017 shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[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 works shall commence on the two dwellings hereby approved until such time as the modifications to the existing property at 20 Thomas Avenue have been completed in accordance with the details contained in plan reference '17/06/006' received on 20/04/2017.

[The works must be completed first to protect the residential amenity of the neighbouring occupants, for the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

5. The two dwellings hereby approved shall not be occupied until the access driveways have been provided as shown for indicative purposes only on drawing number '17/06/004'. The driveways shall be surfaced in a suitably bound material (not loose gravel), be constructed with provision to prevent the discharge of surface water from the driveway to the public highway and fronted by a dropped kerb. These provisions shall be retained for the life of the development.

[To ensure adequate car parking facilities are provided in connection with the development; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

6. The development of the two dwellings shall not progress beyond foundation level until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

7. The three south facing first floor velux windows in the 'plot 1' property shall be permanently obscure glazed to Grade 5 level of obscurity or equivalent and retained to this specification for the lifetime of the development.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

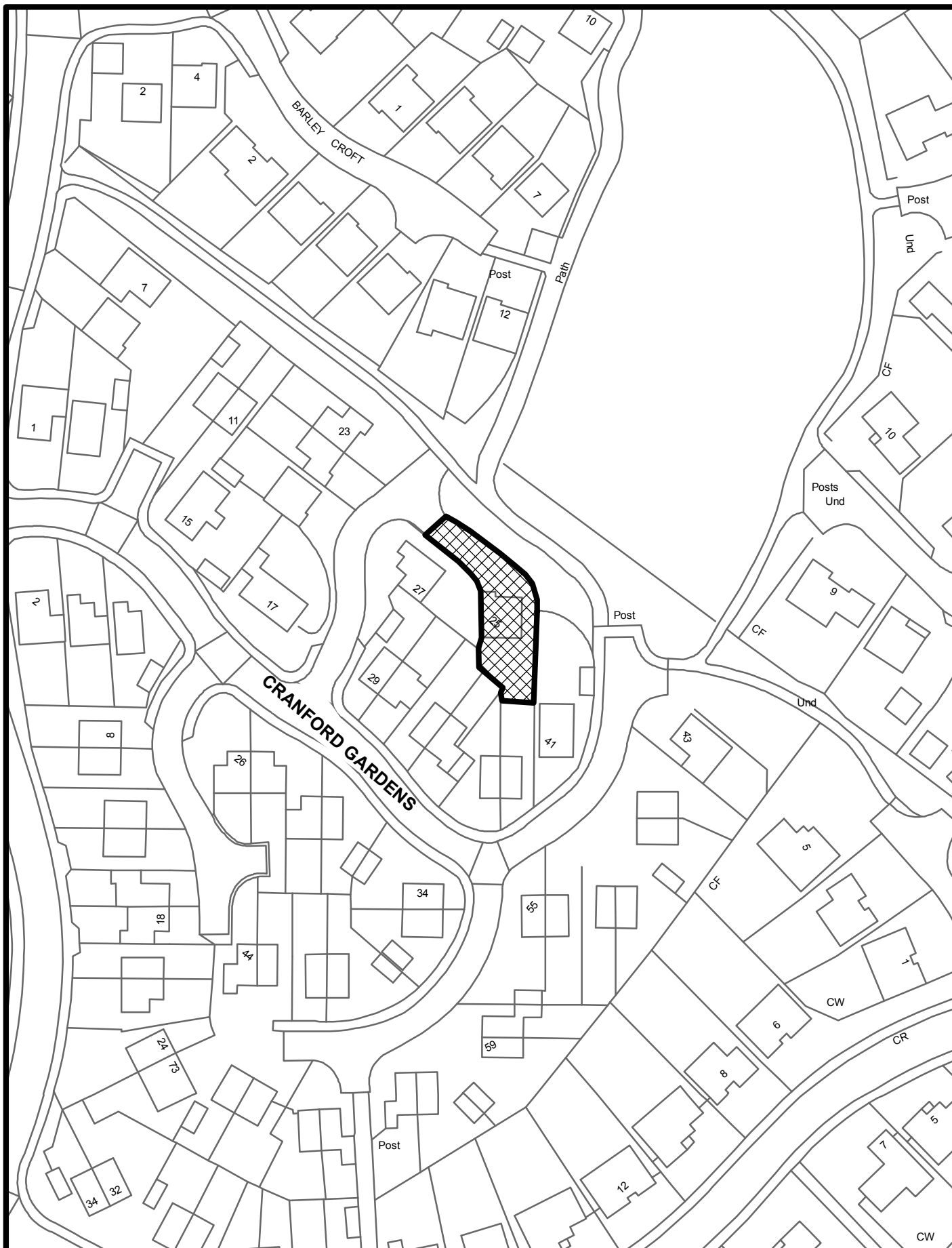
Notes to Applicant

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

The development makes it necessary to extend an existing vehicular crossing over a footway of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Highway Management Team on 0300 500 8080 to arrange for these works to be carried out.



