

**When telephoning, please ask for:** Martin Elliott  
**Direct dial** 0115 914 8511  
**Email** constitutional.services@rushcliffe.gov.uk

**Our reference:**  
**Your reference:**  
**Date:** Wednesday, 6 June 2018



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

To all Members of the Planning Committee

Dear Councillor

A Meeting of the Planning Committee will be held on Thursday, 14 June 2018 at 6.30 pm in Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julian Crowle'.

Julian Crowle  
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 17 May 2018 (Pages 1 - 8)
4. Planning Applications (Pages 9 - 68)

The report of the Executive Manager - Communities is attached.
5. Planning Appeals (Pages 69 - 70)

The report of the Executive Manager - Communities is attached.

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

**By telephone**  
Monday to Friday  
8.30am - 5pm

**Telephone:**  
0115 981 9911  
**Email:**  
customerservices  
@rushcliffe.gov.uk

[www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk)

**Postal address**  
Rushcliffe Borough  
Council  
Rushcliffe Arena  
Rugby Road  
West Bridgford  
Nottingham  
NG2 7YG



## Membership

Chairman: Councillor R Butler

Vice-Chairman: Councillor J Stockwood

Councillors: B Buschman, N Clarke, M Edwards, J Greenwood, R Jones,  
Mrs M Males, S Mallender, Mrs J Smith and J Thurman

<b>Meeting Room Guidance</b>
------------------------------

**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, 17 MAY 2018**

Held at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West  
Bridgford

### **PRESENT:**

Councillors R Butler (Chairman), J Stockwood (Vice-Chairman), B Buschman, J Donoghue (substitute for N Clarke), R Jones, J Greenwood, Mrs M Males, S Mallender, M Edwards, Mrs J Smith and J Thurman

### **ALSO IN ATTENDANCE:**

Councillor R Upton

### **OFFICERS IN ATTENDANCE:**

T Coop	Constitutional Services Officer
M Elliott	Constitutional Services Team Leader
D Mitchell	Executive Manager - Communities
A Pegram	Service Manager - Communities
I Norman	Legal Services Manager
S Sull	Borough Solicitor
L Webb	Constitutional Services Officer

### **APOLOGIES:**

Councillor N Clarke

#### **45 Declarations of Interest**

There were no declarations of interest.

#### **46 Minutes of the Meeting held on 12 April 2018**

The minutes of the meeting held on 12 April 2018 were approved as a correct record and signed by the Chairman.

#### **47 Planning Applications**

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

In accordance with the Council's public speaking protocol for Planning Committee Councillor Rod Jones (Ward Councillor) addressed the meeting. After addressing the meeting Councillor Jones withdrew from the committee for the consideration of this item.

**Item 1 – 17/02880/FUL – Extension and conversion of B1 office to create four self-contained flats – 100 Melton Road, West Bridgford, Nottingham.**

## Updates

There were no updates to report.

## 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 plans ref.

- 003 Rev F received on 30<sup>th</sup> April 2018
- 004 Rev E
- 005 Rev F
- 006 Rev D all received on 12<sup>th</sup> March 2018
- Flue Details - MRN/FWP/002 Rev B received on 12<sup>th</sup> March 2018
- Noise Assessment by WYG received on 12<sup>th</sup> March 2018
- Odour Assessment by WYG received on 3<sup>rd</sup> December 2017

The development shall be completed in accordance with these approved details prior to the occupation of the dwellings

[For the avoidance of doubt and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

3. The extension(s) hereby permitted shall be constructed using suitable fenestration, facing and roofing materials as specified in the submitted application to match the external 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 development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated November 2016, compiled by SCC Consulting Engineering, and the following mitigation measures detailed within the FRA: Finished floor levels for the habitable space are set no lower than 25.24m above Ordnance Datum (AOD). The mitigation measures shall be fully implemented prior to occupation

[To reduce the risk of flooding to the proposed development and future occupants. This accounts for the 1 in 100 year flood level in a 30% climate

change breach scenario. The level is from the Greater Nottingham River Trent Climate Change Scenario, modelled by the Environment Agency in 2016].

5. Prior to development commencing on site, an insulation scheme to effectively reduce the transmission of noise to adjacent properties through the separating floor(s)/ceiling(s), shall be submitted to and approved by the Borough Council. The sound insulation scheme shall have regard to BS 8233: 2014 Sound Insulation and Noise Reduction for Buildings, Approved Document E Standard and within all living rooms and bedrooms the Noise Rating Curve of 30 shall not be exceeded in any octave band. The approved scheme shall be implemented in accordance with the approved details and the measures shall be retained for the lifetime of the development.

[To protect the amenities of future occupiers and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan. This condition needs to be discharged before work commences on site as the mitigation measures may need to be incorporated in the build].

6. Prior to installation/repositioning of the fume extraction system, details and particulars of the extraction plant shall be submitted to and approved in writing by the Borough Council. The details shall demonstrate that the plant would not give rise to unacceptable impacts on future residents of the flats hereby approved through fumes, noise and vibration. The plant shall be installed in accordance with the approved details prior to the flats being occupied, and retained for the life of the development, and used at all times when cooking is in progress and/or the restaurant premises are open for business.

[To protect the amenities of future occupants of the flats and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Councillor Jones re-joined the committee at this point.

**Item 2 – 18/00062/FUL – Single storey side and rear extensions, loft extension (extended roof to form gable roof to rear and side dormer), privacy screen to boundary with 52 Priory Road, raised patio at the rear and front porch (resubmission) – 50 Priory Road, West Bridgford, Nottinghamshire.**

## **Updates**

Representations from Councillor Liz Plant (Ward Councillor) and a neighbour objecting to the application received after the agenda had been finalised had been circulated before the meeting.

In accordance with the Council's public speaking protocol for Planning Committee Mr John Downey (the applicant), Dr Nick Peirce (Objector) and Councillor A MacInnes (Ward Councillor) addressed 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 revised site location plan received on May 2018 and drawing ref. 2016-20/002 REVISION 120418 received on 12 April 2018.

[For the avoidance of doubt and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

2. The extensions hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property with the exception of the east elevation of the single storey rear extension which has been constructed in blockwork.

[To ensure the appearance of the development is satisfactory and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

3. The privacy screen adjacent to the eastern boundary as shown on the approved plans shall be installed within 28 days of the date of this decision notice in accordance with details to first be submitted to and approved by the Borough Council. Thereafter the privacy screen shall be retained in accordance with the approved details for the lifetime of the development.

[To ensure the appearance of the development is satisfactory and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.]

4. The box gutter shown on the approved plans shall be installed within 3 months of the date of this decision notice and thereafter shall be retained for the lifetime of the development.

[For the avoidance of doubt and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

5. The windows in the side dormer window hereby approved shall be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification unless otherwise agreed in writing by the Borough Council.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe

**Item 3 – 18/00614/FUL – Single storey extensions to side and rear, first floor/two storey extensions to front and rear, new porch and pergola, and construction of car port (revised scheme) – Nettle Barn, Bassingfield Lane, Bassingfield, Nottingham, NG12 2LG.**

### **Updates**

There were no updates reported.

### **DECISION**

#### **TO 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:

- 17009-00-10 revision A
- 17009-00-11 revision B
- 17009-00-12 revision B
- 17009-00-13 revision A
- 17009-00-14 revision B
- 17009-90-02

[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 letter from Marsh Grochowski dated 14 February 2018 submitted with application ref. 18/00452/DISCON 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].

In accordance with the Council's public speaking protocol for Planning Committee Councillor John Stockwood (on behalf of the ward councillor, Councillor Tina Combellack) addressed the meeting. After addressing the committee, Councillor John Stockwood withdrew from the committee for the consideration of the item.

**Item 4 – 18/00441/FUL & 18/00442/LBC – Proposed demolition of existing seating for tea rooms into the existing store area, forming new opening through and installation of 2No; conservation velux roof lights to main roof – Wharf Building, adjacent Wharf House, Main Street, Hickling, Nottinghamshire.**

### **Updates**

A representation was received from a member of the public 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 be carried out in accordance with the following approved plan: 'TW - 2018 - 01 - R1'; 'TW - 2018 - 02 - R1' & 'TW - 2018 - 03 - R2' received on the 22/03/2018 & 24/04/2018.

[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 the use of the additional internal seating area commencing the vehicular access on Main Street shall be surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary. The access shall then be maintained in the bound material for the lifetime of the development.

[In the interests of highway safety].

AND

**18/00442/LBC – Listed Building Consent be granted subject to the following condition(s)**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan: 'TW - 2018 - 01 - R1'; 'TW - 2018 - 02 - R1' & 'TW - 2018 - 03 - R2' received on the 22/03/2018 & 24/04/2018.



[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 the commencement of development at the site further details of new window and door joinery shall be submitted to and approved in writing by the Borough Council. Thereafter the development shall be carried out in accordance with the approved details.

[In order to ensure an appropriate and sensitive development and to protect the character and appearance of the listed building in accordance with the aims of Policy EN4 of the Rushcliffe Borough Non-Statutory Replacement Local Plan. The condition is pre-commencement in order to avoid insensitive alterations to the listed building being carried out.]

4. The use of the extended internal seating area hereby approved shall not commence until such time as the existing Upvc door to the north elevation of the room has been removed and replaced in accordance with the details agreed in condition 3.

[In order to ensure an appropriate and sensitive development and to protect the character and appearance of the listed building in accordance with the aims of Policy EN4 of the Rushcliffe Borough Non-Statutory Replacement Local Plan. The condition is pre-commencement in order to avoid insensitive alterations to the listed building being carried out.]

Councillor John Stockwood re-joined the committee at this point.

**Item 5 – 18/00494/FUL – single-storey side extension with raised patio, new hipped roof to existing former, new infill garage, and replacement open porch – 4 Yew Tree Close, Radcliffe on Trent, Nottinghamshire.**

Councillor Mrs Jean Smith, as Ward Councillor for Radcliffe on Trent withdrew from the committee for this item.

### **Updates**

There were no updates reported.

### **DECISION**

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

1. The development must not begun no 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): FB17-1107-PL01, PL02 and PL03 received

on 27 February 2018.

[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 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].

### **Notes to Applicant**

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

Councillor Mrs Jean Smith re-joined the committee at this point.

**Item 6 – 18/00242/FIL – Replacement of boundary treatment with new fencing and trellis, removal of overgrown trees, and new driveway access.**

### **Updates**

There were no updates received.

In accordance with the Council's public speaking protocol for Planning Committee Mr Jason Hull (the applicant) addressed the meeting.


### **DECISION**

#### **PLANNING PERMISSION REFUSED FOR THE FOLLOWING REASONS**

1. The development is obtrusive, out of character in the street scene and detrimental to the visual amenity of the area. It is, therefore, contrary to Local Plan Core Strategy Policy 10, which states that 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.
2. The development is contrary to policy GP2 (Amenity and Design) of the Rushcliffe Borough Non Statutory Replacement Local Plan which requires that, inter alia, any developments are sympathetic to the character and appearance of neighbouring buildings and the surrounding area in terms of scale, design, materials, and do not have a detrimental impact on the amenity of neighbours.

The meeting closed at 9.16 pm.

CHAIRMAN

 <p>Rushcliffe Borough Council</p>	<p><b>Planning Committee</b></p> <p><b>14 June 2018</b></p> <p><b>Planning Applications</b></p>	<h1>4</h1>
---	---	------------

## 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 <https://democracy.rushcliffe.gov.uk/ieListMeetings.aspx?Committeeld=140> 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/>

<b>Application</b>	<b>Address</b>	<b>Page</b>
<a href="#">18/00823/FUL</a>	27 Flaxendale, Cotgrave, Nottinghamshire, NG12 3NR  Demolition of existing garage and construction of new dwelling with associated parking, landscaping and boundary treatment.	13 - 19
<b>Ward</b>	Cotgrave	
<b>Recommendation</b>	Planning permission be refused	
<hr/>		
<a href="#">18/00769/COU</a>	Citrus House, Rear Of 3 To 5 Radcliffe Road, West Bridgford, Nottinghamshire  Change of use to social club	21 - 28
<b>Ward</b>	Trent Bridge	
<b>Recommendation</b>	Planning permission be granted subject to conditions	
<hr/>		
<a href="#">18/00440/FUL</a>	10 Meadow End, Gotham, Nottinghamshire, NG11 0HP  Front extension, rear and side extensions, raising of roof to provide accommodation at first floor (revised proposals).	29 - 37
<b>Ward</b>	Gotham	
<b>Recommendation</b>	Planning permission be granted subject to conditions	
<hr/>		

<b>Application</b>	<b>Address</b>	<b>Page</b>
<a href="#">18/00301/FUL</a>	40 Alford Road, West Bridgford, Nottinghamshire, NG2 6GJ	39 - 44
	Single storey and two storey rear extension	
<b>Ward</b>	Abbey	
<b>Recommendation</b>	Planning permission be granted subject to conditions	
<hr/>		
<a href="#">18/00376/FUL</a>	The Barn, Grange Farm, Chestnut Lane, Barton In Fabis, Nottinghamshire	45 - 52
	Stable and storage shed (part retrospective).	
<b>Ward</b>	Gotham	
<b>Recommendation</b>	Planning permission be granted subject to conditions	
<hr/>		
<a href="#">17/03033/FUL</a> and <a href="#">17/03059/RELDEM</a>	White House, Bottom Green, Upper Broughton, Nottinghamshire, LE14 3BA	53 - 62
	(i) Partial demolition of boundary wall and construction of new vehicular access including new brick piers.	
	(ii) Partial demolition of boundary wall (application for relevant demolition in the conservation area).	
<b>Ward</b>	Nevile and Langar	
<b>Recommendation</b>	Planning permission be granted subject to conditions	
	and	
	Planning permission for relevant demolition of an unlisted building in a conservation area be granted subject to conditions	
<hr/>		

[18/00748/FUL](#)

72 Boxley Drive, West Bridgford, Nottinghamshire,  
NG2 7GL

63 - 68

First floor extension, new roof, and loft conversion  
including rooflights to front.

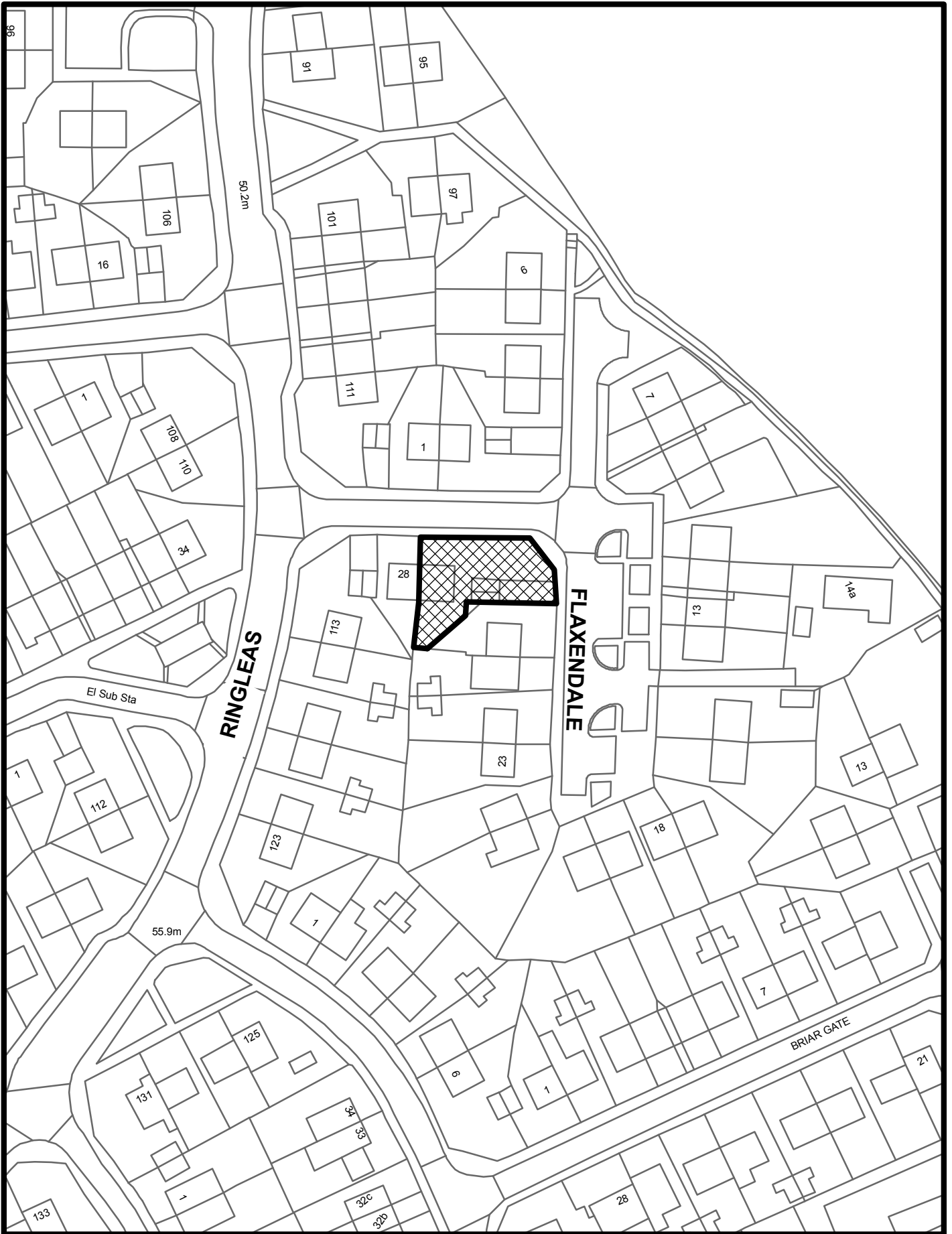
**Ward**

Lutterell

**Recommendation**

Planning permission be granted subject to conditions

---



**Application Number: 18/00823/FUL**  
**27 Flaxendale, Cotgrave**

scale 1:1000



This page is intentionally left blank



# 18/00823/FUL

**Applicant** Mr Paul Moram

**Location** 27 Flaxendale Cotgrave Nottinghamshire NG12 3NR

**Proposal** Demolition of existing garage and construction of new dwelling with associated parking, landscaping and boundary treatment.

**Ward** Cotgrave

## THE SITE AND SURROUNDINGS

1. The application site comprises of a semi-detached dwelling located on the corner of Flaxendale, within an established residential area of Cotgrave. The dwelling (no.27) is constructed of brick with a render feature to the front elevation and concrete tiles to the roof. It has a single storey extension to the rear elevation which would remain. A single storey outbuilding and garage are located to the side garden area which would be demolished as part of the proposals. The property has a very modest triangular shaped garden area to the rear bounded by 1.8m high close boarded fencing. To the front and side of the property is a larger rectangular shaped garden which is bounded by a 1.2m high privet hedge.
2. To the immediate south of the site is 28 Flaxendale, which has a two storey side extension located 1.3m from the southern boundary of the application site.
3. The surrounding area comprises of pairs and groups of terraced properties positioned in a regimented pattern around Flaxendale. The area is open in character with properties having low level boundary treatment to their front landscaped gardens, facing towards the cul-de-sac and landscaped car parking areas.

## DETAILS OF THE PROPOSAL

4. The application seeks full planning permission for the demolition of the existing single storey outbuilding and garage and the construction of a new dwelling to the side garden area. The new dwelling would be two storey with a single storey hipped roof element to the side. The dwelling would provide a hall, utility, w.c., study/bedroom 3 and kitchen/living/dining room at ground floor and a two bedrooms and a bathroom at first floor.
5. The proposed property would have a modest garden area (56sqm) to the rear surrounded by a 1.8m high close boarded timber fence. Two off-street car parking spaces would be provided to the front which would require the existing dropped crossing to be extended.
6. The existing property would retain a very small garden to the side/rear (38sqm), with two off street car parking spaces created to the remaining front garden area which would require the removal of part of the existing privet hedge and the formation of a dropped kerb crossing.

## **SITE HISTORY**

7. The single storey extension to the rear of 27 Flaxendale was constructed under permitted development in approximately in 2015/16.
8. A planning application (15/01913/FUL) for the erection of 1.8m and 1.2m high boundary fences to the front and side of 27 Flaxendale was refused in 2015.
9. Planning permission (07/01448/FUL) for the erection of single and two storey extensions to the side of 26 Flaxendale was granted in 2007.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

10. One Ward Councillor (Cllr Chewings) has commented as follows; *'I have a pecuniary interest in the planning application. I am a neighbour who lives directly across from number 27 (at no.2) and this application will affect me more than most.'*

### **Town/Parish Council**

11. Cotgrave Town Council; *'Do not object'*.

### **Statutory and Other Consultees**

12. None

### **Local Residents and the General Public**

13. One resident in Flaxendale raises no objections to the application.
14. Representations from residents of three properties in Flaxendale have been received objecting to the proposal on grounds which can be summarised as follows:
  - a. Proposal would result in overlooking.
  - b. Adverse impact on view/outlook of neighbouring properties.
  - c. House would appear out of character.
  - d. Dwelling would be too large and result in overdevelopment.
  - e. Too close to neighbouring property.
  - f. Impact on space and light.
  - g. Overshadowing/isolating properties to the rear of the development.
  - h. Adverse impact on highway safety by creating a blind spot on corner on a busy cul-de-sac.

## **PLANNING POLICY**

15. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014).
16. 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 Rushcliffe Residential Design Guide (2009).
17. Any decision should therefore be taken in accordance with the Core Strategy, the NPPF and NPPG, policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Framework, together with any other material planning consideration.

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

18. The National Planning Policy Framework (NPPF) includes a 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. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. There are three dimensions to sustainable development, economic, social and environmental. One of the core planning principles of the NPPF state that planning should, *'Always seek to secure high quality design and a good standard amenity for all existing and future occupants of land and buildings.'*

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

19. None of the 5 saved policies of the 1996 Rushcliffe Local Plan are relevant to this application.
20. The Rushcliffe Local Plan Part 1: Core Strategy was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028. Policy 1: 'Presumption in Favour of Sustainable Development' and Policy 10: 'Design and Enhancing Local Identity' are relevant.
21. Policy 10 states that all new development should make a positive contribution to the public realm and sense of place; create an attractive, safe inclusive and healthy environment; reinforce valued local characteristics; be adaptable to meeting evolving demands and effects of climate change; and reflect the need to reduce the dominance of motor vehicles.
22. The Rushcliffe Borough Non-Statutory Replacement Local Plan (RBNSRLP) is a material consideration. Whilst not part of the Development Plan, the Borough Council has adopted the RBNSRLP for development control purposes in the determination of planning applications.

23. Policy GP2 (Design and Amenity Criteria) states that planning permission will be granted provided that the scale, density, height, massing, design, layout and materials of proposals are sympathetic to the character and appearance of neighbouring buildings and surrounding areas; that they do not lead to an over-intensive form of development; that they are not overbearing in relation to neighbouring properties; and do not lead to undue overshadowing or loss of privacy.
24. Policy HOU2 (Development on Unallocated Sites) states that planning permission on unallocated sites will be granted provided that there is no harm to the character or pattern of development; it would not extend the built up area; it would not have an adverse visual impact; it would not result in the loss of buildings capable of conversation and worthy of retention; it is not in the open countryside; the site is in an accessible location.
25. The Rushcliffe Residential Design Guide states (page 36) *‘that there should be rear gardens with a depth of 10m to the boundary and garden sizes of 110 sqm for detached properties, 90 sqm for semi-detached and terraced properties and 55 sqm for 1 and 2 bed properties. Gardens smaller than the footprint of the dwelling are unlikely to be acceptable’.*

## **APPRAISAL**

26. The main issues in the consideration of the proposal are the impacts upon the character and appearance of the area; the living conditions of both surrounding residential properties and the future occupiers of the proposed dwelling; and highway safety.
27. Flaxendale is characterised by pairs of semi-detached properties and groups of four properties of a similar design and appearance. The layout of the area is relatively low density with existing dwellings, particularly those positioned within corner plots, having large landscaped gardens to the front/side with low boundary treatments.
28. The proposal would introduce a detached property (which is not a characteristic of the area) within the front/side garden area of a semi-detached dwelling. The proposed dwelling would be 3m from the northern boundary, 5.5m from the eastern boundary, 1.3m from the side elevation of the property to the south, 26 Flaxendale, and 7m from the side elevation of the property to the west, 27 Flaxendale. The proposal would require the front gardens of both the existing dwelling and new dwelling to be paved to accommodate off-street car parking with a section of the existing privet hedge removed. Furthermore, both properties would be located within substantially smaller plots than those in the immediate vicinity of the site.
29. For these reasons, it is considered that the erection of a detached two storey dwelling on this corner garden would result in a cramped and over intensive form of development which would be harmful to the character, layout and appearance of the surrounding area.
30. With regard to the residential amenity of neighbouring dwellings, the side elevation of the proposed dwelling would be located within 1.3m of the side elevation of 26 Flaxendale and the rear elevation within 7m of the side elevation of 27 Flaxendale. Given the proximity of the proposed two storey

dwelling in relation to these two neighbouring properties, it is considered that it would appear overbearing and intrusive, particularly from the rear garden areas. Furthermore there are two bedroom windows proposed in the first floor rear (western) elevation within 1-2m of the rear garden boundaries with 27 and 28 Flaxendale, which would result in unacceptable levels of overlooking. As a result, the proposal would be harmful to the living conditions of the occupiers of 26 and 28 Flaxendale.