Application Number 17/00694/FUL
25 Cranford Gardens, West Bridgford



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Rushcliffe Borough Council - 100019419

17/00694/FUL

Applicant Mr Adama Diop

Location 25 Cranford Gardens West Bridgford Nottinghamshire NG2 7SE

Proposal Detached Garage (revised scheme)

Ward Compton Acres

THE SITE AND SURROUNDINGS

1. The application relates to a late 1980's two storey detached dwelling with access via a driveway off the end of a cul-de-sac. The dwelling is faced in red brick with a concrete tile roof. A garage and single storey utility room element adjoin the west (side) elevation. The garage has a pitched roof with a gable end to the side elevation and the utility room has a flat roof. The side elevation of the garage and utility room form the rear boundary with the neighbouring property at 27 Cranford Gardens. There is also a single storey side and rear extension to the south east corner of the dwelling, this has a side elevation on the boundary with 41 Cranford Gardens.
2. The dwelling is orientated to face north and is set back from the road to the rear of 27 Cranford Gardens, accessed via a drive, approximately 15 metres long, which runs along the north east boundary of No. 27. The north east boundary along the drive consists of a low hedgerow and four trees, beyond which is a grass verge, approximately 3 metres wide, and a public footpath with a public open space beyond. A shallow ditch and hedgerow runs between the footpath and the main open area.
3. The boundary between the front drive and 27 Cranford Gardens consists of a brick wall, approximately 2 metres high, this runs in a curve to adjoin the garage to the side of the applicant's dwelling.

DETAILS OF THE PROPOSAL

4. The application proposes the construction of a detached front garage, to be situated adjacent to the private drive that links the property to the end of Cranford Gardens. The garage would be set back 5.5 metres from the highway and 0.3 metres from the side boundary with 27 Cranford Gardens (measured to the wall of the garage with an eaves overhang of around 200mm). The footprint would measure 2.8 by 5.1 metres with a hipped pitched roof measuring 2.265 metres to the eaves (measured at the front of the garage) and 3.1 metres to the ridge. The garage would be cut into the slope of the ground, consequently roof would measure approximately 2.7 metres to the ridge and 1.95 metres to the eaves at the rear.
5. The garage would have remote controlled sectional up-and-over garage door, avoiding any forward projection of the door during opening. The facing materials would be brick and concrete roof tiles to match the house.

SITE HISTORY

6. A single storey side and rear extension was granted planning permission in 2003 under planning reference 03/00632/FUL. This permission has been implemented.
7. A ground and first floor extension was refused in 2015 under planning reference 15/00336/FUL. It was considered that the proposed first floor extension would have resulted in a significant overbearing and overshadowing impact on the neighbour at 27 Cranford Gardens, given that the side elevation wall of the proposed extension would have been on the rear boundary of this neighbouring property.
8. An application for a detached garage and single-storey extension to the front of the existing garage (to be converted to form additional accommodation) was refused in 2016 under 16/00674/FUL. It was considered that the extension would have resulted in unacceptable overbearing impacts on the neighbour at 27 Cranford Gardens, and that the proposal as a whole would result in the overintensive development of the site. The applicant subsequently appealed the decision. A split appeal decision was issued whereby the proposed garage was dismissed but the single storey extension was allowed.
9. A subsequent application for a detached garage was refused in March 2017 under ref: 17/00091/FUL. The length of driveway between the garage and highway would have fallen significantly short of Highway standards and as such would not have been long enough to accommodate a vehicle, therefore, likely to result in the stationing of vehicles on the highway and the obstruction of the turning head to the detriment of highway safety.

REPRESENTATIONS

Ward Councillor(s)

10. One Ward Councillor (Cllr Phillips) objects to the proposal, commenting that an aerial view of the property shows just how much it has already been developed, and any further building would result in over intensive development. The application has been refused several times and there is no reason for it to be granted this time. There is already an integral garage and the property lacks sufficient space to accommodate a further detached garage. The proposal would not be in keeping with the street scene.
11. One Ward Councillor (Cllr Wheeler) objects to the garage, commenting that it would result in overdevelopment and would not be in keeping with the street scene.

Statutory and Other Consultees

12. None consulted.

Local Residents and the General Public

13. Five written representations have been received from neighbouring/nearby properties (including three from the neighbour at 27 Cranford Gardens) objecting to the proposal on grounds which can be summarised as follows:
- a. The height of the garage would block light to surrounding properties.
 - b. If build near the boundary, it would affect the turning area on the road, loss of off- road parking to No. 25 resulting in visitors parking on the road.
 - c. Would set a precedent for similar constructions in the future.
 - d. The dimensions, site and other key factors remain unchanged from the previous application apart from the repositioning of the garage.
 - e. The repositioning of the garage causes greater issues in relation to overbearing, overshadowing and loss of light.
 - f. Would be out of keeping with the street scene.
 - g. The plans suggest a 2.8 metre wide garage would fit on the grass area next to the drive, however this verge is only 2.7 metres wide meaning the garage would encroach at least 0.4 metres onto the drive, preventing vehicles from reaching the house. Width of drive exaggerated.
 - h. The garage would be 1.5 metres above the boundary wall with 27 Cranford Gardens, loss of light along entire side of house, feeling of being hemmed in.
 - i. Land levels of No. 25 are 1.2 metres higher than No. 27.
 - j. Plans inaccurate when compared to land registry. Location and scale of No 27 is distorted.
 - k. Not enough space in front of garage.
 - l. Maintenance issues due to proximity to boundary wall.
 - m. Internal garage space would be unusable, too narrow to open doors. However, the garage is longer than standard size.
 - n. No allowance for difference in land levels.
 - o. The roof to the existing garage is incorrectly shown.
 - p. Would require a sharp turn to avoid parked cars.
 - q. Blind spot due to sloping land levels.
 - r. Risk to pedestrians.