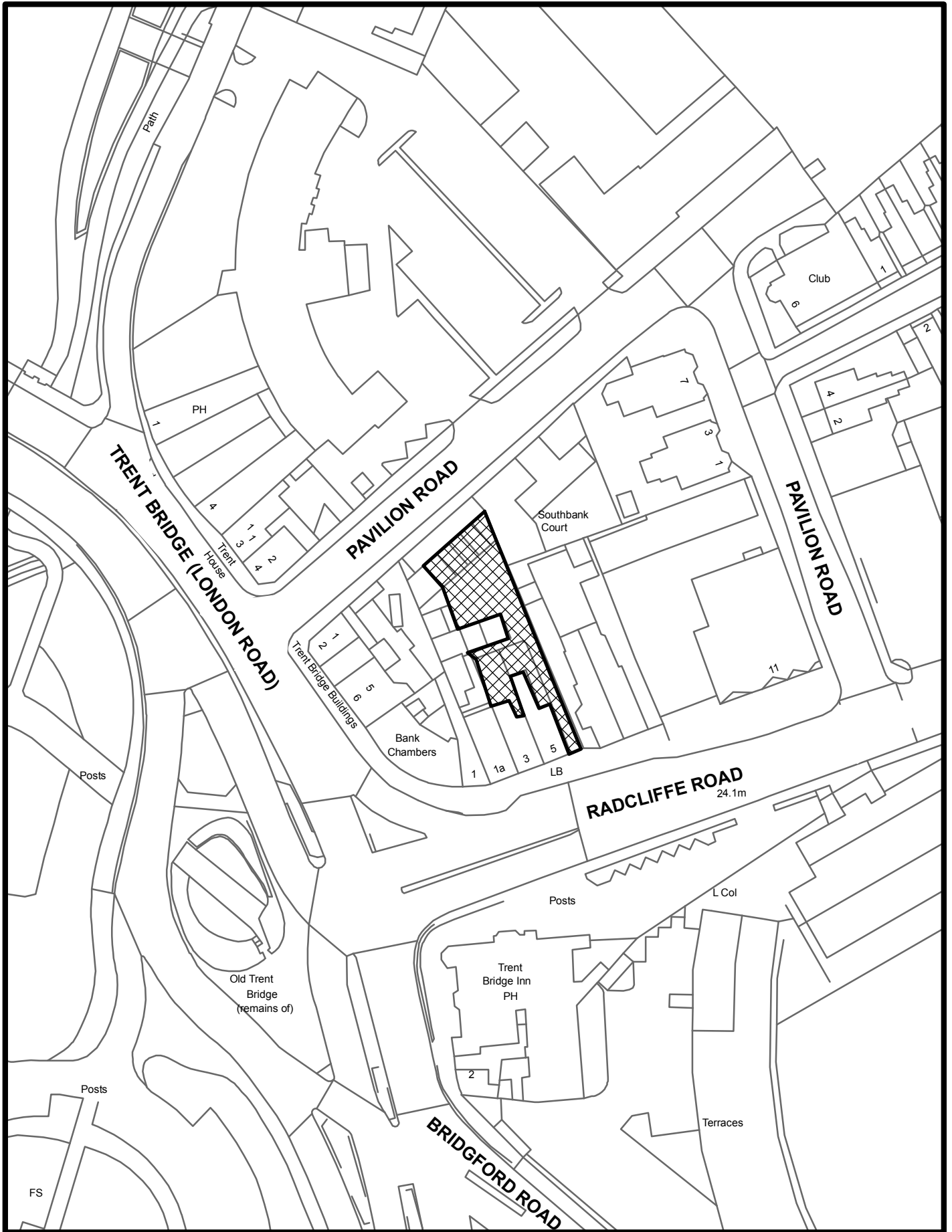
31. In terms of garden areas, the existing semi-detached property would retain a side/rear garden area of 38sqm, which is well below the 90sqm recommended in the Residential Design Guide. Similarly, the proposed detached property would have a rear garden area measuring 7m in depth and 56sqm which is below the 10m and 110sqm as recommended by the Residential Design Guide. It is considered that such small garden areas for both the existing and proposed dwelling would not provide sufficient outdoor private amenity space which would be harmful to the living conditions of occupiers.
32. Concerns have been raised by local residents regarding the impacts of the proposal on highway safety. Both the existing and proposed dwelling would benefit from two off street car parking spaces, therefore, the proposal is unlikely to increase current levels of on-street car parking. The existing 1.2m high privet hedge would be retained and its height could be limited by condition, therefore, protecting visibility on the corner of Flaxendale. As a result, it is not considered that the proposal would be harmful to highway or pedestrian safety.
33. The application was not the subject of pre-application consultation and there are fundamental objections to the proposed development. Negotiations have not been initiated with the agent 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 two storey dwelling to the side garden area of 27 Flaxendale would result in a cramped, over intensive form of development which would be harmful to the character, layout and appearance of the surrounding area. The proposal would therefore be contrary to policy 10 of the the Rushcliffe Local Plan Part 1: Core Strategy; Policies GP2 and HOU2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework.
2. The proposed two storey dwelling would appear overbearing and intrusive, and result in unacceptable levels of overlooking which would be harmful to the living conditions of 26 and 28 Flaxendale. Furthermore the proposed development would not provide adequate outdoor amenity space for occupiers of the proposed dwelling or the existing dwelling 27 Flaxendale. The proposal would therefore be contrary to Policies GP2 and HOU2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within the Rushcliffe Residential Design Guide and National Planning Policy Framework.

This page is intentionally left blank



**Application Number: 18/00769/FUL**  
**Citrus House, r/o 3-5 Radcliffe Road, West Bridgford**



scale 1:1000

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

This page is intentionally left blank



# 18/00769/COU

**Applicant** Mr Christopher Mould

**Location** Citrus House Rear Of 3 To 5 Radcliffe Road West Bridgford Nottinghamshire

**Proposal** Change of use to social club

**Ward** Trent Bridge

## THE SITE AND SURROUNDINGS

1. The application site is accessed off Radcliffe Road via a private access driveway that also serves some flats and other businesses. The ground floor of the building would house a reception area and toilets and the first floor would be divided into four rooms with a connecting corridor. The proposed use is for a private members social club called 'The Purple Mamba' and there is signage at first floor to identify the club.
2. This part of Radcliffe Road is commercial in nature with cafes, takeaways shops, restaurants and the Trent Bridge Inn public house opposite, as well as Trent Bridge Cricket Ground and the Nottingham Forest football ground in close proximity. There is a bus stop and cash machine on Radcliffe Road and the road itself is controlled by parking restrictions in the form of double yellow lines. Pavilion Road has some time restricted on-street parking bays and there is a public pay and display car park outside the Trent Bridge Inn.
3. Immediately to the rear of the application site is 'Pavilion Buildings' this building is in commercial use at ground and first floor. Adjacent to the east is a modern, purpose built block of flats that fronts onto Pavilion Road and there also residential flats above some of the commercial premises on Radcliffe Road, including flats accessed from (and overlooking) the private driveway over which the club is accessed.
4. The club has already begun operating.

## DETAILS OF THE PROPOSAL

5. The application is for the change of use of the site to a social club. The applicant's supporting statement submitted as part of the application states that the current opening hours include: Friday 8pm – 2am, Saturday 8pm – 2am, Sunday 4pm – 10pm. *"There is potential in the future for extending the opening hours for Monday – Saturday 7pm – 3am, Sunday 2pm – 12am, in line with other business in the area"*.
6. Following a request for further clarification from the applicant it has been confirmed that the opening hours would be 8pm-2am Monday-Saturday and 4pm-10pm on Sundays. The application will be considered on the basis of these opening hours.

7. It is not proposed to sell alcohol or play amplified music and there will be no parking provision made for visitors to the club.

## **SITE HISTORY**

8. There is little formal history associated with the site, anecdotally the Borough Council is aware the site has previously been used as warehousing, and a private members gym, but no formal permission exists for these previous uses. Planning permissions have been granted in the 1980s and 1990s for car repairs and a taxi business operating within the site, as defined by the red line on the site and location plan.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

9. One Ward Councillor (Cllr Plant) objects to the application commenting, *“The club is in close proximity to residential housing and I think the nature of the activities taking place in the club might be a safeguarding issue to young and possibly vulnerable young people. I also have health and safety concerns regarding activities taking place in the club. I feel such is the nature of the change of use that in the interests of transparency the application should be referred to the planning committee.”*

### **Statutory and Other Consultees**

10. The Nottinghamshire Police has no objection to the scheme based on reported crime or ASB associated with the premises since it opened. However, the officer expressed concern if the opening hours were to be extended past those currently in operation due to residential properties in the near vicinity.
11. The Nottinghamshire County Council as Highways Authority has confirmed that no observations are required for this application.
12. The Borough Council's Environmental Health Officer raises no object to the scheme, however, it is recommended that permission is only granted for a temporary period of twelve months to allow noise impacts to be assessed. It is also recommended that conditions are attached to ensure all doors and windows are kept shut, that outdoor areas are not used by customers between 2300 and 0900 except for access and egress, signage to be displayed advising customers to leave in a quiet and orderly manner, and restricting delivery and waste collection times.

### **Local Residents and the General Public**

13. Comments have been received from 7 local residents objecting to the proposals on the following grounds:
  - a. Noise and disturbance from people entering and leaving the club, including groups standing outside to smoke.
  - b. Vomit and urine being left in the areas outside.

- c. Impact on parking including blocking of private parking spaces.
- d. Conflict between cars and people along the driveway/alleyway to access the club.
- e. 3am opening time is unreasonable.
- f. Impact of music and revving engines from cars.
- g. Alleyway/driveway area is less secure.
- h. Concerns about potential inappropriate behaviour and impact on young people and children living in and visiting nearby flats.
- i. Difficulty in finding future buyers and tenants for the flats.

## **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) and the Rushcliffe Borough Non-Statutory Replacement Local Plan 2006.

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

- 15. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that for decision taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.
- 16. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development, these are the economic, social and environmental role.
- 17. Paragraph 19 states that *“The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”*
- 18. Paragraph 69 sets out the role of the planning system in supporting healthy communities, including achieving places that support *“safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;”*

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

- 19. None of the 5 saved policies of the Rushcliffe Borough Local Plan 1996 are applicable to this proposal.

20. 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 NPPF.
21. 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 is concerned with issues of amenity and the effect of proposals on neighbouring properties.

## **APPRAISAL**

22. In principle, the use of the site for a social club is considered an acceptable use in an existing busy commercial area where bars, restaurants and takeaways already operate. It therefore falls to be considered whether the proposal will generate undue noise and disturbance, either as a result of the use itself or as a result of people accessing and egressing the club late in the evening, and the effect this would have on local residents. It also falls to be considered whether there is any potential crime or antisocial behaviour likely to be associated with the club and the Ward Councillor has also raised issues of safeguarding for young people.
23. Whilst the Ward Councillor's concerns about safeguarding are acknowledged, it is noted that the police have not raised any concerns over this, or crime and anti-social behaviour. The club operates an over 21s only policy and activities are confined to within the club with no outdoor or public areas. It is not, therefore, considered that this could be supported as a reason for refusal. Any health and safety issues relating to the club would be dealt with separately by the Borough Council's Environmental Health team.
24. The proposed opening hours are until 2am Monday to Friday and 10pm on Sunday. By way of context, the Southbank bar has permitted opening hours until 3am every day, and the Trent Bridge Inn is licensed until 2am during the week and 1am on Sundays. Hubble Bar (immediately behind the application site) has permitted opening hours until 1am on Friday and Saturdays, Taj Lounge (further down Radcliffe Road) has permitted opening until 1am Sunday - Thursday and 3am Friday and Saturday. This is not an exhaustive list of the premises operating in the nearby vicinity of the proposed social club (and some premises have been operating historically and do not have controlled hours of use), however it does serve to give a snapshot of the activity currently occurring in the local area and general Radcliffe Road/Trent Bridge area.
25. The application site is slightly different as it is accessed via a private driveway which is overlooked by the windows of flats, and is therefore set back from the main activity on Radcliffe Road, which currently gives residents a more peaceful environment. This is balanced against the specific nature of the use, which, as a club, has a limited capacity and it is considered likely that persons visiting it would potentially spend longer there rather than visiting from bar to bar which patrons of the Southbank or other bars and restaurants in the area may do. It can be expected that overall the number of comings and goings from the club are likely to be less than from a bar or restaurant open to the general public. No alcohol is proposed to be sold on

the premises (although customers can take their own drinks into the premises) and no live or amplified music is proposed to be played (background pre-recorded music only).

26. Residents have raised concerns about car music and revving engines, however, it is difficult to demonstrate whether or not these are directly associated with the use as a social club. To protect against this and the risk of residential parking spaces being blocked by cars associated with the club a condition restricting access by vehicles could be imposed.
27. Residents have also raised concerns about noise from people smoking outside, this could also be controlled by condition.
28. On balance, given the hours of operation proposed and the conditions recommended by the Borough Council's Environmental Health Officer, in addition to those suggested above, it is recommended that planning permission should be granted on a temporary basis for twelve months to allow the impacts of the development to be monitored further.
29. The proposal has not been subject to any pre-application discussion, nonetheless clarification over hours of operation has been sought from the applicant during the course of the application and proposed conditions explained. This has resulted in an acceptable application and the recommendation to grant planning permission.

## **RECOMMENDATION**

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

1. This permission authorises the use of the premises as a social club for a limited period expiring on 30 June 2019, on or before which the use of the premises as a social club shall cease, unless a further planning permission has been granted for the use to continue.

[To enable the Borough Council to monitor the use of the premises and determine whether permission on a permanent basis would be appropriate, in the interests of the amenities of nearby residential properties and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

2. The premises shall only be open to customers between the hours of 20:00 and 02:00 Monday - Saturday and 16:00 and 22:00 Sundays and Bank Holidays.