- s. Reduced space on driveway, cars likely to be parked on turning circle.
- t. No space to front of garage for safe access, no turning space for large vehicles. Cars will have to reverse onto blind corner of turning circle.
- u. Would be contrary to the open character of the area. The garage would be overbearing on the adjacent green space and would degrade the visual environment. Would fail to improve quality of area especially around the pedestrian footpath and green open space.
- v. Some of the maps do not show the large extension granted in 2003, this is only on the block plan and not shown with a thick line, which is misleading.
- w. Overbearing and out of scale, overdevelopment of the site.

PLANNING POLICY

14. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: 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.

Relevant National Planning Policies and Guidance

15. The relevant national policy considerations for this proposal are those contained within the 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 should be considered under section 7 of the NPPF in terms of promoting good design, particularly the criteria outlined in paragraph 58 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 NPPF paragraph 64, 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.

Relevant Local Planning Policies and Guidance

16. The proposal falls to be considered foremost under The Rushcliffe Local Plan Part 1: Core Strategy. Under Core Strategy Policy 1, a positive and proactive approach to planning decision making should be taken 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. The development should be assessed in terms of the criteria listed under section 2 of Policy 10, specifically 2(b) whereby the proposal 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.

17. None of the 5 saved policies of the Rushcliffe Borough Local Plan 1996 apply to this application.
18. Whilst not part of the development plan, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan should be given weight as a material consideration in decision making. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan. Of particular relevance is GP2 section d, 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.

APPRAISAL

19. The previous application (17/00091/FUL) for a detached garage was refused on the grounds of highway safety, due to an inadequate driveway length in front of the garage for the off-road stationing of vehicles whilst opening the garage. The revised plans propose a 5.5 metre set-back from the highway, with a sectional rather than outward-opening garage door. The front driveway depth would satisfy the requirements of the Highways Authority, as set out in standing advice and would avoid vehicles being stationed on the highway whilst opening the garage. Furthermore, the garage door would be remote operated.
20. In order to provide an adequate driveway depth, the proposed garage would be set approximately 2 metres further back within the site compared to the previous application. The proposed garage would also project approximately 2 metres beyond the rear of the neighbouring property at 27 Cranford Gardens.
21. In terms of residential amenity, the boundary with 27 Cranford Gardens consists of a high brick wall that measures between c. 2.2 and c. 2.6 metres in height adjacent to the site of the proposed garage. The site is on a gentle incline and, consequently, the rear of the garage would be cut into the slope of the ground. The roof of the proposed garage would project approximately half a metre above the height of this wall, however, this would be a hipped pitched roof sloping away from the boundary. In the context of the existing high boundary wall, the proposed garage would not result in a materially greater overshadowing of this neighbour.
22. The proposed garage would be a modest building with a footprint that would be 0.3 metres deeper and 0.4 metres wider than the minimum standard for parking spaces. Given the set back from Cranford Gardens, it is not considered that the garage would appear prominent in the street scene. The garage would only be visible from the highway at the point of the turning circle and from the adjacent footpath.
23. In dealing with the appeal against the previous refusal of permission for the garage, the Inspector commented that *"...the proposed detached garage, which would be next to the front boundary and some 5.475m in length, would be an isolated and dominant feature when seen from the open space and the cycleway/footpath. As a result, it would relate poorly to the existing pattern of development and would erode the sense of openness and the softness of the*

transition that is now present and has been created by the estate's layout." In contrast, the revised proposals show the proposed garage to be situated immediately adjacent to 27 Cranford Gardens, on the inside of the driveway leading to the host property, whereby the driveway would separate the garage from the adjacent public open space. The garage would sit in the context of the existing high brick boundary wall to 27 Cranford Gardens and the neighbouring dwelling and it is not considered that the garage would appear prominent or intrusive from the public realm, or that it would detract from the openness that the Inspector considered to be an important element of the character of the area. Furthermore, there are other buildings which abut this open green space, for example a detached garage at the end of Barley Croft. It is not considered that the garage would be unsympathetic or out of keeping with the surrounding area and these revised proposals are considered to address the concerns identified by the Planning Inspector when determining the previous appeal.

24. The garage would be faced in materials to match the existing dwelling. The appearance of the garage would be similar to that at 29 Cranford Gardens, albeit with a hipped roof. The garage would therefore be sympathetic to the surrounding character. The property has a generous front garden area and the proposed garage would not impact on the size of the private amenity area to the rear of the dwelling. Therefore, it is not considered that the proposal would result in an over development of the plot.
25. The proposal was subject to pre-application discussions with the applicant/agent and advice was offered on the measures that could be adopted to improve the scheme and address the potential adverse effects of the proposal. As a result of this process, amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following conditions:

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 permitted shall be carried out in accordance with the following approved plan: 16/660/06 (Proposed Plan and Elevations), received on 23 March 2017.

[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 detached garage hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[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].

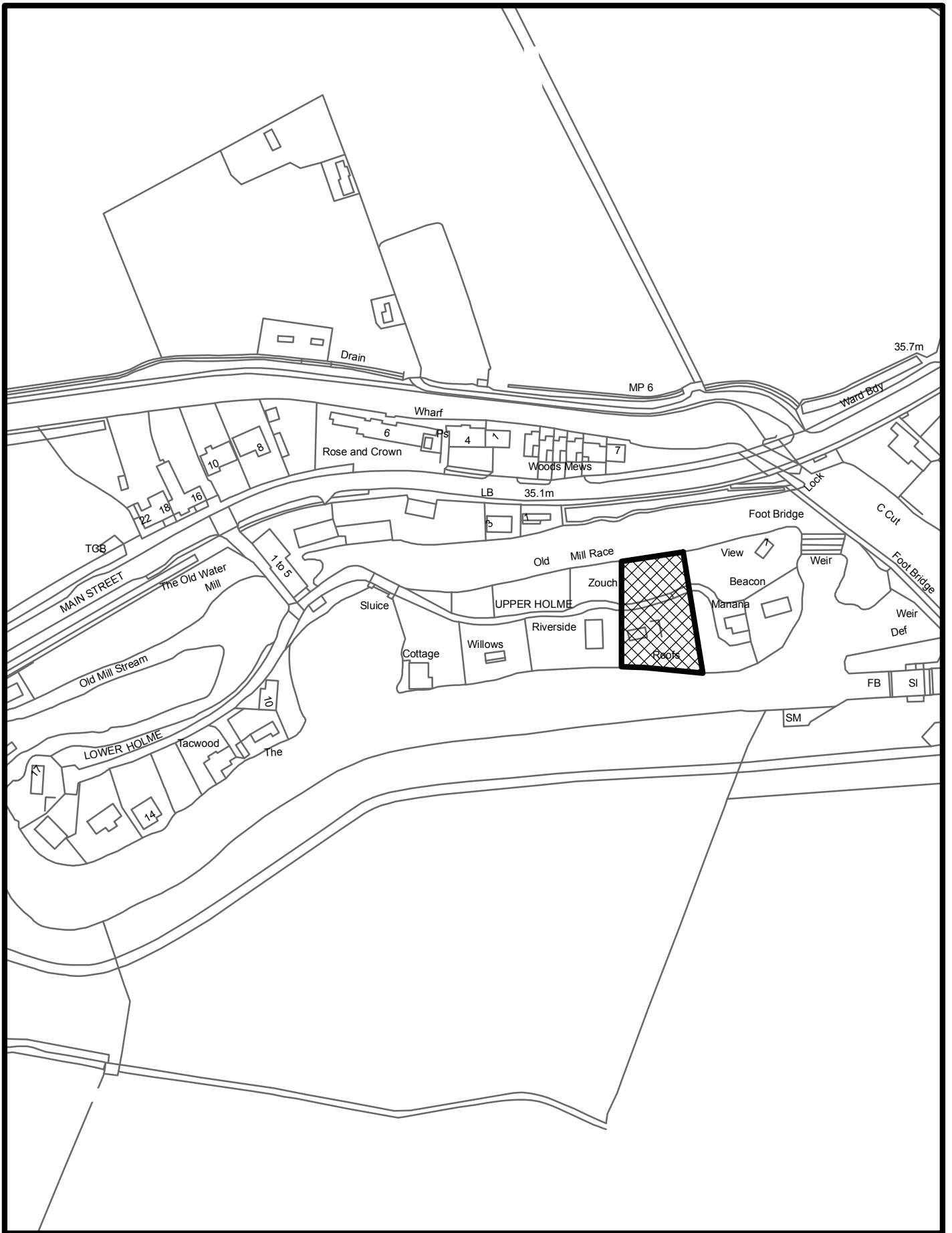
4. The door to be installed in the front (western) elevation of the garage hereby approved shall be a roller shutter or sectional style door so as not to project forward of the front wall of the building when being opened and closed. This style of garage door shall be retained for the life of the development.

[To ensure that any car parked on the drive does not overhang the public highway, 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]

Notes to Applicant

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.



**Application Number 17/00891/FUL
Redroofs, 4, Upper Holme, Zouch**

scale 1:2000



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Rushcliffe Borough Council - 100019419

17/00891/FUL

Applicant Laurence Legg

Location Redroofs 4 Upper Holme Main Street Zouch Nottinghamshire

Proposal Replacement of existing dwelling (reapplication)

Ward Sutton Bonington

THE SITE AND SURROUNDINGS

1. The application site is on a small island known as Upper Holme, situated between the River Soar to the south and the mill race to the north. Access is via an unmade road from Main Street. There are 6 other properties on Upper Holme, all having been redeveloped at some time.
2. The existing dwelling is a small dilapidated building dating from the 1920's. It is timber framed and clad in timber boarding and sheeting, with corrugated fibre cement and Perspex sheeting to the roof. It is constructed on stilts to mitigate against flooding, being raised about 500mm above ground level. The building is single storey, about 3.3m high at the highest point of the roof as measured from ground level, and has a footprint of 42sqm.

DETAILS OF THE PROPOSAL

3. The proposal is to demolish the existing structure and replace it with what the applicant states will be a 'bespoke and architecturally designed eco-dwelling'. It would be a two bedroom property with a bedroom and storeroom at first floor, within the roofspace. In response to flood risk issues the dwelling would be raised about 0.94m higher than the existing building, the undercroft area being enclosed by hit and miss boarding.
4. The new dwelling would have a height of 8.8m measured from ground level and a footprint of about 76sqm. It would be finished with walls of Larch cladding and coated steel sheeting for the roof. The building would be constructed to high standards of energy efficiency, predicted to provide improvements of up to 53% better than Building Regulations. The south facing roofslope would have 4KW of solar panels.
5. The application is accompanied by a Planning, Design and Access Statement, a Flood Risk Assessment, a Sustainability Statement, a Protected Species Survey and a Structural Survey.
6. The Planning Statement refers to the site history, noting that the current proposal is substantially similar to the recently approved scheme on the site, with the sole difference being the proposed ridge height 1 metre higher than approved. The previous application process is summarised, namely that the originally submitted scheme was the same as the current application but was reduced in height in response to concerns raised by officers in respect of the height and scale of the building. The Statement explains that this reduction has resulted in smaller and less usable first floor accommodation, the loss of

3 solar PV panels and a less solar efficient roof pitch. They consider that the lower and longer ridge line of the approved version would result in a truncated, more noticeable and awkward design than the current proposal.