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

3. The outdoor areas of the premises shall not be used by customers between the hours of 23:00 and 09:00 (Monday evening through to Sunday morning) and not between the hours of 22:00 and 09:00 Sunday through to Monday morning) except for access and egress.

[To protect neighbouring residential properties from noise and disturbance, in accordance with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

4. Delivery and waste collection times shall be restricted to the following times, to cause the minimum amount of disturbance to neighbouring residents:

Monday-Friday 0700 - 1800 hours

Saturday 0800 - 1700 hours

Sunday/Bank Holidays No deliveries or waste collection

[To limit noise and disturbance to neighbouring residential properties in accordance with Policy GP2 (Design and Amenity) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

5. All doors and windows to building shall be kept closed whenever amplified music is being played on the premises, except for access and egress or in the event of an emergency. There shall be no speakers installed or amplified music played in the outside areas to the premises at any time.

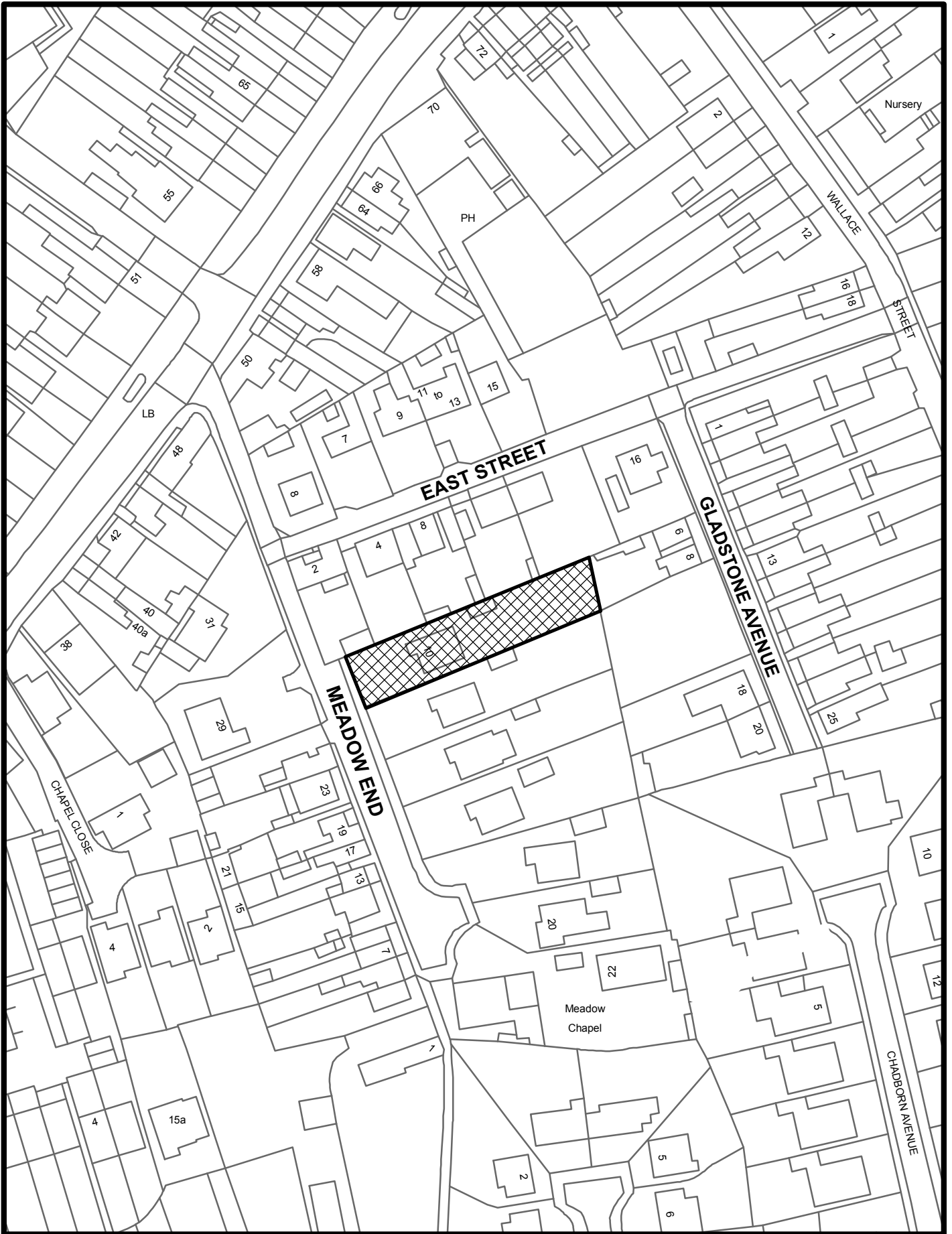
[To limit noise and disturbance to neighbouring residential properties in accordance with Policy GP2 (Design and Amenity) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

6. There shall be no use of the area within the red line application site for the parking of customer vehicles or for dropping off/picking up of customers associated with the club.

[The site does not possess any designated parking areas associated with the club, and this condition is required to protect the amenities of residents/business owners from additional car access and parking. In accordance with policy GP2 (Design and Amenity) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.]

7. Within 28 days of this permission being granted a scheme of signage shall be implemented, in accordance with details to be first submitted to and approved by the Borough Council, advising customers to be respectful to neighbouring residents and to leave the area in a quiet and orderly manner.

[To limit noise and disturbance to neighbouring residential properties in accordance with Policy GP2 (Design and Amenity) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]



**Application Number: 18/00440/FUL**

**10 Meadow End, Gotham**

**scale 1:1000**



This page is intentionally left blank



# 18/00440/FUL

**Applicant** Mr Mick Duggan

**Location** 10 Meadow End Gotham Nottinghamshire NG11 0HP

**Proposal** Front extension, rear and side extensions, raising of roof to provide accommodation at first floor (revised proposals).

**Ward** Gotham

## THE SITE AND SURROUNDINGS

1. The site accommodates a render, brick and tile bungalow, forming the first in a row of similar properties. The dwelling is set on the eastern side of Meadow End with terraced properties to the north. The building is set back from the road with a long rear garden.

## DETAILS OF THE PROPOSAL

2. The proposals comprise a front extension, rear and side extensions and raising the roof to provide accommodation at first floor with rooflights inserted into each side of the roof. The front extension would be roughly half the width of the bungalow with a depth of approximately 700mm and would infill the current setback to remove the staggered façade. The rear/side extension would be L-shaped projecting between 5 metres and 7.6 metres from the rear elevation of the bungalow with a width of 8.3 metres. The proposal also includes a new roof structure, over the existing property and extension, to facilitate the provision of accommodation at first floor level, raising the height of the property from 4.8m (measured to the highest ridgeline of the existing property) to 6m, measured to the ridge of the new roof structure. Revised plans were submitted showing the extension on the rear of the property set down at a lower level with a maximum height to the ridge of 6 metres, introducing a step down between the two sections of roof. The additional accommodation to be provided would comprise of a day room/kitchen on the ground floor and 3 bedrooms, a shower room and a bathroom on the first floor.

## SITE HISTORY

3. An application ref: 17/02351/FUL for a front extension, rear and side extensions, raising of the roof to provide accommodation at first floor and dormers to the side was refused in November 2017 on the following grounds:

*“The proposed dormer windows on the western elevation would be detrimental to the residential amenity of properties fronting onto East Street including numbers 4-10, through overlooking, the perception of being overlooked and loss of privacy. Therefore, the development would be contrary to Policy GP2 a) of the Rushcliffe Non Statutory Local Plan, criteria d) and policy 10 of the Rushcliffe Core Strategy (2b) which seek to ensure development protects the residential amenities of neighbouring properties.”*

4. An application ref: 17/02878/FUL for a front extension, rear and side extensions, raising of roof to provide accommodation at first floor and dormers to the side was also refused in January 2018 for the same reasons as above.

## **REPRESENTATIONS**

### **Ward Councillors**

5. The Ward Councillor (Cllr Matthews) fully supports the neighbour and Gotham Parish Council in objecting to this overbearing development on the site. He has visited the site and strongly recommends this planning application is rejected as per the objection mentioned by the neighbour and Gotham Parish Council.

### **Town/Parish Council**

6. Gotham Parish Council object on grounds of *“Over-intensification, disproportionate for size of plot and out of sympathy with the character and design of other properties. Roof is overbearing for the neighbour on East Street. Loss of a village bungalow.”*
7. In response to a consultation on revised plans, Gotham Parish Council maintained their objection commenting *“Out of character with row of existing bungalows. Over development of the site, intrusive to neighbours. Gotham housing survey revealed a need for bungalows in the village for retirement. This will be a loss of a bungalow.”*

### **Local Residents and the General Public**

8. One representation received from neighbouring property objecting on the following grounds:
  - a. There would be a significant blockage of light to neighbouring properties on East Street, in particular from early morning until mid/late afternoon, would impact on the amount of light and warmth coming into the properties and would lead to extra heating and lighting costs.
  - b. 10 Meadow End would still look directly into the bedrooms and the rooflight from the neighbouring property would be directly over the proposed rooflights.
  - c. There is local demand for bungalows.
  - d. The garden room extension on the neighbouring property is not shown on the plans and projects a false impression of the actual impact of the proposed development.
  - e. No other bungalows on Meadow End have raised the height of the roofline, nor extended the roofline at the front. It is an over-intensive development, overbearing in relation to neighbouring properties and would lead to undue overshadowing and loss of privacy.

- f. The water table in this area is high, evidenced by the incessant battle with damp in the older properties, any more building requiring foundations can only serve to displace the water thereby creating more problems for other houses in the area.

## **PLANNING POLICY**

9. 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 Rushcliffe Residential Design Guide.

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

10. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that for decision taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.
11. In relation to residential amenity paragraph 9 of the NPPF states pursuing sustainable development involves seeking positive improvements in the quality of the built natural and historic environment as well as in people's quality of life, including but not limited to improving conditions in which people live, work, travel and take leisure. Paragraphs 56-68 of the NPPF relate to design and states planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle the innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek, to promote or reinforce local distinctiveness. Paragraph 64 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. Paragraphs 79 to 92 relate to the Green Belt.

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

12. Saved Policy ENV15 Green Belt of the Local Plan 1996 defines the extent of the green belt and is of relevance in this case.
13. 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 NPPF. Core Strategy Policy 4 refers to the Green Belt within the Borough. 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. Of particular relevance to this application are 2(b) whereby the proposal shall be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.

14. Whilst not part of the development plan the Borough Council has adopted the Rushcliffe 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 is concerned with issues of design and amenity and the effect of proposals on neighbouring properties. The site is also within the Green Belt, albeit within the village, and Policy EN14 applies which allows for appropriate extensions to dwellings.
15. Consideration should also be given to the supplementary guidance provided in the Rushcliffe Residential Development Guide.
16. The Gotham Neighbourhood Plan has not yet been formally submitted to the Borough Council and carries little weight.

## **APPRAISAL**

17. The main issues to consider in the application are the visual amenity of the proposal and the residential amenity of neighbouring properties. The principle of the development is considered acceptable and although the enlarged property would no longer be a bungalow, it is not considered the loss of one bungalow provides sufficient grounds to refuse the proposal.
18. Gotham is washed over Green Belt and Policy EN14 considers proportionate extensions to dwellings as appropriate development. The NPPF at paragraph 89 states the extension or alteration of a building is not inappropriate, provided that it does not result in disproportionate additions over and above the size of the original building. The proposals would create additional floorspace and would increase the scale and mass of the building, changing the appearance of the existing building, however, it is not considered the extensions and alterations sought are disproportionate in the context of the tests set out in the NPPF. Given the built up character of the area, it is not considered that the proposal would impact on the openness of the area and would not prevent the aims of including the land within the Green Belt from being achieved. The building would continue to form part of the built up settlement of Gotham. As such, subject to the detailed issues discussed below, the principle of development is acceptable and would achieve the aims of Green Belt policy.
19. The bungalow is one of a number of similar properties forming a uniform line of bungalows on the eastern side of Meadow End. This property is the first in the row and is adjacent to the rear elevations of terraced properties to the west, with two storey properties on the opposite side of Meadow End. The proposal would lead to a change in the character and appearance of the bungalow through a higher roof, upper storey accommodation and modern glazing. These works would arguably be at odds with the uniformity of the row of properties, however, given that the property is the first in the row of bungalows and that there are two storey properties to the north and on the opposite side of Meadow End, it is not considered that the proposal would be so harmful to the character of the area that refusal of permission would be justified.
20. From the highway the enlarged façade would be clearly visible but the dwelling is set well into the site and the dwelling would remain below two

storey. The massing would effectively be broken up by the design, incorporating a wing further to the rear and different eaves heights. Other than the front elevation the enlarged dwelling would not be readily visible from the public realm and given the size of the plot would not represent over-development.