SITE HISTORY

7. The building was subject of an application for a Certificate of Lawfulness in respect of its use as a dwellinghouse (ref: 14/00995/CLUEXD). This was granted in October 2014. Planning permission was granted for a replacement dwelling in March 2017 (ref: 16/02359/FUL).

REPRESENTATIONS

Ward Councillor(s)

8. The Ward Councillor (Cllr Brown) has no objection.

Town/Parish Council

9. The Sutton Bonington Parish Council do not object and comment, "*would request that any development meets the current planning policy on the development of riverside chalets within the flood plain*".

Statutory and Other Consultees

10. The Environment Agency do not object, commenting that, "*The proposed new dwelling is above the 100 year flood event including climate change and thus more resilient building and has less effect on the flood flows than what is currently on site.*" They recommend that the development be carried out subject to conditions to ensure the mitigation measures in the Flood Risk Assessment are implemented, these include:
 - *Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.*
 - *Finished floor levels are set no lower than 35.82 m above Ordnance Datum (AOD).*
 - *The flood slab for the building to be no lower than 35.22m AOD to ensure it is above the flood level.*
 - *The fencing surrounding the pillars of the house should have adequate gaps to allow flood water to pass through without getting debris caught but small enough to prevent anything from being stored underneath the dwelling.*
11. They also recommend consultation with the Emergency Planner.
12. The Environmental Sustainability Officer notes that the Protected Species Survey appears to have been conducted in accordance with best practice and that no priority or protected species have been identified as being impacted by the scheme. He recommends a condition to secure compliance with the recommendations within the Report.
13. The Canal and Rivers Trust ask that the Council satisfy itself that water quality would be protected, in particular with regard to drainage proposals. They also support the recommendations in the Protected Species report.

Local Residents and the General Public

14. No comments received.

PLANNING POLICY

15. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: 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) and the Rushcliffe Borough Non Statutory Replacement Local Plan (2006).

Relevant National Planning Policies and Guidance

16. The NPPF carries a presumption in favour of sustainable development and states that proposals that accord with the development plan should be approved. It sets out 12 core land-use planning principles that should underpin both plan-making and decision taking. One of these principles is to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Another is to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources and the use of renewable resources. In paragraph 103 of the Framework it states, inter-alia, that when determining planning applications in areas at risk of flooding, it can be demonstrated that the development would be appropriately flood resilient and resistant and would include safe access and escape routes where required.

Relevant Local Planning Policies and Guidance

17. None of the saved policies of the Local Plan 1996 are of direct relevance in this case. The application falls to be considered against the Rushcliffe Local Plan Part 1: Core Strategy Policies 1 (Presumption in Favour of Sustainable Development); 2 (Climate Change); and 10 (Design and Enhancing Local Identity); guidance in the National Planning Policy Framework (NPPF); and Policies GP2 (Design and Amenity Criteria) and WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.
18. Policy 1 of the Rushcliffe Local Plan Part 1: Core Strategy reinforces the positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Policy 2 deals with issues of mitigation against climate change, including the sustainability of the design. Policy 10 states inter-alia that all new development should be designed to make a positive contribution to the public realm and sense of place; and reinforce valued local characteristics.
19. Whilst not part of the Development Plan, the Borough Council has adopted the Rushcliffe Borough Non-Statutory Replacement Local Plan for the purposes of development control and this is considered to be a material consideration in the determination of planning applications. Policy GP2 of the Replacement Local Plan is concerned with general issues of design and amenity, the appearance of a proposal and its impact on neighbouring properties and the surrounding area. Policy HOU2 contains a presumption in

favour of unallocated development in settlements subject to 7 criteria. Policy WET2 states that development will not be permitted in areas where a risk of flooding or surface water disposal exists unless a number of criteria are met. One is that the proposal is in a developed area and can be adequately protected against potential flood risk and includes compensatory measures.