21. The objections on visual grounds are noted and the view that the proposal is acceptable in terms of visual amenity is very much an on balance assessment. The extensions would be built using materials to match the existing dwelling and due to the siting, size and design would be visually acceptable, not affecting the openness of the Green Belt.
22. In terms of any potential impact on residential amenity of the properties to the west, the neighbouring dwellings are separated by the highway with no.29, opposite the site, being set back from the highway boundary. Although a first floor window serving a bedroom would be inserted into the gable end, this would be set a significant distance from neighbouring properties. As a result there would be no undue adverse impact.
23. To the north are gardens serving the neighbouring terraced properties. At present the existing property has a limited impact, being single storey and of a limited depth. The proposal would lead to an increase in the eaves and ridge heights of the dwelling which would be elongated through the extension. However, the host dwelling would remain two metres from the boundary and approximately 15 metres from the rear elevation of the neighbouring properties. As a result, the additional massing would not be unduly overbearing on these properties. In addition, the reduction in the ridge height over the extension would further reduce the impact on neighbouring properties.
24. To the rear a bedroom window with a Juliet balcony is proposed at first floor level. Whilst the introduction of accommodation at first floor level would potentially introduce overlooking of neighbouring properties, outlook from this room/Juliet balcony is likely to result in oblique views across gardens of the properties to the north and the distance to the rear boundary of the site would be approximately 22 metres. As such, it is not considered that any overlooking would be significant or would lead to unacceptable loss of privacy.
25. To the south the extension would be adjacent to the boundary with the neighbouring bungalow. There would be a space in excess of 1 metre between the enlarged side elevation and the boundary with the neighbouring dwelling, set off this boundary with the driveway intervening. The additional height, length and massing would have some impact on this property. However, the impact would be on the driveway and there would be a sufficient distance from the dwelling and private area of the garden to not have an unacceptable impact.
26. The comments of the Parish Council and neighbour are noted. The proposal would result in an enlarged dwelling in terms of both height and depth and as a result would have a greater impact on the neighbouring terraced properties. However, compared to the refused schemes, the previously proposed dormer windows have been replaced with rooflights and part of the ridge height has been lowered. There would still be a greater impact compared to the existing

situation but on balance it is not considered the proposal could now reasonably be resisted on the grounds of overlooking or loss of privacy. The applicant's agent has confirmed the bottom sill of the rooflights would be 1.7 metres above the internal floor level and the separation distances would ensure there would be no undue overlooking, overbearing impact or a level of loss of sunlight or daylight that could warrant a refusal.

27. The access would be unaltered by the proposals and although there would be an increase in the number of bedrooms the traffic generation would not be such that harm would result on the local highway network. The scheme would not be detrimental to highway safety.
28. There is no evidence the proposal would lead to additional flood risk or increased damp to adjacent properties.
29. The proposal is acceptable in policy terms within the Green Belt, being appropriate development and the nature of the proposals would ensure the openness of the designation would not be adversely affected. The proposals are visually acceptable and would not have an unacceptable impact on residential amenity and it is recommended the application be approved.
30. The Borough Council will, in accordance with policies in the Core Strategy (Policy 8: Housing Size, Mix and Choice), seek a mix of housing types and tenure on new housing developments. This policy does not, however, afford any protection to existing housing stock and whilst the concerns raised regarding the loss of a bungalow are noted, it is not considered that this would justify the refusal of permission of an application for extensions and alterations to an existing property.
31. Negotiations have taken place during the consideration of the application and this has resulted in revised plans being submitted. The application is acceptable and can be recommended for approval.

## **RECOMMENDATION**

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

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

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

2. The permission hereby granted relates to the following plans:

Location Plan  
Block Plan  
A3 Drawing N0.1 Layout Plan April 2018  
A3 Drawing No.3 Elevations Plan April 2018

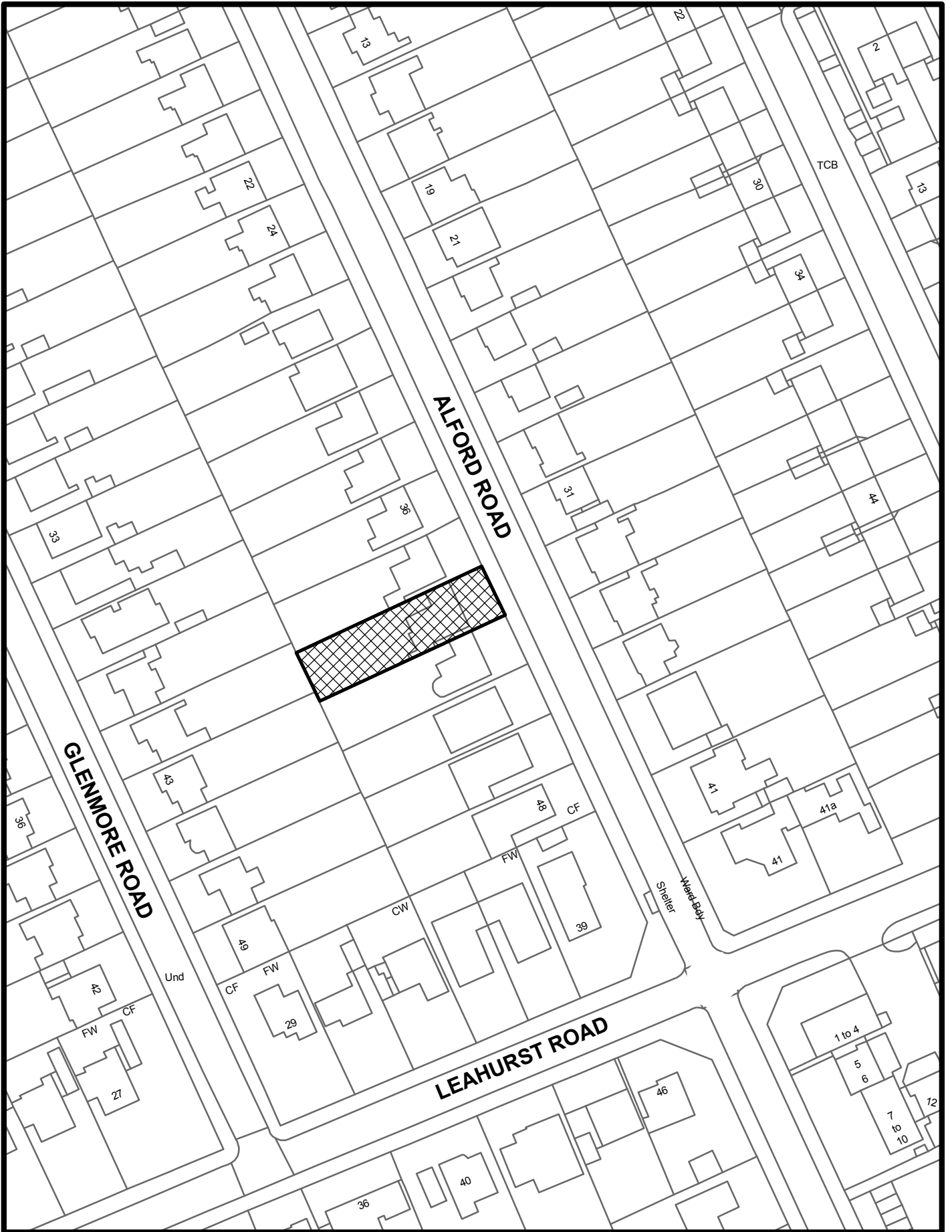
[For the avoidance of doubt and to comply with Policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

3. The development hereby approved shall be carried out using matching materials for the walls and roof unless otherwise agreed in writing by the Borough Council.

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

This page is intentionally left blank





**Application Number: 18/00301/FUL**  
**40 Alford Road, West Bridgford**



scale 1:1000

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

This page is intentionally left blank

# 18/00301/FUL

**Applicant** Ms Warby

**Location** 40 Alford Road West Bridgford Nottinghamshire NG2 6GJ

**Proposal** Single storey and two storey rear extension

**Ward** Abbey

## THE SITE AND SURROUNDINGS

1. The site accommodates a brick and tile detached inter war dwelling on the western side of Alford Road. The dwelling is set back from the highway with parking and a small garden to the front and a large garden to the rear. To the south there is a similar property which has a garage to the side and a conservatory to the rear.

## DETAILS OF THE PROPOSAL

2. The application has been revised and comprises single storey and two storey rear extensions. The proposed two storey portion of the extension would have a depth of 3.6 metres and a width of 3.6 metres with an eaves height matching the existing house and a lower ridge height than the main roof. The single storey portion of the extension would have footprint of 4.6 metres in depth by 6.6 metres in width. The accommodation would provide an open plan living/dining room on the ground floor and bedroom on the first floor.

## SITE HISTORY

3. There is no relevant history.

## REPRESENTATIONS

### Ward Councillors

4. One Ward Councillor (Cllr Buschman) has declared a non-pecuniary interest.

### Local Residents and the General Public

5. One neighbour objected to the scheme as originally submitted on the grounds that, in particular, the two storey extension would be seriously overbearing and affect light. Following receipt of a revised scheme the same neighbour retained their previous objection, stating they are strongly against any two storey extension and adding that all previous two storey extensions on the road have been above the garage and have not caused any issues.

## PLANNING POLICY

6. 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  
page 41

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**

7. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that for decision taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.
8. In relation to residential amenity paragraph 9 of the NPPF states pursuing sustainable development involves seeking positive improvements in the quality of the built natural and historic environment as well as in people's quality of life, including but not limited to improving conditions in which people live, work, travel and take leisure. Paragraphs 56-68 of the NPPF relate to design and state that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle the innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness. Paragraph 64 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**

9. None of the 5 saved policies of the Rushcliffe Borough Local Plan 1996 are applicable to this proposal.
10. 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 NPPF. 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. Of particular relevance to this application are 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.
11. Whilst not part of the development plan the Borough Council has adopted the Rushcliffe 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 is concerned with issues of design and amenity and the effect of proposals on neighbouring properties.
12. Consideration should also be given to the supplementary guidance provided in the Rushcliffe Residential Development Guide.

## APPRAISAL

13. The main issues to consider in the application are the visual amenity of the proposal and residential amenity of neighbouring properties.
14. The proposal comprises single and two storey extensions to the rear of the property. The revised proposal has reduced the depth of the two storey element with a lean to connecting the larger ground floor to the first floor. The size and scale is in proportion with the original dwelling and the design and architectural details would match the existing. The extension would be to the rear and would not be easily visible other than from neighbouring gardens and dwellings. Adequate rear garden would remain.
15. It is considered the proposal would be sympathetic to the character and appearance of the host dwelling and the locality and complies with the above policies and guidance.
16. With regard to residential amenity of the property to the north, the extension would be set off the boundary. An adequate separation distance would remain to ensure there would be no undue overbearing or overshadowing impacts. No windows are proposed in the northern elevation at first floor level and although an additional bedroom window is proposed in the rear elevation this would result only in oblique views across the neighbouring garden and would not have a significant or unacceptable impact on amenity.
17. To the south the neighbouring dwelling is set in close proximity to the boundary and includes a conservatory to the rear. The proposed extension would be set off this boundary by 1.19 metres. An objection has been received from the occupier of the neighbouring property raising concerns of overbearing impact and loss of light. A site visit has taken place to assess the proposal from this property with particular attention paid to the impact on the conservatory. It was accepted the relationship between the neighbour's property and the application as originally proposed was not acceptable and as a result a reduction in depth of the two storey element was sought and received. The revised plan now proposes a depth at two storey of 3.6 metres rather than the originally proposed 4.6 metres and it is considered this would adequately reduce the impact on the neighbouring property. The side wall would be clearly visible from the conservatory and would have some impact, however, on balance, it is not considered the scheme would not be of sufficient harm to warrant refusal based on a limited rear depth and the separation distance.
18. To the west there is a long rear garden with neighbouring properties set a significant distance away and there would be no harm to these properties to the rear.
19. The development would result in an additional bedroom, however, existing off street parking provides a garage and hardstanding. Although there could be additional demand for off street parking the existing provision would remain to adequately serve the enlarged dwelling. No alterations to the existing vehicular access or parking are proposed and the development is not considered to impact on highway safety.

20. In conclusion, the proposal would be visually acceptable, would have a satisfactory relationship with neighbouring properties and would not be harmful to highway safety.
21. Negotiations have taken place during the consideration of the application and have resulted in the submission of revised plans which are now deemed to be acceptable and can be recommended for approval.

## **RECOMMENDATION**

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

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

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

2. The permission hereby granted relates to the following plans:

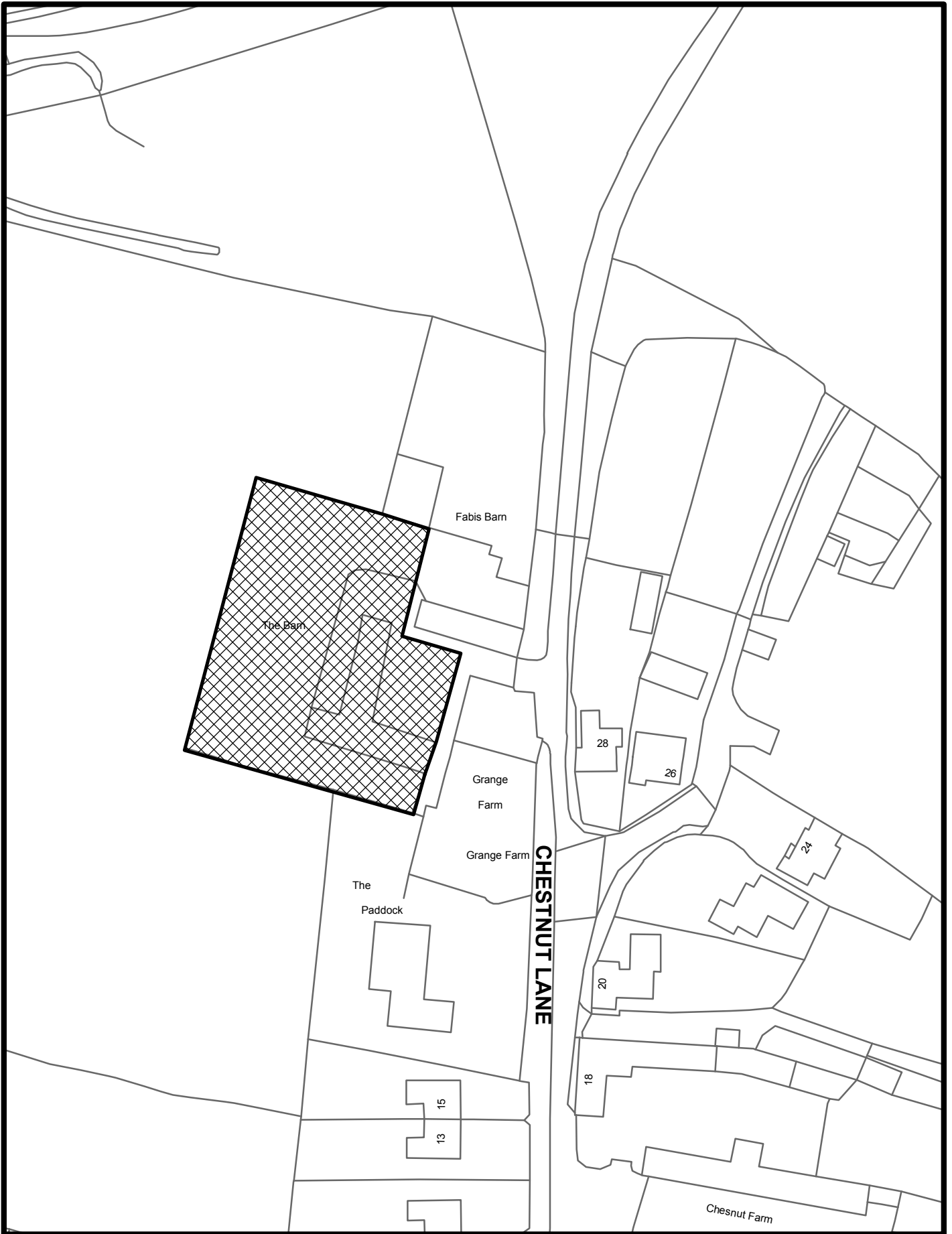
Location Plan

Existing and Proposed Plans and Elevations received 23rd April 2018.

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

3. The development hereby approved shall be carried out using the materials for the walls and roof as specified in the application unless otherwise agreed in writing by the Borough Council.

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



**Application Number: 18/00376/FUL**  
**The Barn, Grange Farm, Barton in Fabis**



**scale 1:1000**

This page is intentionally left blank



# 18/00376/FUL

**Applicant** Mr Brian Shaw

**Location** The Barn Grange Farm Chestnut Lane Barton In Fabis Nottinghamshire

**Proposal** Stable and storage shed (part retrospective).

**Ward** Gotham

## THE SITE AND SURROUNDINGS

1. The application relates to a detached timber building situated to the rear of The Barn, which is a single storey traditional red brick barn conversion situated on the northern edge of the village. The dwelling along with the neighbouring barn conversion at Fabis Barn front onto a courtyard with access off the end of Chestnut Lane. There is a private garden area to the rear (west) and north of the dwelling. The site is enclosed by a post and rail fence. The area enclosed by this fence is larger than the residential curtilage of the original barn conversion as granted in 1988. The site of the timber building falls outside of the originally defined curtilage. The site borders open fields to the west and north. The site falls within the Green Belt and is in Flood Zone 3.

## DETAILS OF THE PROPOSAL

2. The application seeks retrospective planning permission for the retention of a detached single storey building for use as a stable and store (partially constructed at time of submission of the application). The overall footprint of the building is 12m wide by 4.8m deep with a pitched roof measuring 2.4 metres to the eaves and 3.5 metres to the ridge. The building is faced in timber with Marley Eternit slate roof tiles. The roof overhangs the front of the building to form a canopy, supported on timber posts.

## SITE HISTORY

3. Application G1/86/0425/P - Conversion of redundant farm buildings to 2 dwellings. Approved in 1986.
4. Application G1/87/0755/P- Conversion & extension of farm buildings to form dwelling with granny-annexe. Approved in 1987.
5. Application 99/00073/FUL- Single storey rear extension. Approved in 1999.
6. Application 15/00855/FUL- First floor extension. Refused in 2015.
7. Application 15/01734/FUL- Construct first floor extension (revised scheme). Approved in 2015.
8. Application 17/01052/FUL- Retain outbuilding (garage and store shed). Refused in 2017.

## REPRESENTATIONS

### Ward Councillor(s)

9. The Ward Councillor (Cllr Matthews) objects to the proposal, commenting that following a meeting at the Parish Council he fully supports the reasons for their objections to the application.

### Town/Parish Council

10. Barton in Fabis Parish Council object to the proposal commenting, *“The erection of the building is an inappropriate development in the Green Belt and therefore harmful to the Green Belt. The proposed use of the outbuilding does not fall under any of the categories outlined in paragraph 89 of the National Planning Policy Framework (NPPF) where the new buildings might be considered an exception.*
11. *Paragraph 87 of the NPPF states that inappropriate development should not be approved except in very special circumstances. No such special circumstances have been demonstrated by the applicant. The proposed structure has a substantial footprint, some 12 metres in length and is substantially larger in terms of size, scale and massing than the small sheds previously on the site, which were then partially screened by trees (now cut down) as can be seen from the attached aerial images.*
12. *The new building is located in the far corner of the site and adjacent to open fields with no screening and is therefore in a highly prominent position, which is clearly visible from nearby footpaths / bridleways and therefore harms the open character and visual amenity of the area.*
13. *The building is well outside the residential curtilage dwelling at The Barn and of other nearby properties, notwithstanding that planning permission does not appear to have been granted for the land on which it has been constructed, as a domestic garden.*
14. *The application form for the building (Section 12) has answered No to the question "Is the site in an area at risk of flooding?" In fact the site is within Flood Zone 3. The Borough Council's previous decision to refuse planning permission (17/00294/FUL) at the other end of the Village for another outbuilding outside the building curtilage of the Village and suggest that the current application is a similar case.*
15. *The Borough Council is asked to take note of the fact that the original application (17/01052/FUL) was only submitted in July 2017 after the building was substantially erected. Planning permission was refused in September 2017 and yet the building remains in place. The erection of a building initially without any attempt to seek the required planning permission and the extensive time that has already remained in place sets a potentially dangerous precedent that could encourage others to act in a similar manner and undermine the planning process in the Green Belt. The Parish Council strongly urges Rushcliffe Borough Council to again refuse planning permission and if that is the decision to move swiftly to ensure that the structure is removed.”*

## **Statutory and Other Consultees**

16. The Environmental Health Officer has no objection, however, it is assumed that the horse(s) will be kept in the stable, which appears to be located in a domestic garden. There are no details of manure storage or disposal, or details of measures to prevent nuisance (insects, odour, etc.) and to prevent the pollution of water courses. If manure is routinely removed then vehicular access will likely be required to the manure storage location. It is recommended that consent should not be given until the applicant has demonstrated that satisfactory provision has been made for the storage and disposal of wastes/manure arising from the stable or confirmed that the stable will not be used for the keeping of livestock.

## **Local Residents and the General Public**

17. No comments received.

## **PLANNING POLICY**

18. 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**

19. 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 falls to 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.
20. As the site falls within the Green Belt, the proposal falls to be considered under section 9 of the National Planning Policy Framework (Protecting Green Belt Land) and should satisfy the 5 purposes of Green Belt outlined in paragraph 80 of the NPPF. Paragraph 87 sets out that development in the Green Belt should be regarded as inappropriate which is, by definition, harmful and should not be approved except in very special circumstances. Exceptions to inappropriate development are set out in paragraphs 89 and 90 of the NPPF, including "*provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it*".
21. The site falls within Flood Zone 3 and, therefore, NPPF Section 10 (Meeting the challenge of climate change, flooding and coastal change), is of relevance. Under paragraph 100, inappropriate development in areas at risk

of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

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

22. Policy 1 of the Core Strategy sets out the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The proposal should be considered under Core Strategy Policy 10 (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should be assessed in terms of the criteria listed under section 2 of Policy 10, and of particular relevance to this application are 2(b) whereby development should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.
23. The site falls within the Green Belt as defined in policy ENV15 of the 1996 Local Plan. None of the other saved policies apply to this application.
24. Whilst not a statutory document, 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(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. The proposal falls to be considered under policy EN14 (Protecting the Green Belt). The proposal should ensure that in line with Rushcliffe NSRLP policy EN19a) *"there will be no significant adverse impact upon the open nature of the Green Belt or open countryside, or upon important buildings, landscape features or views"*.

## **APPRAISAL**

25. The application relates to an existing detached outbuilding situated to the rear of The Barn. The current proposal follows a previous application to retain the building as a garage and storage shed. Whilst the outbuilding appears to be located within the rear garden of the host property, from researching the planning history it appears that the original planning permission for the residential barn conversion at The Barn was granted permission with a curtilage drawn much more tightly to the rear of this property than the current garden (G1/87/0755/P). Although it appears that the curtilage may have been at its current extent for some time this is not authorised by the grant of any planning permission. The previous application was refused on the basis that it represented a domestic outbuilding falling outside of the residential curtilage of The Barn, therefore amounting to an inappropriate form of development in the Green Belt, for which 'very special circumstances' had not been provided to outweigh this inappropriateness

26. The revised application proposes the retention of the timber outbuilding as a stable. The layout plan shows that the building would incorporate a stable, tack room and store in contrast to the previously proposed domestic garage and store. In considering the exceptions to inappropriate development set out in paragraphs 89- 90 of the NPPF, the building would be for an equestrian use, therefore constituting an appropriate building in connection with outdoor recreation. The building is a low single storey structure located to the rear The Barn and it is not considered to be a prominent location. It is considered that the building would preserve the openness of the Green Belt and that there would not be a conflict with the purposes of including land within it. The retention of the stable building would, therefore, represent an appropriate form of development in the Green Belt.
27. The building is situated to the rear of The Barn and it is, therefore, hidden from the highway with the exception of views from the end of Chestnut Lane. The main view of the building is from the footpath that runs northward from the end of Chestnut Lane. The building is a low structure that is set back considerably from the highway and footpath. It is not considered that the building presents a prominent feature when viewed from the public realm.
28. The building is a lightweight timber structure with the appearance of a typical stable building. It is considered that the appearance of the building is in keeping with the rural character of the surrounding area and that it does not appear as an incongruous feature from the adjacent open countryside.
29. The submission did not include details of waste disposal or measures to prevent nuisance or water pollution. In the event of planning permission being granted, a condition is proposed requiring the submission of details of waste disposal, odour mitigation and measures to prevent run-off into watercourses prior to the development being brought into use.
30. The site falls within Flood Zone 3. The building would be for equestrian and storage use rather than habitable accommodation. The proposal would not present a risk to occupants. To avoid the risk of increasing flood risk elsewhere, in the event of planning permission being granted a condition is proposed requiring the submission of details of drainage.
31. The application was not the subject of pre-application discussions. The scheme is, however, considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary, resulting in a recommendation to grant planning permission.

## **RECOMMENDATION**

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

1. The building shall only be used for the purposes applied for and no other purpose.

[For avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and guidance within the National Planning Policy Framework in respect of development in the Green Belt].

2. The stables hereby permitted shall be used only for purposes ancillary to the enjoyment of the associated dwelling and not as a riding school, livery stables or any other business or commercial use.

[To clarify the extent of the permission and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

3. If the use of the stable building hereby approved for equestrian purposes ceases for a period in excess of 6 months, the building shall be removed from the land within 3 months of the end of the specified period and the land shall be restored to its former condition prior to the erection of the building.

[This permission is granted only on the basis that the building is used for equestrian purposes and if no longer required should be removed to protect the amenities of the area and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

4. The development shall not be brought into use until measures for the storage and disposal of manure and other waste arising from the use of the building for equestrian purposes have been submitted to and approved in writing by the Borough Council. Thereafter, the approved measures shall be implemented and retained for the lifetime of the development.