APPRAISAL

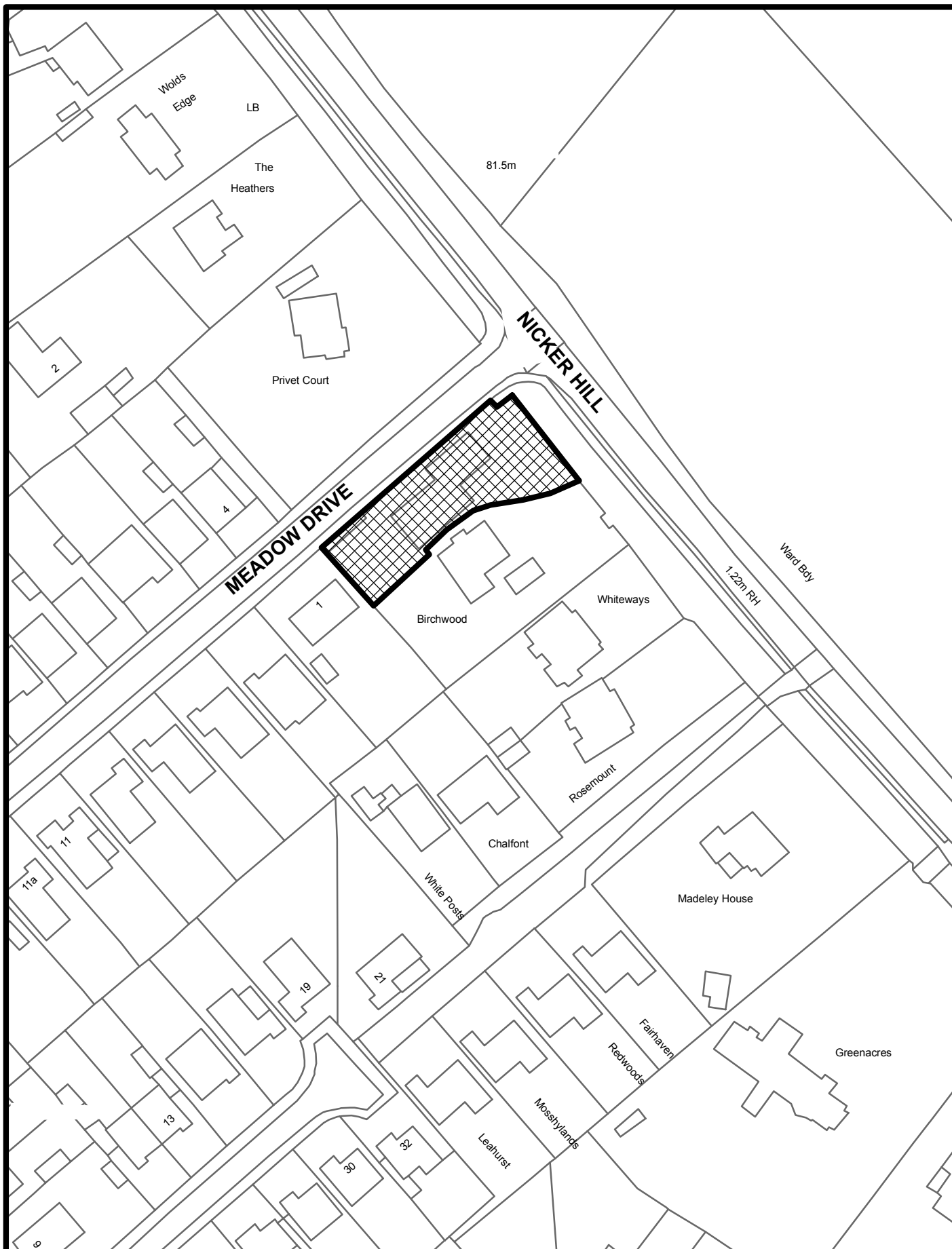
20. The existing building on the site has a lawful use as a single dwellinghouse. Whilst the settlement of Zouch is somewhat ill-defined and this site is within an area characterised by riverside chalets, it is considered that it is part of the settlement for planning purposes. There is an extant planning permission for a similar replacement dwelling. It is, therefore, considered that the replacement dwelling would accord with relevant development plan and other local policies and be acceptable in terms of the principle of development.
21. The Flood Risk Assessment has demonstrated that appropriate mitigation measures could be implemented and that the replacement building would result in betterment in terms of flood risk and safety. There would be no impact on any protected species and the building is proposed to be highly sustainable in terms of its construction and energy usage.
22. The existing chalet it is a very small building in a poor state of repair. The proposal dwelling would be of a good quality contemporary design and, given the lack of a coherent architectural style in the vicinity, such a modern design would not be at odds with the appearance of the area. The replacement building would be significantly more energy efficient and sustainable in respect of its construction. The materials of construction and the lightweight appearance of the proposal would be in sympathy with neighbouring buildings and fitting for its riverside location. The proposed footprint, although larger, would remain modest, however, the desire to achieve first floor accommodation, the need to raise floor levels for flood risk purposes and the contemporary design would result in a significant increase in height and massing in comparison to the existing structure.
23. Whilst there are a variety of heights and scales of buildings nearby, some the result of similar replacements (e.g. Riverside, next door) a dwelling as proposed with a ridge height of 8.8m from ground level (Some 5.5m higher than the existing building), of a striking and assertive design would be visually imposing and create an unduly prominent and assertive building at odds with the rural, riverside location. The building would be some 1.5m taller than that at Riverside for example, albeit that the ridgeline would be relatively short compared to Riverside.
24. These concerns arose during consideration of the previous application (ref: 16/02359/FUL) and resulted in negotiations aimed at reducing the scale and impact of the new building. Although a greater reduction was sought the applicant agreed to reduce the height by 1 metre, the maximum that could be achieved whilst still providing useable first floor accommodation, and planning permission was granted on this basis. Whilst the proposal would only be 1 metre higher than the extant permission, this permission is considered to represent the maximum acceptable height in respect of its visual impact.

25. Given the recent planning history and nature of the application it was not considered appropriate or necessary to engage in further discussions with the applicant's agent to resolve concerns about the height and impact of the proposal.

RECOMMENDATION

It is RECOMMENDED that planning permission be refused for the following reasons:

1. The proposed replacement dwelling would represent a significant increase in scale and massing and in particular the height of the building. Together with its assertive contemporary design it is considered that this would result in an unduly imposing and prominent building that would be at odds with the rural riverside location. The proposal would therefore be contrary to:
 - i) the aims of Policy 10 of the Rushcliffe Core Strategy, which requires all development to be designed to make a positive contribution to the public realm; and,
 - ii) criterion d) of Policy GP2 of the Rushcliffe Borough Non Statutory Replacement Local Plan, which states that planning permission for new development will be granted provided that, *"The scale, density, height, massing, design, layout and materials of the proposal are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area"*.