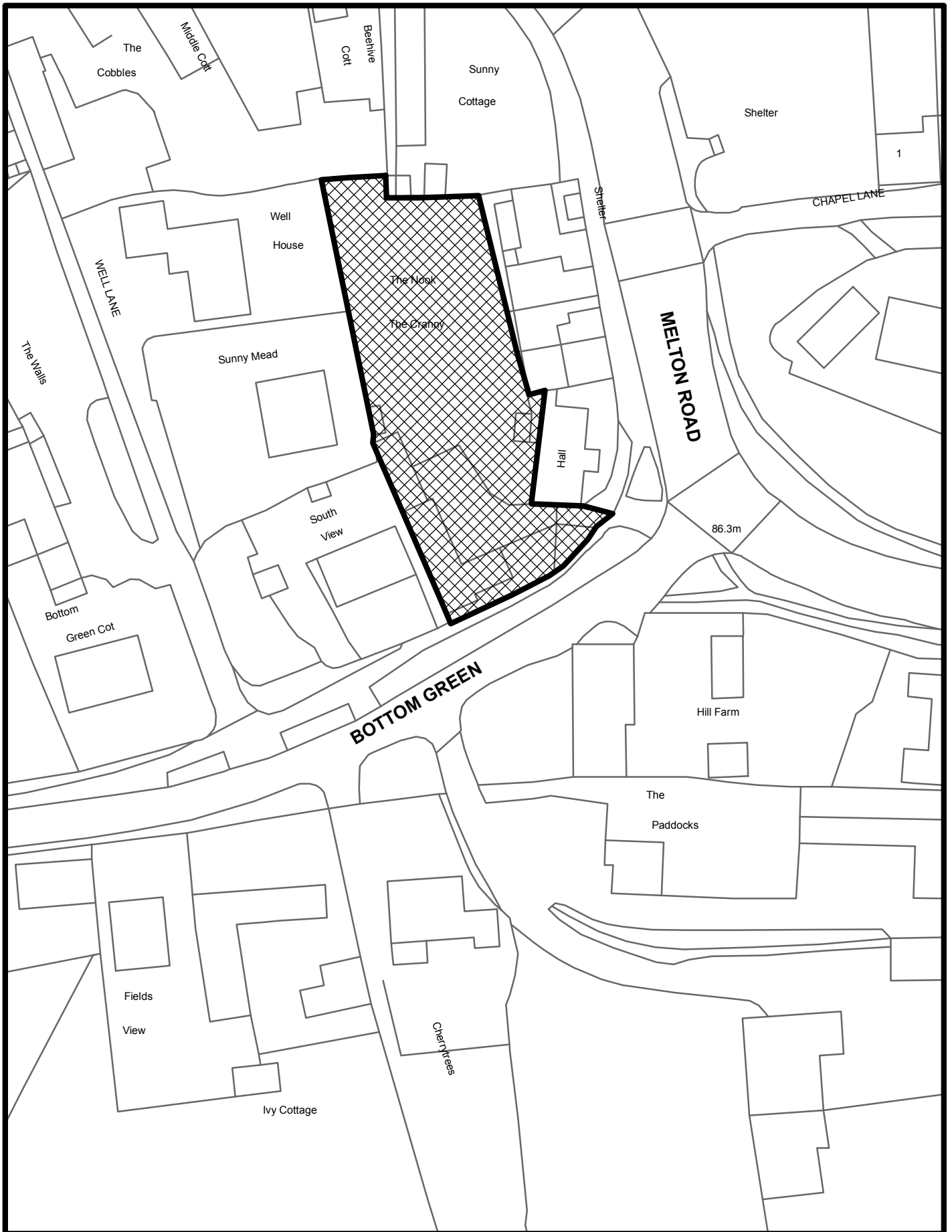
[To ensure an acceptable form of development in the interests of amenity and to comply with policy GP2 (Design and Amenity) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

5. Within three months of this permission, details of surface water drainage shall be submitted to and approved in writing by the Borough Council and the building shall not be brought into use until such measures have been implemented in accordance with the details as approved. Such drainage shall be designed to ensure that there is no increase in surface water run-off to receiving watercourses. Thereafter the approved scheme shall be retained to the agreed specification.

[To ensure that adequate surface water drainage facilities are provided to prevent the increased risk of flooding downstream, in accordance with policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within the NPPF].

### **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.



**Application Number: 17/03033/FUL & 17/03059/RELD**

**White House, Bottom Green, Upper Broughton**

scale 1:1000

This page is intentionally left blank



# 17/03033/FUL & 17/03059/RELDDEM

**Applicant** Mr & Mrs McEwan

**Location** White House Bottom Green Upper Broughton Nottinghamshire LE14 3BA

- Proposal**
- (i) Partial demolition of boundary wall and construction of new vehicular access including new brick piers.
  - (ii) Partial demolition of boundary wall (application for relevant demolition in the conservation area).

**Ward** Nevile And Langar

## THE SITE AND SURROUNDINGS

1. This is a joint report in respect of the planning application under ref 17/03033/FUL and an application for relevant demolition of an unlisted structure in a Conservation Area under ref 17/03059/RELDDEM. The application relates to a large detached property in residential use. The building has rendered walls painted white and a grey slate roof. A single storey red brick outbuilding with a red pantile roof is attached to the north elevation of the building. The house and outbuilding occupy the south west corner of the site and the main garden is located in the northern portion of the site. The existing vehicle access is located to the east of the building adjacent to the junction of Bottom Green and Melton Road. There is a brick wall with a hedge behind located to the front of the property along the southern and eastern boundary of the site.
2. The site is located within Upper Broughton Conservation Area. In the conservation area townscape appraisal the building is identified as a key unlisted building as is the adjacent village hall located immediately to the east of the site on Melton Road. The grassed verge at the front of the property is identified as a positive open space.

## DETAILS OF THE PROPOSAL

3. The proposal is an amended scheme which seeks planning permission for the partial demolition of a boundary wall and the construction of a new vehicular access with brick piers to the entrance. The new vehicular access would be provided off Bottom Green. It would measure 6m in width including 2m x 2m visibility splays. The existing wall and privet hedge would be retained along the eastern boundary, and the privet hedge would be extended to the north to close the existing access and a 1.8m high timber fence would be erected behind this hedge extending to the west to enclose the garden and incorporating internal gates. The existing vehicle access to the front of this boundary treatment would be laid to grass. A 1.5m 'red robin' tree would be planted to the front of the timber fence adjacent to the northern boundary of the site.

4. As the part of the boundary wall to be demolished exceeds 1m in height separate permission for relevant demolition of an unlisted structure in a conservation area is required.
5. The scheme has been amended so that the pedestrian visibility splays are measured from the back edge of the footway in order to overcome concerns raised by the Local Highway Authority.

## **SITE HISTORY**

6. Planning application ref.16/02493/FUL for the construction of a vehicular access was withdrawn. This scheme was withdrawn so that concerns raised by the Parish Council relating to highway safety and the historic importance of the wall could be addressed. The Local Highway Authority also raised concerns in relation to the adequacy of the pedestrian visibility splays proposed and the Conservation and Design Officer was concerned that the proposal would harm the special character of Upper Broughton Conservation Area.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

7. The Ward Councillor (Cllr Combellack) objects to the application, she recalls objecting to a very similar application in 2016 and feels the current proposal does not overcome those objections. She agrees with the comments made by the Parish Council regarding safety. The new entrance would be onto an extremely narrow section of Station Road and would cause problems with access particularly for delivery vehicles. Very wide splays would cut into the existing pavement and grass destroying the rural street scene. The destruction of the boundary wall and hedging would create a more urban appearance. She considers that the existing entrance maintains the rural street scene and from a safety and access point of view is the best option.

### **Parish Council**

8. Upper Broughton Parish Council object to the application commenting, *“Council members voted to object to the proposals outlined in this application for the same reasons that were identified for the previous application which was very similar. Firstly, due to the bend in the road heading west down station road, the view from the proposed exit will be restricted and visibility reduced and therefore the parish council does not believe this is a safer option. Exiting the property through the current entrance also gives greater visibility of traffic exiting the A606 on to Station Rd. Secondly, the wall has previously been identified as a feature of historical importance within the conservation area, the loss of this wall would have a negative impact on the street scene in the view of the Parish Council. The wall may need repairs but this isn't a justification for it's demolition and it could be restored to a reasonable standard with relative ease. The final point is that the uninterrupted kerbside on Bottom Green provides roadside parking for events at the Village Hall. There are no other areas to park and if the driveway is installed, parked cars will be pushed back along Bottom Green and closer to where the road narrows near Cross Green, which is likely to cause traffic obstruction.”*

9. The Parish Council also objects to the application for relevant demolition commenting, *“The wall has been identified as a feature of importance within the conservation area, the loss of this wall and verge would have a negative impact on the street scene in the view of the parish council. The Conservation Area Appraisal and Management Plan identifies walls within the Conservation Area as contributing to the informal rural character of the village (section 5.4). In Policy EN2 6.2 it - The loss of grass verges, and the cumulative effect that this has over time, can result in the gradual deterioration of the special character of a Conservation Area. Such works will be resisted. This proposed demolition would lead to the loss of the grass verge. The previous application in 2016 which was withdrawn, failed to receive support from the Conservation Officer due to the loss of the wall having an impact on the Conservation Area and as the proposals are for the removal of this prominent wall, the Parish Council do not see how this application can be supported. The wall may require some work but this is not justification for demolition, the wall could be repaired with relative ease.”*

### **Statutory and Other Consultees**

10. Historic England does not object to the proposal and direct the local authority to be guided by the advice of their conservation specialist.
11. The Conservation and Design Officer initially raised concerns in relation to the level of information that had been provided and inaccuracies in the submitted plans. In response to the amended scheme he is satisfied that the proposal would retain the largely soft and semi-rural character of the existing site boundary and so would not result in harm to the special architectural and historic character and appearance of the conservation area, achieving the objective described as 'desirable' within section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. He requests the inclusion of conditions requiring the retained hedge to be retained and maintained to a point not lower than its current height and conditions requiring the retention of the proposed new hedging, together with replacement of any new hedging plants which die, become diseased etc. There is a grade II listed building immediately opposite the site but there is no historic association between it and the application site and the proposal would not harm the setting of the listed building. As such the proposal preserves the significance of listed buildings as is described as a 'desirable' objective within section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
12. Nottinghamshire County Council as the Local Highway Authority initially raised concerns over where the visibility splays were measured from. In response to the amended scheme they raised no objection and considered it to be acceptable subject to the inclusion of two conditions, the first for the provision of a dropped kerb vehicular crossing and the second requiring the existing site access be closed and permanently reinstated to verge/footway.

### **Local Residents and the General Public**

13. No comments have been received in response to the publicity carried out.

## 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 Planning (Listed Buildings and Conservation Areas) Act 1990 and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).

### Relevant National Planning Policies and Guidance

15. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *“In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*
16. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that, for decision taking, this means *“approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
  - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *Specific policies in the Framework indicate development should be restricted.”*
17. Section 12 of the NPPF refers to conserving and enhancing the historic environment and states (amongst other things) that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation and also that local planning authorities should look for opportunities for new development within Conservation Areas to enhance and better reveal the significance of the area. In particular, paragraph 134 states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*
18. In relation to residential amenity paragraph 9 of the NPPF states, *“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people’s quality of life, including (but not limited to): improving conditions in which people live, work, travel and take leisure”*. Paragraph 60 of the NPPF relates to design and states, *“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”* Paragraph 64 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**

19. None of the 5 saved policies of the Rushcliffe Borough Local Plan 1996 are applicable to this proposal.
20. 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 NPPF. 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. Policy 11 states that proposals and initiatives will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance.
21. 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 planning consideration in the determination of planning applications. Policy GP2 is concerned with issues of design and amenity and the effect of proposals on neighbouring properties. Policy EN2 states, inter-alia, that planning permission for development within a Conservation Area will only be granted where the proposal would preserve or enhance the character or appearance of the Conservation Area by virtue of its use, design, scale, siting and materials and there would be no adverse impact upon the form of the Conservation Area, including open spaces (including gardens).
22. Consideration should also be given to supplementary guidance provided in the ‘Rushcliffe Residential Design Guide’ and ‘the Upper Broughton Conservation Area Character Appraisal and Management Plan’.

## **APPRAISAL**

23. The site is located on Bottom Green adjacent to its junction with the A606 Melton Road. The existing vehicle access is very close to this junction. The proposal seeks to create a new vehicle access off Bottom Green further from this junction. To achieve this part of the existing brick boundary wall would be removed along with the privet hedge planting behind it. The privet hedge planting would be extended across the existing access and a new 1.8m high timber fence erected behind it. An inner solid timber boundary fence and gate would be erected adjoined to the eastern elevation of the house set back from the highway.
24. It is accepted that the proposal would lead to a loss of a short section of the existing boundary wall and hedge as well as highway verge. Whilst the White House is identified as a key unlisted building within the conservation area, the boundary wall is not identified as an important feature in its own right, instead, the Conservation Area Appraisal talks more generally about boundary treatment, including walls, and the contribution they make to the character of the area. The majority of the existing boundary wall would be retained with the addition of two brick piers located either side of the proposed access. It is noted that the Conservation and Design Officer

considers the proposed demolition of a short section of the existing boundary wall would not on balance harm the overall character and appearance of the conservation area, thereby preserving the character and appearance of the area, an objective described as desirable in 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Therefore, the principal of the proposed demolition of a short section of the existing boundary wall is considered to be acceptable in this case.

25. The wall would be replaced by a timber fence and gate measuring 1.8m in height which would be set back into the site by approximately 5m. It would be partially screened by a new tree to be planted between it and the highway. A new section of privet hedge would be planted across the existing access and the existing area of hard standing returned to grassed highway verge. The Conservation and Design Officer is satisfied that the proposal would retain the largely soft and semi-rural character of the existing site boundary and so would not result in harm to the special architectural and historic character and appearance of the conservation area, achieving the 'desirable' objective of preservation as described within section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Conditions relating to the provision and on-going maintenance of the proposed hedge planting have been recommended.
26. Great weight is afforded to the comments made by the Conservation and Design Officer outlined above, however, concerns have been raised by the Parish Council and Cllr. Combellack that the proposal would result in a more urban appearance to the detriment of the street scene. The proposed timber fence would be set back into the site which, in conjunction with the proposed tree planting, would mitigate its impact upon the street scene. The scale of the proposed boundary treatment is considered to be sympathetic to the proportions of the White House. In addition the new hedge planting and grass verge adjacent to the junction of Melton Road and Bottom Green would off-set the loss of a small section of grass verge on Bottom Green to provide the new access. On balance it is considered that the proposal would meet the aims of RBNSRLP policy GP2 which states inter alia *“planning permission for new development will be granted provided that d) 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; and h) there is no significant adverse effect on any historic sites and their settings including conservation areas.”*
27. The proposed access would be off a narrower section of Bottom Green than is the existing situation but it should be noted that the Local Highway Authority does not object to the proposal and raises no concerns on highway safety grounds. It has been demonstrated in the amended plan that the required pedestrian visibility splays can be achieved. They would be located fully within the application site. It is, therefore, considered that the proposal would be in accordance with RNSRLP policy GP2 which states inter alia *“planning permission for new development will be granted provided that b) a suitable means of access can be provided to the development without detriment to the amenity of adjacent of adjacent properties or highway safety.”* On the advice of the Local Highway Authority conditions for the provision of a dropped kerb vehicular crossing and requiring the existing site access be closed and permanently reinstated to verge/footway have been recommended.

28. Concerns have been raised over the loss of on street parking in particular for users of the adjacent village hall. There are currently no on street parking restrictions limiting parking along Bottom Green and this will continue to be the case. The proposal would reduce the potential number of on street parking spaces available but it is considered that little weight is given to this argument as it is not a formal parking arrangement and it is far outweighed by the creation of an improved access arrangement for the occupiers of the White House.
29. The existing vehicular access is located adjacent to the village hall. Moving the access further from this building would result in the drive being closer to the neighbouring property to the west 'South View' yet the White House would be located between this neighbour and the proposed access providing a buffer and mitigating any potential harm. For these reasons it is considered that the proposal would lead to no undue harm to the amenity of neighbouring properties.
30. The proposal was subject to pre-application discussions with the 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. Further negotiations have taken place during the consideration of the application to address concerns raised in letters of representation submitted in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and the recommendation to grant planning permission and permission for relevant demolition of an unlisted building in a conservation area.

## **RECOMMENDATION**

- (i) It is **RECOMMENDED** that planning permission be granted subject to the following condition(s)
  1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].
  2. The development hereby permitted shall be carried out in accordance with the amended plans ref. 1897.02B, 1897.11C and 1897.10E received on 12 March 2018.

[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]
  3. The development shall not be brought into use until the existing access has been closed permanently and the land within the highway reinstated to verge/footway in accordance with the approved plans ref. 1897.02B, 1897.11C and 1897.10E received on 12 March 2018.

[To minimise the number of points of access, in the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

4. The access driveway hereby approved shall not be brought into use until it is fronted by a dropped kerb vehicular crossing.

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

5. Prior to the new driveway being brought into use details of the species, spacing and sizing of the proposed hedgerow along the eastern boundary of the site shall be submitted and approved in writing by the Borough Council. This new hedge shall be planted in the first planting season following the new access being brought into use and shall be allowed to grow to 1.9m and thereafter maintained at a height not lower than this for the lifetime of the development.

[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]

6. The existing hedge located on the eastern boundary of the application site shall be retained at a height of no lower than 1.9m and any part of the existing and proposed hedge removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants of such size and species, within one year of the date of any such loss being brought to the attention of the Borough Council.

[The hedge is an important feature in the area and its retention is necessary to help screen the new development and to comply with policy GP1viii (Delivering Sustainable Development) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

AND

- (ii) It is RECOMMENDED that planning permission for relevant demolition of an unlisted building in a conservation area be granted subject to the following condition(s):

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

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

2. This permission relates solely to the demolition of the section of wall identified in the submitted plans and only undertaken as part of the implementation of planning permission ref 17/03033/FUL.

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





**Application Number: 18/00748/FUL**

**72 Boxley Drive, West Bridgford**

**scale 1:1000**



This page is intentionally left blank

# 18/00748/FUL

**Applicant** Mr Andrew Edwards

**Location** 72 Boxley Drive West Bridgford Nottinghamshire NG2 7GL

**Proposal** First floor extension, new roof, and loft conversion including rooflights to front.

**Ward** Lutterell

## THE SITE AND SURROUNDINGS

1. The application relates to a two storey detached dwelling of brick, render and tile construction on the eastern side of Boxley Drive in West Bridgford. To the north the neighbouring property is a two storey dwelling of similar appearance to the application property and to the south the neighbouring dwelling is a bungalow with a gable to the front elevation. To the rear gardens serving properties on Greythorn Road abut the site.
2. The application property is set back from the highway with off-street parking for one car and a front garden. The southern end of the dwelling has a lower ridge height than the main part of the dwelling and this lower element is also set in from the rear elevation at first floor level, the ground floor extending level with the main house and has a flat roof.

## DETAILS OF THE PROPOSAL

3. The application comprises a first floor extension, a new roof and a loft conversion, including roof lights to the front. The first floor extension would have a footprint of 2.6 metres by 2 metres, with the eaves height to match the existing and the ridge to match the proposed new ridge height. This would infill the south-east corner of the property and would provide an en-suite. A flat roof dormer window is proposed on the rear of the property to facilitate the loft conversion which would provide a master bedroom, dressing room/bedroom and en-suite. The existing ridge height would be raised by 0.5 metres compared to the existing main roof ridge, (1 metre when measured from the existing lower part of the roof ridge). Changes to the roof would also result in a steeper pitch.

## SITE HISTORY

4. There is no relevant history.

## REPRESENTATIONS

### Ward Councillors

5. One Ward Councillor (Cllr Edwards) has declared a non-pecuniary interest.

## **Local Residents and the General Public**

6. No comments have been received in response to the consultation letters sent to the owner/occupier of neighbouring properties.

## **PLANNING POLICY**

7. 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**

8. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that for decision taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.
9. In relation to residential amenity paragraph 9 of the NPPF states pursuing sustainable development involves seeking positive improvements in the quality of the built natural and historic environment as well as in people's quality of life, including but not limited to improving conditions in which people live, work, travel and take leisure. Paragraphs 56-68 of the NPPF relate to design and state planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle the innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek, to promote or reinforce local distinctiveness. Paragraph 64 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**

10. None of the 5 saved policies of the Rushcliffe Borough Local Plan 1996 are applicable to this proposal.
11. 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 NPPF. 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. Of particular relevance to this application are 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.

12. 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 is concerned with issues of design and amenity and the effect of proposals on neighbouring properties.
13. Consideration should also be given to the supplementary guidance provided in the Rushcliffe Residential Development Guide.

## **APPRAISAL**

14. The main issues to consider in the application are the impact of the proposal on the visual amenity of the area and the impacts on the amenities of neighbouring properties.
15. The proposal comprises a first floor rear extension, a new roof including a raising of the ridge height and a modest change to the pitch, the provision of a dormer window on the rear roofslope and a loft conversion.
16. The proposals would have a limited impact on the front elevation of the property. The ridge height would be 500mm higher than the existing main ridge and 1.0 metre above the lower ridge with the proposed ridge to run at a constant height through the whole width of the property, rather than incorporating a lower element as at present. Five rooflights would also be inserted into the front roof slope. The property would retain much of its current character and appearance. The dwelling would appear taller compared to the adjacent bungalow but given the limited increase in height of 1 metre at this point for only 2.6 metres of width, it is not considered the enlarged dwelling would appear overbearing or out of scale with this neighbouring property. Furthermore, the property sits on a road which rises to the south and due to the topography of the area and the mix of dwelling type and design, there is not a consistent ridge height/line. As such, the resultant dwelling would not appear at odds with other buildings in the area or look out of place in the street scene.
17. The proposal would result in a larger gable on the southern elevation which includes the higher ridge and first floor extension. However, this elevation is adjacent to the neighbouring bungalow and is not unduly prominent from the public realm. The proposed dormer window is very large and dominates the rear roof slope. However, it is located to the rear and would be set in from the side gables and the eaves. As such, on balance, it is not considered this would be visually harmful. The proposed first floor extension would infill the south-east corner of the dwelling and would have a minimal visual impact.
18. Overall, the proposal is considered to be visually acceptable, sympathetic in size and design to the existing dwelling and street scene and complies with the above policies and guidance in terms of visual amenity.
19. The proposal would have an acceptable relationship with neighbouring properties. The enlarged dwelling is adjacent to the neighbouring two storey property to the north. Although the dormer window would introduce bedroom windows at the second floor level there is already a bedroom window at the first floor level and, therefore, there would not be a significant impact in terms

of overlooking or loss of privacy. The enlarged roof would have a slightly greater impact but again not to a level where the amenity of the occupiers of the neighbouring dwelling would be unduly harmed.

20. To the east the neighbouring dwellings are separated by the back to back rear gardens and there would be no undue impact. To the south the first floor extension would be adjacent to the neighbouring bungalow. The bungalow has a blank wall at this point and the extension would not project beyond the rear wall of this property. Although there would be a greater number of habitable windows looking over the rear garden of the bungalow at an oblique angle, this would be similar to the existing relationship.
21. Overall, the proposal is acceptable in terms of residential amenity and complies with the above policies and guidance.
22. No negotiations have taken place during the consideration of the application and the application is acceptable and can be recommended for approval.

## **RECOMMENDATION**

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

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
  
[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].
2. The permission hereby granted relates to the following plans:  
  
579 003 A Proposed Floor Plans, Elevations, Site and Block Plans  
  
[For the avoidance of doubt and to comply with Policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]
3. The development hereby approved shall be carried out using the materials for the walls and roof as specified in the application unless otherwise agreed in writing by the Borough Council.  
  
[To ensure a satisfactory appearance of the development and to comply with Policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

 <p><b>Rushcliffe</b> Borough Council</p>	<p><b>Planning Committee</b></p> <p><b>14 June 2018</b></p> <p><b>Planning Appeals</b></p>	<h1 style="font-size: 48px; margin: 0;">5</h1>
--	--	--

**Report of the Executive Manager - Communities**

**LOCATION** Land At OS Reference 456332 Asher Lane Ruddington Nottinghamshire

**APPLICATION REFERENCE** 16/03123/OUT

**APPEAL REFERENCE** APP/P3040/W/17/3185493

**PROPOSAL** Outline planning application for proposed development of 175 dwellings including vehicular access, pedestrian links, public open space, car parking, landscaping and drainage.

**APPEAL DECISION** Allowed, subject to conditions and a S106 **DATE** 23 May 2018

**PLANNING OFFICERS OBSERVATIONS**

The outline planning application for 175 houses on land to the north of Asher Lane, Ruddington was refused in April 2017 on the grounds that the proposal would be inappropriate development within the Green Belt and result in severe impacts on the highway network.

The appellants appealed the Council’s decision and a four day Public Inquiry was held at the Rushcliffe Arena on 17-20 April 2018.

With regard to the impacts upon the highway network, the Inspector concluded that the current un-adopted status of (part of) Asher Lane would not prevent suitable access to the proposed development; that the narrowness of the northern adopted part of Asher Lane within the village would be unlikely to give rise to a severe impact on highway safety; and that the proposed development would not result in unacceptable congestion at the A60 junction in the absence of any scheme of mitigation. With regard to the High Street junction, he acknowledged that there may be a necessity to prevent parking and servicing near the junction and this will cause inconvenience and possibly some loss of passing trade to the shop premises in the vicinity of the junction. However, he considered that signalling this junction would not only mitigate the impact of the traffic from the proposed development, but would actually provide betterment in terms of junction capacity and pedestrian safety, which would outweigh any such impacts.

With regard to the Green Belt, the Inspector acknowledged that there would clearly be harm to the Green Belt by reason of inappropriateness, loss of openness and some incursion into the countryside to the south of the village. However, he considered such harm would be minimal in terms of the five purposes of the Green Belt as set out in the NPPF. He considered that the harm would be less than that created by the development of the Council's preferred sites, which in themselves demonstrate the need to develop Green Belt sites on the edge of Ruddington. The Inspector attached considerable weight to the Council's current lack of a 5 year housing supply, the fact that Ruddington is a key settlement identified for growth in the Core Strategy and that this site would provide 175 of the 250 homes as set out in Policy 3 of the Core Strategy. He concluded that very special circumstances had been successfully demonstrated to outweigh the identified harm.

He allowed the appeal subject to conditions and a S106 which includes; the provision of 30% affordable housing; provision of on-site open space; and contributions towards primary and secondary education, health, library, sports and public transport.