**Application Number 17/01035/FUL
 Birchwood, Nicker Hill, Keyworth**



scale 1:1000

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Rushcliffe Borough Council - 100019419

17/01035/FUL

Applicant Mr Jeff Hooley

Location Birchwood Nicker Hill Keyworth Nottinghamshire NG12 5ED

Proposal Erect oak framed, 3 bay car garage/shelter

Ward Keyworth and Wolds

THE SITE AND SURROUNDINGS

1. Birchwood is a new, 1½ storey dwelling with its first floor accommodation in the roof space. The dwelling is finished in a light coloured render with a slate grey roof covering and has an integral double garage that projects out from the front façade. The dwelling was built within the past 7 years and is located on a corner plot, fronting primarily onto Nicker Hill, but with a long site frontage onto Meadow Drive, with boundary treatment comprising of a timber fence. To the Nicker Hill boundary is a hedge and two mature trees protected by a Tree Preservation Order (TPO), and along Meadow Drive is a 1.8 metre close boarded timber fence, with three silver birch trees towards the frontage of the site (not protected by a TPO) in front of the aforementioned garage.
2. On the opposite corner is a large house (Privet Court) behind a 2 to 2.5-metre high hedge. 1 Meadow Drive is a modest bungalow in common with the others on this road and has its blank side elevation facing the rear of the application site. On the opposite side of Nicker Hill is Green Belt countryside. The application site was previously formed by subdividing the garden belonging to the neighbouring property by the erection of a 2 metre high close boarded fence.

DETAILS OF THE PROPOSAL

3. The application seeks planning permission for the erection of an oak framed, 3 bay car shelter with one of the bays secured by a roller shutter door, the other two bays would remain open. The car shelter would be constructed in front of the existing double garage, in the front corner of the plot with the openings facing into the site. The structure would measure 9.3m in width, 6.2m in depth and 3.8m high to ridge (2.1m to eaves). The shelter would have a hipped roof, covered in slate, and the sides and rear elevation of the shelter (facing onto Meadow Drive) would be enclosed with oak boarding. The applicant has confirmed that he does not intend to construct a concrete base under the shelter and that screw piles would be used.
4. The applicant has written in response to the Parish Council's objections advising that they met with the Parish Council's Planning Chairman and explained that the Willow tree (covered by the TPO) was lawfully felled. With regards to overintensive development, the proposed car shelter would result in 51% of the site being developed, leaving nearly 400m² of the site without buildings on it, in excess of the design guide for a minimum 110m² garden area. The proposed shelter is over an existing parking area, and would be in-keeping with Nicker Hill and other garages in the area.

SITE HISTORY

5. Application ref: 04/01652/FUL for the erection of a two-storey dwelling on the site was refused permission in December 20014 because the height and scale of the proposal and its relationship with the existing house and the plot boundary were considered to result in a cramped and prominent form of development.
6. A revised scheme was resubmitted and planning permission was granted in February 2005 (ref: 04/01896/FUL). That permission was not commenced but permission was granted under the procedure for extending the time to implement planning permissions (ref: 09/02153/VAR) in February 2010.
7. In September 2010 planning permission was granted for a two storey dwelling with double garage under application reference ref: 10/01123/FUL. The dwelling on site is built in accordance with this permission.
8. Application ref: 13/00236/TPO for a Crown lift to an Ash Tree, to prune an Apple Tree, a 40% reduction to a Willow Tree to re-balance the crown and reduce risk of failure was granted in March 2013.
9. Application ref: 14/02305/TPO to fell a Weeping Willow (planting 3 replacement Birch trees) was granted permission in December 2014. The Birch trees have been planted along the frontage of the site addressing Meadow Drive.

REPRESENTATIONS

Ward Councillor(s)

10. Cllr Inglis supports the proposal stating *"I have had a site visit this morning (19/6/17). I can clarify that there will be no tree removal in the application. A willow tree was removed under previous granted permission and I can confirm that the requirement of replacement trees was done as three Birch trees have been planted. There was a question of over development but this is an open structure and purely covers a sparse area in the garden which is already the parking space. The design compliments the house and the area. There is a genuine need for the building. I have not had any representations made to me for any objections. I therefore SUPPORT the application"*.

Town/Parish Council

11. Keyworth Parish Council objects to the proposal stating *"Object to removal of trees with TPOs; in front of building line, overintensive development of the plot."*

Statutory and Other Consultees

12. The Borough Council's Design and Landscape Officer does not object to the proposal subject to conditions being attached to any grant of permission requiring that the piles closest to the protected trees are only drilled after a hand dug trial pit has been excavated to minimise damage to the roots and that there should be no change in levels.

Local Residents and the General Public

13. No letters of representation have been received.

PLANNING POLICY

14. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the Rushcliffe Local Plan Part 1: Core Strategy. In addition, The East Leake Neighbourhood Plan has now been adopted and is also a material planning consideration.
15. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).
16. Any decision should therefore be taken in accordance with the Rushcliffe Core Strategy, the Neighbourhood Plan, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.
17. In addition Keyworth has an emerging Neighbourhood Plan but to date this has not been adopted, it is therefore afforded limited weight in the determination of this application.

Relevant National Planning Policies and Guidance

18. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It states that Local Planning Authorities should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
19. Paragraph 7 of the NPPF confirms that there are three dimensions to sustainable development; economic, social and environmental. Para.8 of the NPPF goes on to clarify that these three dimensions should not be undertaken in isolation, because they are mutually dependent and that to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
20. The NPPF, at Para.17 states the overarching roles that the planning system ought to play, setting out 12 principles of planning. One of these is to *"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings."*
21. Para.58 of the NPPF states, *"...Planning policies and decisions should aim to ensure that developments... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;..."*

22. Para.64 of the NPPF states, *“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.”*

Relevant Local Planning Policies and Guidance

23. The Core Strategy sets out the overarching spatial vision for the development of the Borough to 2028. Policy 1 deals with The Presumption in Favour of Sustainable Development and Policy 10 with Design and Enhancing Local Identity.
24. The Rushcliffe Non-Statutory Replacement Local Plan has been used in decision making since 2006 and despite the Core Strategy having been recently adopted its policies are still a material consideration in the determination of any planning application. Policy GP2 (Design and Amenity Criteria) is relevant to the consideration of this application.

APPRAISAL

25. The application seeks full planning permission for a detached, timber framed, timber clad and slate roofed three bay car shelter to the frontage of a detached dwelling located on a prominent corner plot. The site has an existing vehicular access from Nicker Hill and the proposal is to retain this access point as it would facilitate access to the proposed car shelter, which would be located alongside the existing integral double garage that currently serves the property. The site is within a residential area of Keyworth, located on the village’s north-eastern fringe, with the properties along this part of Nicker Hill facing towards open countryside that is within the Green Belt.
26. The principle of a domestic extension in this location is acceptable, subject to technical issues and all other material planning considerations being satisfied, including but not limited to, the impact on the character and appearance of the area.

Impact on character and appearance of area

27. The application site is located within an established residential area of Keyworth and although located on the edge of the village is surrounded by a number of residential properties. The site is relatively flat and having only recently been developed has a modern dwelling that broadly fills the width of the plot with hard landscaped grounds to the front, predominately given over to driveway and a landscaped mini vehicular island, and a private garden to the rear.
28. The siting of the proposed car shelter is constrained by the positioning of the existing dwelling, the location of the vehicular access and the two protected trees along the site frontage (within the application site). This has resulted in location of the proposed car shelter being forward of the existing garage, in the front corner of the site. The design of the proposed shelter is simple being wooden framed, clad in oak boarding and with a slate hipped roof, in contrast to the light rendered property with a similar roof covering and flat roofed projecting garage. However, the fact that the proposal is different does not necessarily mean that it is harmful to the existing character. The site, due to its corner location with boundaries onto Nicker Hill and Meadow Drive, is

prominent and visible from a number of approaches, despite the boundary treatments that exist. The two trees along the Nicker Hill frontage are protected by a TPO, one of those trees is located in the front corner of the site. There are also 3 Birch trees located along the frontage with Meadow Drive, planted following the grant of permission to fell a willow tree ref: 14/02305/TPO. Despite these five trees, when viewed from either Nicker Hill and, in particular, Meadow Drive the frontage of the site is surprisingly open.

29. The proposal would result in a built form occupying this site, resulting in a large expanse of building along the boundary with Meadow Drive, in effect extending the existing garage projection, albeit with a detached structure, almost to the front boundary of the site. The proposed car shelter would be of a similar height to the existing garage, proposed to be 3.8m high to ridge, and whilst only a single storey structure would still be prominent above the existing boundary treatments diluting the openness of the sites currently predominately landscaped frontage.
30. The proposed building would turn its back onto at Meadow Drive, resulting in a large expanse of development behind the existing boundary treatment that is afforded little soft landscaping to help screen it. It is acknowledged that the existing Birch trees between the boundary fence and the proposed shelter would offer a small amount of screening, and the Landscape and Design Officer is satisfied that none of the trees would be harmed by the proposal subject to conditions relating to the foundation design and locations. Nevertheless, the canopies of three Birch Trees would do little to screen the expanse of built form proposed as a continuation of the existing frontage onto Meadow Drive.
31. When viewed from Nicker Hill, the dwelling is currently set back from the road frontage, despite the integral garage projecting forward of the dwelling. The proposed shelter would project out another 9.3m beyond the garage at a height of 3.8m to ridge and would have solid facades to both Nicker Hill and Meadow Drive. The proposal would therefore fill this front corner of the site. It is noted that the applicant currently parks vehicles in the location that the shelter is proposed, however, these vehicles are not permanent features and not considered to be prominent as they are largely screened by the boundary treatments to the respective frontages.
32. It is understood that the applicant keeps a number of classic cars in the existing garage and, therefore, park their 'everyday' vehicles to the side of the garage. It is these vehicles that the applicant wishes to park under cover. Whilst the applicant's circumstances are understood, as is the reference to other garages in the surrounding area, due to the sites open characteristics on a prominent corner plot the proposal is considered to be harmful to the openness to its detriment. It is not considered that any additional landscaping, climbing plants etc. would soften the impact of the proposed shelter to a sufficient degree to mitigate this harm. The application is, therefore, recommended for refusal.
33. The application was not the subject of pre-application consultation and there is a fundamental objection to the location and impact of the building. Negotiations have not been initiated with the applicant in this instance in order to allow the decision to be issued in a timely manner.

RECOMMENDATION

It is RECOMMENDED that planning permission be refused for the following reasons:

1. The proposed development, by reason of its mass and scale and proposed positioning on the front corner of the site that adjoins two road frontages would have a cumulative dominant and oppressive harmful impact upon the street scene when read in conjunction with the existing dwelling.

The proposal would be contrary to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy, whereby development should, amongst other things, make a positive contribution to the public realm and sense of place.

A decision to refuse permission would accord with paragraph 64 of the National Planning Policy Framework which states that: "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".

The proposal would also be contrary to Rushcliffe Borough Non-Statutory Replacement Local Plan Policy GP2 d) which states that permission for new development, changes of use, conversion or extensions would normally be granted provided that, inter alia:

"The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. They should not lead to an overintensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy."