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Direct dial 0115 914 8511
Email constitutionalservices@rushcliffe.gov.uk

Our reference:
Your reference:
Date: Wednesday, 9 January 2019



To all Members of the Planning Committee

Dear Councillor

A Meeting of the Planning Committee will be held on Thursday, 17 January 2019 at 6.30 pm in the 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 'S Sull'.

Sanjit Sull
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 13 December 2018 (Pages 1 - 12)
4. Planning Applications (Pages 13 - 80)

The report of the Executive Manager - Communities.

Membership

Chairman: Councillor R Butler
Vice-Chairman: Councillor J Stockwood
Councillors: B Buschman, N Clarke, M Edwards, S Hull, Mrs M Males,
S Mallender, F Purdue-Horan, Mrs J Smith and J Thurman

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

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

By telephone
Monday to Friday
8.30am - 5pm

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Nottingham
NG2 7YG



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**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 13 DECEMBER 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), M Edwards, S Hull, R Jones, Mrs J Smith, J Thurman, T Combellack (substitute for N Clarke), R Hetherington (substitute for Mrs M Males) and J Donoghue (substitute for F Purdue-Horan)

ALSO IN ATTENDANCE:

Councillors

OFFICERS IN ATTENDANCE:

T Coop

Constitutional Services Officer

S Sull

Borough Solicitor

A Pegram

Service Manager - Communities

E Dodd

Principal Area Planning Officer

APOLOGIES:

Councillors B Buschman, N Clarke, Mrs M Males and F Purdue-Horan

26 Declarations of Interest

18/02462/FUL – Open Space, Candleby Lane, Cotgrave, Nottinghamshire – Councillor Butler declared a non-pecuniary interest.

18/02185/FUL – 6 Haileybury Road, West Bridgford, Nottinghamshire – Councillor Jones declared a non-pecuniary interest.

18/02226/FUL – 48 Hill Drive, Bingham, Nottinghamshire – Councillor Stockwood declared a non-pecuniary interest.

27 Minutes of the Meeting held on 15 November 2018

The minutes of the meeting held on Thursday 13 November 2018 were accepted as a true record and were signed by the Chairman.

28 Planning Applications

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

18/00946/FUL – Demolition of former Trentside Social Club building and construction of residential apartment development with 34 units – Trentside Club, 32 Wilford Lane, West Bridgford, Nottinghamshire.

Updates

A representation from Mr Duckworth of 99 Wilford Lane, West Bridgford was received after the agenda had been published and was circulated before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Richard Anderson (applicant) and Councillor Alan Phillips (ward Councillor) addressed the meeting.

DECISION

SUBJECT TO THE APPLICANT'S AGREEMENT TO CONDITION NOS. 4 AND 6 THE EXECUTIVE MANAGER – COMMUNITIES IS AUTHORISED TO GRANT PLANNING PERMISSION SUBJECT TO THE PRIOR SIGNING OF A SECTION 106 AGREEMENT AND 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; site plan as proposed MRP/1603/PPSD/10 revision D amended 08.11.2018; context elevations as proposed MRP/1603/PPSD/13 revision C amended 08.11.2018; Block A (riverside block) floor plans and roof plan as proposed MRP/1603/PPSD/11 revision B amended 21.06.2018; Block B (Wilford Lane Block) floor plans and roof plan as proposed MRP/1603/PPSD/12 revision B amended 08.11.2018; building elevations as proposed MRP/1603/PPSD/14 revision C amended 08.11.2018.

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

3. The development hereby permitted shall not be constructed above damp proof course level until details of the all the facing and roofing materials to be used on all external elevations, including the proposed balconies, have been submitted to and approved in writing by the Borough Council. The development shall only be constructed in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe

Borough Non-Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

4. No development, including demolition and site clearance, shall commence on site until a full arboricultural method statement has been submitted to and approved in writing by the Borough Council. The statement shall include the following details:
 - a) Any pruning required to facilitate access.
 - b) Site management including tree protection measures in accordance with BS5837.
 - c) Prohibition
 - d) Demolition
 - e) Construction
 - f) Services
 - g) Monitoring and Supervision
 - h) An assessment of the impact of the development on the existing hedge along the eastern boundary of the site with Rivermead, and any necessary measures for the protection of the hedge during the construction phase.

The development shall be carried out in accordance with the approved arboricultural method statement.

[To ensure protection of trees in the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition due to the need to ensure that the site can be developed without harming trees throughout the construction phase.]

5. The access road and raised walkway hereby approved as shown on the site plan as proposed MRP/1603/PPSD/10 revision D amended 08.11.2018 and the context elevations as proposed MRP/1603/PPSD/13 revision C amended 08.11.2018, shall not be constructed until the following details have been provided;
 - a) full details of the construction of the new access road, parking spaces and parking shelters.
 - b) A cross section and construction details showing the service routing contained within the raised walkway between Block B and Wilford Lane.

The development shall be carried out in accordance with the approved details.

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

6. The development hereby permitted shall not be constructed above damp proof course level until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The scheme shall include the existing trees to be retained within the site, and

for the retention of the existing hedgerow along the eastern boundary of the site, or include suitable alternative treatment to this boundary. The landscaping scheme shall be carried out in the first planting season following the occupation of the first apartment and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

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

7. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision B, following mitigation measures detailed within the FRA:
 - a. Finished floor levels are set no lower than 25.46m above Ordnance Datum (AOD).
 - b. Flood resilience measures are implemented as described in the FRA.
 - c. Access for the Environment Agency to the flood defences on the River Trent is provided as described in the FRA; with a 4m wide access route to flood defences and an 8 metre easement between the flood defences and the building.
 - d. A raised escape route between the properties and Wilford Lane as described on page 20 of the FRA.

[In order to reduce the risk of flooding to the proposed development and future occupants and to comply with Policy WET2 (Flooding) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

8. No part of the development shall be brought into use until the site access is surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the life of the development.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

9. No part of the development shall be brought into use until the parking and turning areas are provided in accordance with drawing MRP/1603/PPSD/10 Revision C. The parking and turning areas shall not be used for any purpose other than the parking and turning of vehicles and shall be retained as such thereafter.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Replacement Local Plan]

10. No gates shall be erected at the access points to the development from the public highway.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

11. The development hereby approved shall be carried out in accordance with the Noise Assess report (Ref: 12528.01.v2, November 2018), and full design details for the proposed noise mitigation scheme shall be submitted for approval in writing prior to the buildings hereby approved being constructed above damp proof course level. The submission shall include full details of:
 - a. The type and location of acoustic windows to be installed.
 - b. The glazed noise barriers to be installed to the ground floor terrace and the balconies.
 - c. An assessment of the potential for overheating (due to solar gain, etc.) for all habitable rooms that rely on closed windows to achieve the required internal noise levels.
 - d. Detailed proposals for the measures to be put in place to mitigate any significant risk of overheating occurring in any habitable rooms that rely on closed windows to achieve the required internal noise levels. The details shall include an assessment of the internal and external noise levels caused by the operation of any mechanical ventilation system that is relied upon to mitigate overheating.
 - e. Calculations shall be submitted as necessary to validate the design.

The approved noise mitigation scheme shall be implemented in full and maintained to the approved specification for the life of the approved use of the building.

[To ensure a suitable standard of living conditions is provided and maintained for future residents, and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

12. The development hereby approved shall be carried out in accordance with the mitigation measures as set out at 5.2 of the Enviroscope Consulting Bat Emergence and Re-entry Survey Report dated October 2017.

[To comply with the requirements of the Wildlife and Countryside Act 1981 and Policy EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

13. No unit shall be occupied until a scheme detailing the provision of a minimum of two permanent bat roosting features and 4 bat boxes, and a timetable for their installation, has been submitted to and approved in

writing by the Borough Council. The approved scheme shall be installed in accordance with the approved timetable and shall thereafter be retained and maintained.

[To ensure that adequate compensatory measures are carried out and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

14. A copy of the Flood Management and Evacuation Plan by Lumax dated June 2018 shall be issued to every future resident of each residential unit on the site.

[In order to protect future residents in the event of flooding and to comply with Policy WET2 (Flooding) of the Rushcliffe Borough Non Statutory Replacement Local Plan

15. The development hereby approved shall not be brought into use until a scheme detailing the disposal of household waste from the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be operated throughout the life of the development unless otherwise approved in writing.

[To ensure that household waste is collected in a safe manner, in the interests of amenity and highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

16. No development, including demolition and site clearance, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide f

- a) the means of access for construction, delivery and workers traffic;
- b) parking provision for construction traffic, site operatives and visitors;
- c) the loading and unloading of materials;
- d) the storage of plant and materials;
- e) the protection of trees; and
- f) hours of operation

[This is a pre-commencement condition due to the need to ensure that the site can be developed in a safe manner and protect the trees within the site throughout the construction phase, to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 of the Rushcliffe Core Strategy.]

17. The new substation, pump room, bin stores, car ports and cycle parking areas (which shall be covered cycle parking areas) as shown on Site Plan As Proposed MRP/1603/PPSD/10 Revision D amended on 08.11.2018, shall not be erected until details of their external design and appearance have been submitted to and approved in writing by the

Borough Council. The new substation, pump room, bin stores car ports and covered cycle parking areas shall only be constructed in accordance with the approved details.

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

18. No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Borough Council. The development hereby approved shall be constructed in accordance with the approved surface water drainage scheme, which shall thereafter be retained and maintained for the life of the development.

[This is a pre-commencement condition to ensure that adequate surface water drainage facilities are secured before development commences to prevent the increased risk of flooding downstream and contamination of the water environment, in accordance with Policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within the NPPF].

19. All the windows in the western elevation of Block A and Block B shall be permanently fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent to a height of 1700mm above internal floor levels. Thereafter, the windows shall be retained to this specification unless otherwise agreed in writing by the Borough Council. No additional windows shall be inserted in these elevations without the prior written approval of 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 Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

20. No development shall commence until a Detailed Contaminated Land Investigation Report and Remediation Report has been submitted to and approved in writing by the Borough Council. The development hereby approved shall be carried out in accordance with the approved Remediation Report. No unit shall be occupied until a Validation Statement, confirming the approved remediation works have been completed, has been submitted to the Borough Council.

[To ensure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy. This is a pre-commencement condition as any remediation may involve work that needs to be carried out before work starts on site]

21. Prior to the surfacing of the site access, parking and turning areas within the site, a scheme for the provision of electric vehicle charging points and the necessary infrastructure to facilitate the installation of further electric vehicle charging points within the development, shall be submitted to and approved in writing by the Borough Council. The development shall not be brought into use until the approved scheme has been implemented. The electric vehicle infrastructure and charging points shall be retained and maintained thereafter.

[To facilitate the provision of electric vehicle charging points to minimise the impact on the nearby AQMA and air quality generally, in accordance with Policy 2 (Climate Change) of the Local Plan Part 1: Rushcliffe Core Strategy]

18/02462/FUL – Demolition of existing play area, construction of new play area on site of former police station, and creation of new terrace area and bin store to serve Hotpots café – Open Space, Candelby Lane, Cotgrave, Nottinghamshire.

Updates

Comments from the agent regarding the recommended conditions were received after the agenda had been published and was circulated before the meeting.

After declaring a non-pecuniary interest Councillor Richard Butler left the meeting and did not take part in the subsequent discussion and vote.

DECISION

GRANT PLANNING PERMISSION (SUBJECT TO NO FURTHER REPRESENTATIONS BEING RECEIVED BY THE 18 DECEMBER 2018 THAT RAISE ADDITIONAL PLANNING ISSUES) FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan(s): 3079 21 Proposed site Plan in existing context; 3079 22 Proposed Site plan in context of 16/02137/FUL; 3079 23 Kids Play Area Layout and 3079 24 Location Plan.

[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 installation of any play equipment details shall be submitted

to the Borough Council for written approval. The play area shall be implemented in accordance with the approved details and no changes shall be made to the play equipment or its location without the Borough Council's prior written approval.

[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. Prior to the laying of any surfacing to the play area, or the terrace area, hereby approved details shall be submitted in writing for the approval of the Borough Council. The details shall include the finished levels of the play area and terrace relative to existing levels and adjoining land together with the surfacing materials to be used. The development shall be implemented, and thereafter retained, in accordance with the approved details.

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

5. If any unexpected, visibly contaminated or odorous material or tanks or structures of any sort are encountered during development, remediation proposals shall be submitted to and approved in writing by the Borough Council, before further work is undertaken in the affected area and works shall proceed only in accordance with the agreed remediation proposals.

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

18/02132/FUL – Construction of an area of hardstanding – Hill Top Farm, Cliffhill Lane, Aslockton, Nottinghamshire.

Updates

A representation from Ms Kylie Chapman (Solicitor representing Mr and Mrs Bridge) received after the agenda had been published was circulated before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Nick Bacon (applicant's agent), Mrs Bridges (Objector) and Councillor Maureen Stockwood (ward councillor) addressed the meeting.

DECISION

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

1. The area of hardstanding hereby approved as indicated on the submitted block plan and location plan shall be used solely for:

- a) The storage of agricultural implements
- b) Provision of access to the fields beyond

Solely in connection with agricultural purposes and shall not be used in relation to the agricultural contractor's business that operates from the adjacent site at any time.

[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]

2. No security lighting or flood lighting shall be installed/erected on the site, edged red on the approved plan, at any time.

[To protect the amenities of the area and to comply with policies GP2 (Design & Amenity Criteria) & EN19 (impact on the Green Belt and Open Countryside) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

18/02185/FUL – Increase roof height of bungalow to create first floor accommodation and external alterations – 6 Haileybury Road, West Bridgford, Nottinghamshire.

Updates

After declaring a non-pecuniary interest Councillor Rod Jones left the meeting and did not take part in the subsequent discussion and vote.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Randeep Chahal (applicant), Mr Ian Jones (objector) and Councillor Rod Jones (ward councillor), addressed the meeting.

Comments

Members of the committee did not consider that the application had fully overcome the reasons for refusal of the previous application and expressed concerns that the proposed increase in the height of the property and changes to the materials would significantly alter the appearance of the dwelling and would appear over dominant in the street scene, at odds with the established character of this part of the road.

DECISION

THE ABOVE APPLICATION WAS REFUSED PLANNING PERMISSION (AGAINST OFFICER RECOMMENDATION) FOR THE FOLLOWING REASON.

1. Increasing the height and scale of the property to create first floor accommodation, together with the changes to the materials, would significantly alter the appearance of the existing bungalow to such a degree that it would appear overly dominant within the street scene, and be at odds with the established character of this section of Haileybury

Road. The proposal would therefore be contrary to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policy GP2 (Design and Amenity Criteria) of The Rushcliffe Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework (2018) specifically paragraphs 127 and 130.

18/02305/FUL – Two storey side extension – 2 Bishops Road, Bingham, Nottinghamshire.

Updates

In accordance with the Council's Public Speaking Protocol for Planning Committee Ms Christina Pankiw (objector) and Councillor John Stockwood (ward councillor), addressed the meeting.

Comments

Members of the committee expressed concerns that the proposed extension would have an overbearing impact on the house and garden at 19 Hill Drive, to the detriment of the amenities of occupants of this property.

DECISION

THE ABOVE APPLICATION WAS REFUSED PLANNING PERMISSION (AGAINST OFFICER RECOMMENDATION) FOR THE FOLLOWING REASONS.

1. The proposed extension would have an overbearing effect on the house and garden of 19 Hill Drive resulting in a significant adverse impact on the residential amenities of the occupiers of this property. The proposal would, therefore, be contrary to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policy GP2 (Design and Amenity Criteria) of The Rushcliffe Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework specifically paragraphs 127 and 130.

18/02226/FUL – Single storey rear extension – 48 Hill Drive, Bingham, Nottinghamshire.

Updates

There were no updates reported.

After declaring a non-pecuniary interest Councillor John Stockwood left the meeting and did not take part in the subsequent discussion and vote.

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 18/2 rev E03 and email from the agent regarding the shower room windows dated 1 November 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 extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

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

The meeting closed at 9.58 pm.

CHAIRMAN



Planning Committee

17 January 2018

Planning Applications

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>

Application	Address	Page
18/02286/FUL	Whitegates 9 Thelda Avenue Keyworth Nottinghamshire NG12 5HU Demolish existing bungalow and erect 4no. semi-detached dwellings (resubmission)	17 – 27
Ward	Keyworth and Wolds	
Recommendation	Planning permission be granted subject to conditions.	
18/02578/FUL	Land South West Of 98 Nicker Hill Keyworth Nottinghamshire Proposed erection of new dwelling.	29 – 39
Ward	Keyworth and Wolds	
Recommendation	Planning permission be granted subject to conditions.	
18/02716/OUT	63 Moor Lane Gotham Nottinghamshire NG11 0LH Development of one detached dwelling with new access (Outline application with all matters reserved except for access) (resubmission)	41 – 50
Ward	Gotham	
Recommendation	Planning permission be refused.	

Application	Address	Page
<u>18/01115/FUL</u>	62 Repton Road West Bridgford Nottinghamshire NG2 7EJ	51 – 62
	Single storey rear extension (retrospective change to previous planning permission 17/02766/FUL)	
Ward	Musters	
Recommendation	Planning permission be granted subject to conditions.	
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<u>18/02456/FUL</u>	119 Gertrude Road West Bridgford Nottinghamshire NG2 5DA	63 – 70
	Two storey side extension; single storey front and rear extensions; raised patio area and rendering of extension and existing property.	
Ward	Lady Bay	
Recommendation	Planning permission be granted subject to conditions.	
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<u>18/01405/FUL</u>	5 Pendock Court Tollerton Nottinghamshire NG12 4FN	71 – 79
	2 Storey side extension.	
Ward	Tollerton	
Recommendation	Planning permission be granted subject to conditions.	

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Application Number: 18/02286/FUL
9 Thelda Avenue, Keyworth

scale 1:1000

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18/02286/FUL

Applicant Mr Bill Nunn

Location Whitegates 9 Thelda Avenue Keyworth Nottinghamshire NG12 5HU

Proposal Demolish existing bungalow and erect 4no. semi-detached dwellings (resubmission)

Ward Keyworth And Wolds

THE SITE AND SURROUNDINGS

1. The application relates to an existing single storey dwelling located on a wide plot within an established residential area. Thelda Avenue rises from north to south and comprises a mix of designs, materials and sizes of property. To the immediate north is a single storey dwelling and to the immediate south is a group of four terraced properties.

DETAILS OF THE PROPOSAL

2. The proposal, as revised, is for four dwellings (each with 3 bedrooms) split into two pairs of semi-detached properties measuring 8.5 metres to the ridge and 5.6 metres to the eaves, with dormer windows to the front and rear elevations providing accommodation within the roofspace. There is a single storey flat roof element included to the rear. Both pairs now incorporate a hipped roof (previously proposed to be gable ended roofs) and comprise render with dark grey roof tiles. Two parking spaces for each dwelling are proposed. A 1.8 metre high timber fence is proposed at the rear to separate the garden to each dwelling. The application was accompanied by a Design & Access Statement. The original plans showed two pairs of semi-detached houses with a gable end roof, measuring 10 metres to the ridge. The two storey front rendered projection has also been reduced from the original plans. The use of timber cladding has been removed from the scheme.

SITE HISTORY

3. An application to demolish the bungalow and erect 4 detached dwellings (app no 18/01325/FUL) was withdrawn in August 2018.

REPRESENTATIONS

Ward Councillor(s)

4. One Ward Councillor (Cllr Inglis) initially objected to the plans as originally submitted on the grounds that:
 - Four semi-detached houses is adventurous on this plot.
 - They are overbearing and negatively impact on neighbouring properties especially Greenacres.
 - It would impact on privacy to neighbours on Dale Road.

- It would be overdevelopment of the plot with four houses.
 - Insufficient parking with only two spaces per property and any subsequent cars would need to park outside other properties.
 - The design is not in keeping with the area and is contrary to the National Planning Policy Framework (NPPF) which outlines that good design should positively contribute to making places better.
 - There is mention of the two new houses on Dale Road however these are not relevant as they are sited to the north and have no direct effect on sunlight.
5. Following re-consultation on the amended plans Cllr Inglis accepted that they were an improvement. Whilst the applicant has made an effort to address concerns his previous comments for objection still stand. The amendment has not solved the issue of overshadowing and the massing effect and loss of light.

Town/Parish Council

6. Keyworth Parish Council object to the application. The changes make no material difference to the issues with the application.

Statutory and Other Consultees

7. The Nottinghamshire County Council as Highways Authority referred to their standing advice when consulted on both the original and the amended plans.
8. The Conservation Officer stated the site is located outside of the conservation area and away from any listed buildings so comments are related to design only. There is a mix of materials and designs along Thelda Avenue. The scheme is an improvement on the previous application for four tightly spaced, slender houses. The bungalow to the north would likely be affected by a new 2.5 storey dwelling on higher ground located directly to its south where the impact on daylight will be maximised. The proposal uses render, an exterior material which is found elsewhere within the street. The proposal also includes "cladding" but no detail of what this cladding may be. Overall the proposal is an improvement on the previous submission. Following the submission of amended plans he welcomed the removal of the timber cladding and the reduction in height and hipping of roofs which will help the proposal sit better within the street.

Local Residents and the General Public

9. On the original plans a total of 7 representations were received objecting on grounds which can be summarised as follows:
- a. The application looks almost identical to the previous application.
 - b. The height of the building is totally out of character with the surrounding properties.
 - c. Too large, over intensive.
 - d. Loss of light.

- e. Loss of privacy and overlooking.
 - f. Overdevelopment of the site and too high density.
 - g. Inadequate parking.
 - h. Overbearing and intrusive.
 - i. In conflict with local planning policies.
 - j. Losing too much garden.
 - k. Need for so many new houses in Keyworth questioned.
 - l. Negative visual impact
10. After receiving amended plans, the proposal was re-publicised and a further 8 representations were received objecting on grounds which can be summarised as follows:
- a. A big improvement, however still not in keeping.
 - b. A safety risk with all the parking proposed.
 - c. It does not respect local context or local scale.
 - d. Serious cramming of properties in a low density road.
 - e. Lack of parking.
 - f. Loss of light and privacy.
 - g. Noise and excessive movement.
 - h. In conflict with national and local planning policy.
 - i. Overbearing and oversized for the plot.
 - j. Do not address all previous issues.
 - k. Noise factor from four family dwellings on what was one family dwelling previously.
 - l. Primary concern here is for the well-being of the area, not profit.

PLANNING POLICY

11. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as 'Core Strategy') and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Keyworth also has a Neighbourhood Plan which forms part of the Development Plan when considering applications in the Keyworth area. 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

12. The relevant national policy considerations for this proposal are those contained within the 2018 National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The proposal falls to be considered under section 12 of the NPPF (Achieving well-designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 109 adds that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual impacts on the highway network would be severe.

Relevant Local Planning Policies and Guidance

13. 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.
14. The proposal is 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.
15. Policy 3 (Spatial Strategy) promotes sustainable residential development through a policy of urban concentration. A settlement hierarchy for the District has been identified in order to achieve this. Keyworth is a Key settlement identified for growth.
16. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory are a material consideration. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) specifically GP2d, whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development.
17. Policy HOU2 (Development of 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.

18. The Keyworth Neighbourhood Plan was adopted in October 2017. Policy H1 gives general support to infill and redevelopment schemes in that applications for infill or on previously developed sites within the settlement boundary will be approved subject to other development plan policies and provision of suitable vehicular access.
19. Rushcliffe Residential Design Guide states that rear gardens should be at a depth of 10m to the boundary, and gardens sizes should be 90sq metres for semi-detached and terraced properties.

APPRAISAL

20. The site is within an established residential area and the proposal would make a small contribution to the Boroughs housing supply. There is no policy objection to the demolition of the existing bungalow. Therefore, the proposal is considered to be acceptable in principle, subject to issues including design, scale, mass, density and impact on residential amenity, visual amenity in general and parking/highway issues.
21. There is a mix of designs of property on Thelda Avenue, many of which are located on wide plots, although immediately to the south of the application site is a terrace of four dwellings with plot sizes and a density of development similar to that currently proposed. In fact, the cumulative site area of the terrace of four dwellings on the neighbouring site, including garden areas, is only marginally larger than the application site and the garden depths are comparable with those proposed.
22. The original plans showed dwellings with gable ended roofs and the properties were shown to be 10 metres in height. This was considered to be an over dominant form of development and out of keeping with the area. Revised plans have been submitted reducing the height of the dwellings to around 8.5 metres and amending the design to incorporate a hipped roof design. This is more in keeping with the street scene and is similar in design and appearance to the block of four properties to the immediate south. The height of the properties in the area generally increase gradually as the road slopes upwards. The proposal would sit on the building line along this side of Thelda Avenue and not project forward of it. The proposed timber cladding to the front elevation has been omitted resulting in a more acceptable finish to the proposed dwellings. The use of render is a traditional material and is accepted. The rendered front projection has been reduced in depth to reduce its overall prominence. The proposal is an improvement from the previous application which showed four narrow, slender, cramped, detached properties. Overall, it is considered that the revised proposal will not have a significant or unacceptable visual impact on the character and appearance of the street scene.
23. Objections have been received stating the proposal represents overdevelopment of the plot, given the scheme replaces one single storey dwelling with four two storey dwellings with accommodation in the roof. The proposal differs from the previous application in that it now comprises semi-

detached properties, rather than detached, thereby addressing the concerns with the cramped appearance of the previous proposal, and requiring a minimum of 90 square metres of rear amenity space and garden depths of 10 metres, as set out in the Rushcliffe Residential Design Guide. Each of the four properties would have a rear garden with a depth of around 13 metres and a usable garden area comparable with the neighbouring terraced properties and only marginally below the standard advocated in the Design Guide. There is also a small gap to both side boundaries. It is accepted that the existing property sits on a wide plot with greater amenity space as does the neighbouring property at 'Greenacres', however, the proposal would be at a similar density to the neighbouring properties at 11-17 Thelda Avenue. It is not considered that the proposal represents overdevelopment of the site or would give rise to unacceptable impacts associated with over intensive development.

24. The submitted plans show two off street parking spaces per property making a total of 8 spaces. Each dwelling would have a driveway measuring 6 metres in length and approximately 4.8 metres wide. The proposal has been assessed against the Highway Authority's standing advice, which is applicable to developments of the scale proposed, and the development is considered to satisfy the requirements of the advice in respect of layout, driveway widths/length, visibility etc, subject to conditions to cover certain issues, as suggested in the standing advice. The level of parking proposed (two spaces per dwelling) is considered to be appropriate, and in line with new draft standards (currently the subject of consultation) produced by the County Council. Landscaping is proposed at the front, however, a condition is recommended to ensure that suitable pedestrian visibility splays are provided and retained and nothing is above 1 metre in height at the front, which may otherwise interfere with the visibility splays.
25. It is accepted the proposal may increase the parking need on the street, however, an acceptable level of parking is proposed and Thelda Avenue has reasonable on street parking space. It is not considered that the level of traffic likely to be generated by four dwellings (a net increase of three over and above the current situation) would have a significant impact on the highway network in the area or would be likely to result in any highway safety issues.
26. The site is situated on higher ground than the neighbouring bungalow at 7 Thelda Avenue, 'Greenacres'. It was considered that the original proposal, involving dwellings with a height of 10 metres and a gable ended design, would have had an overbearing and over dominant impact on this neighbouring property due to the difference in height. The amended plans show a reduction in the overall height of the dwellings and hipped roof design, therefore, the proposal is lowered in height closer to the boundary with this neighbour. The concerns about an overbearing and over dominant impact have, therefore, been addressed. The proposed properties are on a similar line to this neighbour although it does project further to the rear. This is, however, only single storey with a flat roof. The principal rear windows to this neighbour are located away from the boundary and the proposal would avoid intersecting a 45° line from the principal rear window to this neighbour. This neighbour has side windows but they are not principal room windows.

27. The other neighbouring property at number 11 Thelda Avenue is situated on higher ground. The original proposal would have had some impact on the amenity to this neighbour. The revised proposal would be lower than this neighbour due to the land level difference. The single storey flat roof element at the rear would avoid intersecting a 45° line from the principal rear window to this neighbouring property. The proposal would provide more than the minimum recommended separation distance of 10 metres to the rear boundary, as set out in the Rushcliffe Residential Design Guide, and minimum back to back distances of around 37 metres (measured from the two storey element of the proposed dwellings) which is considered acceptable and would avoid unacceptable impacts on the amenities of properties to the east on Dale Road. Overall it is considered that the revised proposal would not have a significant or unacceptable impact on residential amenity.
28. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers/to address concerns/objections 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.

RECOMMENDATION

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

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

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

2. This approval relates only to the application as amended by the revised plans 18055-A-3001-P05 and 18055-A-4002-P05 received on 30/11/2018.

[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 amended 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].

4. The window in the first floor side elevation of the proposed dwellings shall be permanently fixed shut with top light opening only and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the window shall be retained to this specification unless otherwise agreed in writing by the Borough Council. No additional windows shall be inserted in this elevation without the prior written approval of the Borough Council

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

5. Before the dwellings hereby approved are occupied, the private drive access shall be constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway. The provision to prevent the discharge of surface water to the public highway shall thereafter be retained for the life of the development.

[To prevent surface water being discharged onto the public highway and in the interests of highway safety and to comply with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

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

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

7. No part of the development shall be brought into use until visibility splays have been provided at the junction of the proposed access and nothing shall be erected or allowed to grow above 1 metre in height within the visibility splays.

[In the interests of highway safety and to comply with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

8. Occupation of the proposed dwellings shall not take place until the access driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

[In the interests of highway safety and to comply with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

9. The flat roofed area over the single storey elements at the rear of the properties shall not be used as a balcony, roof garden, sitting out area or for any other purpose of a similar nature.

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

10. Notwithstanding the provisions of Schedule 2, Part 1 Classes A - E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no enlargement or alteration of the proposed dwellings, no alteration to or insertion of windows or rooflights or any detached buildings other than those shown on the approved plans without the prior written approval of the Borough Council.

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

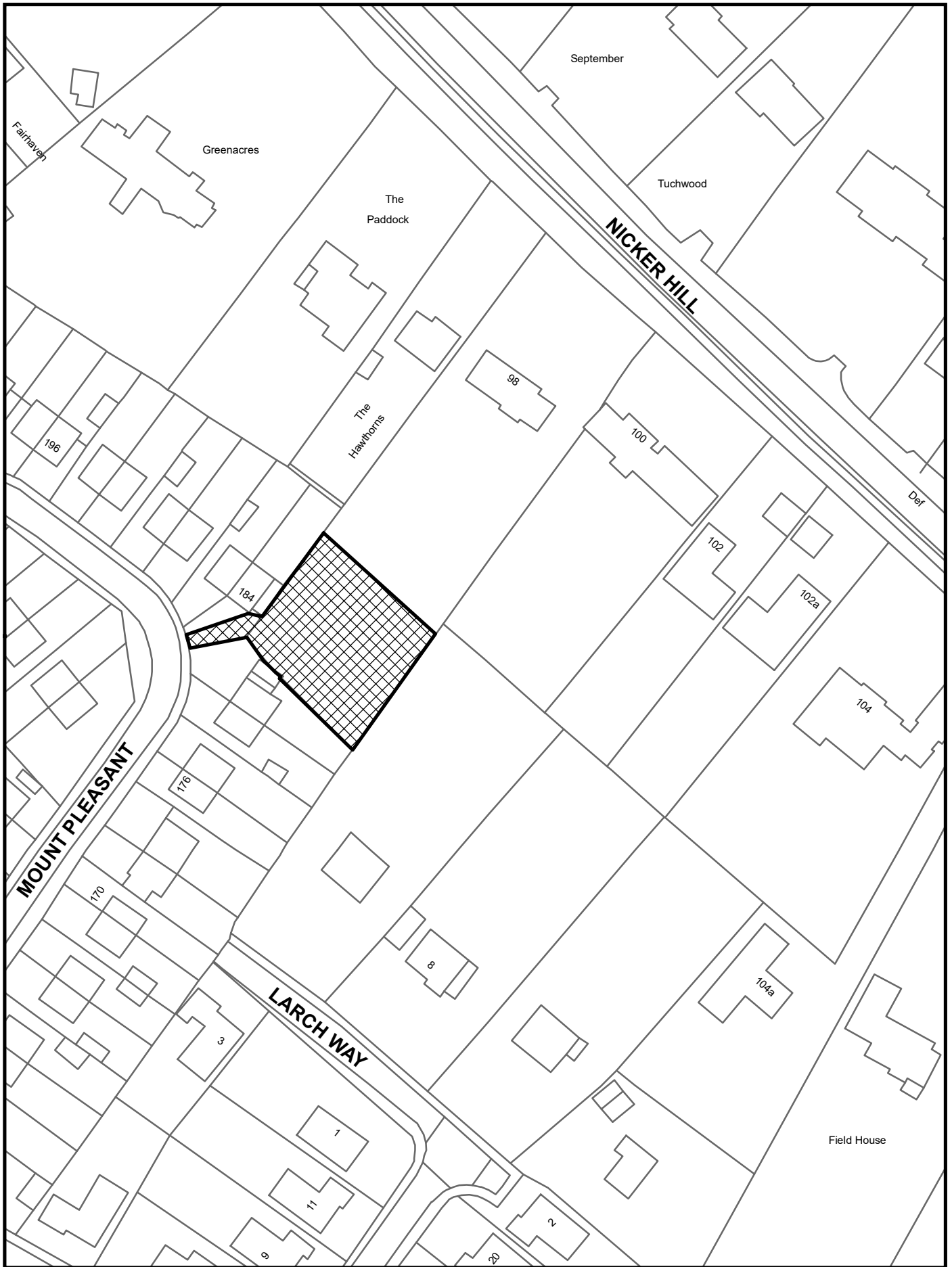
Notes to Applicant

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

With regard to works affecting the highway you are advised that Nottinghamshire County Council are the Highway Authority and it is suggested that you contact the Highways Area Office by telephoning 08449 808080 for further information.

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

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Application Number: 18/02578/FUL
south-west of 98 Nicker Hill, Keyworth

scale 1:1000

page 29

Rushcliffe Borough Council - 100019419

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18/02578/FUL

Applicant Mr Bolton

Location Land South West Of 98 Nicker Hill Keyworth Nottinghamshire

Proposal Proposed erection of new dwelling.

Ward Keyworth And Wolds

THE SITE AND SURROUNDINGS

1. The application relates to an area of land in use as garden land comprising low level grassland at the rear of the host property at number 98 Nicker Hill, a large detached property. The site is bounded by residential properties with the proposed access located in between numbers 182 and 184 Mount Pleasant. The site is bounded by timber fencing to the front and side with a temporary mesh fencing currently separating it from the garden of the host property. The proposed plot is roughly rectangular in shape and measures approximately 680sqm.

DETAILS OF THE PROPOSAL

2. It is proposed to construct one detached dwelling with 4 bedrooms. The height to the eaves is proposed at 4.6 with the height to the ridge proposed at 6.9 metres with a gable ends to front and rear. Materials proposed are larch and rendered walls with grey slate roof tiles. The design of the proposed dwelling includes a large glazed gallery/landing area to the first floor front elevation with similar glazed feature and Juliet balconies to the rear elevation. Trees have been removed prior to the submission of the application. The proposal is accompanied by a design and access statement.
3. The proposed access would be from Mount Pleasant in between number 182 and 184. The proposal would utilise the existing driveway serving number 184 Mount Pleasant and the plans show replacement parking for this dwelling alongside the driveway on an area presently laid to grass. The front boundary fence would be removed to provide the driveway access. The property would have a large front parking area. An amended site plan showing the turning area for vehicles on the front driveway has now been provided.

SITE HISTORY

4. An application to erect bungalow gaining access by a) driveway of 184 Mount Pleasant or b) jointly using driveway of 182-184 Mount Pleasant (outline) (app no (81/00007/SOUTH) was approved in April 1981.
5. There have been applications to extend the host property at number 98 Nicker Hill none of which are directly relevant to this particular application.

REPRESENTATIONS

Ward Councillor(s)

6. One Ward Councillor (Cllr Edyvean) objects to the application as there are a number of issues the application doesn't overcome. The access will severely limit the driveway with the house on Mount Pleasant restricting its parking area available. The design of the house is out of keeping with the houses on Mount Pleasant, which are all modest semi detached properties. The positioning of the proposed development will have an adverse impact on adjacent properties being overbearing and intrusive. Whilst every application is treated in isolation this application appears similar to the application on Nicker Hill, 17/02907/FUL which was refused. The applicant has already started to clear the site and has removed a number of mature trees, which is highly regrettable even though no Tree Preservation Order was in place.

Town/Parish Council

7. Keyworth Parish Council does not object to the proposal but they did raise concerns over the plan which does not accurately reflect the boundary with number 182 or the width of the driveway.

Statutory and Other Consultees

8. The Council's Landscape Officer commented that they were all set to make a Tree Preservation Order on the Silver Birch, however, on closer inspection it had decay in the lower trunk so its removal was appropriate. At the time of the meeting on site, the tree surgeon stated the trees on the boundary would be retained. There is a line of Beech trees along the boundary with number 184 Mount Pleasant which were presumably planted as a hedge that look a little sparse but with careful pruning and gapping with young plants, a dense beech hedge could be created. There is little information on the construction of the driveway other than using a permeable surface. To minimise the risk of root damage a no dig or reduced dig would be required. If consent is granted a condition for details of construction, layout and levels of hard surfaces will be needed. Tree protection during construction will be really important as retained trees are in locations at greatest risk from construction activities.
9. The Nottinghamshire County Council as Highway Authority state vehicle crossing is located on the outside of the bend where vehicle speeds are likely to be low. They do not envisage the access arrangement will change this situation and therefore do not raise any objection subject to a condition for the access driveway to be surfaced in a bound material for a distance of 5 metres behind the highway boundary and drained to prevent the discharge of surface water.
10. The Environmental Sustainability Officer accepted there is no requirement for an ecology survey. The site is likely to have use for foraging and roosting birds and bats and other common fauna. The proposal site is unlikely to have a material impact on the favourable conservation status of protected species. He recommends a series of suggestions for net gain of biodiversity for the site.

Local Residents and the General Public

11. A letter in support of the application has been received on the grounds that the design will be aesthetically pleasing and that people should take more care in driving in relation to highway safety. It is assumed that the property would not have an open sewage system.
12. A total of 20 objections have been received making the following points:
 - a. The trees that were felled hosted a variety of wildlife.
 - b. Increased surface water run off.
 - c. The access exits on a sharp bend, compromised by on street parking resulting in reduced visibility and additional traffic thereby reducing safety.
 - d. Access to the site should be from Nicker Hill.
 - e. It would force more people to park on the road.
 - f. There would not be enough space to fit 2 cars outside 184 Mount Pleasant.
 - g. Increase in traffic.
 - h. Noise, dust, pollution and dirt.
 - i. Overbearing and loss of light to neighbouring properties.
 - j. Overlooking and loss of privacy to neighbouring properties.
 - k. Not in keeping with the existing houses on Mount Pleasant.
 - l. The area has many children, their safety cannot be safeguarded as a result of this development.
 - m. The scale of the proposed development is too large for the size of the plot.

PLANNING POLICY

13. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as 'Core Strategy') and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Keyworth also has a Neighbourhood Plan which forms part of the Development Plan when considering applications in the Keyworth area. 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

14. The relevant national policy considerations for this proposal are those contained within the 2018 National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The proposal falls to be considered under section 12 of the NPPF (Achieving well-designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 109 adds that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual impacts on the highway network would be severe.

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15. Policy 1 of the Core Strategy sets out that the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
16. The proposal is 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 shall 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.
17. Policy 3 (Spatial Strategy) promotes sustainable residential development through a policy of urban concentration. A settlement hierarchy for the District has been identified in order to achieve this. Keyworth is a Key settlement identified for growth.
18. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory are a material consideration. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) specifically GP2d, whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development.
19. Policy HOU2 (Development of 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.

20. The Keyworth Neighbourhood Plan was adopted in October 2017. Policy H1 gives general support to infill and redevelopment schemes in that applications for infill or on previously developed sites within the settlement boundary will be approved subject to other development plan policies and provision of suitable vehicular access.
21. The Rushcliffe Residential Design Guide states that rear gardens should be at a depth of 10m to the boundary, and garden sizes should be 110sq m for detached properties.

APPRAISAL

22. Located within an established residential area in the built up area of Keyworth, the principle of the development is acceptable subject to issues over residential amenity, visual amenity, trees and highway safety. The proposal would make a small contribution to the Boroughs housing supply.
23. Due to the orientation of the property on a corner plot the principal windows to both neighbouring properties at 182 and 184 Mount Pleasant face away from the siting of the proposed dwelling. The proposed dwelling would avoid a 45° line taken from the principal rear windows to both neighbouring properties and would avoid any significant loss of light and outlook. The dwelling would be sited approximately 5 metres away from the boundary at the closest point to the neighbour at 182 Mount Pleasant and approximately 6 metres away from the boundary at the closest point from the neighbour at 184 Mount Pleasant. This is a significant distance from the boundary and, given that the orientation and relationship of the proposed dwelling with the neighbouring properties, located to the north of 182 Mount Pleasant and east of, and alongside the gable end to 184 Mount Pleasant, it is considered that the proposal would not result in significant or unacceptable overshadowing or overbearing impact to these neighbours. The proposal is located approximately 50 metres away from the rear of the host property at 98 Nicker Hill, which is a significant distance. At around 500sqm, the area of private amenity space is well in excess of the minimum specifies in the Rushcliffe Residential Design Guide. The dwelling would not sit square on the plot, although the distance between the rear wall and the boundaries generally exceed the 10 metres specified in the Design Guide and the relationship with neighbouring gardens would be acceptable and avoid any unacceptable overlooking or loss of privacy.
24. The plot forms part of the garden to 98 Nicker Hill, which has a large garden and would still retain an area well in excess of the minimum requirement of 110 square metres of amenity space and would still benefit from the generous amount of amenity space that properties along Nicker Hill enjoy. It is not, therefore, considered that the proposal would represent over development of the site.
25. The proposed dwelling would be viewed through the space between 182 and 184 Mount Pleasant and, therefore, form part of the street scene on Mount Pleasant, which is characterised by predominantly brick built, semi-detached 1970s houses with gable ended roofs. The design, materials used and style

would differ from these properties. The house has been designed with a low profile roof form, and would be lower than the adjacent property at No. 184, and being set back from the street would not dominate or be overbearing in the street scene when viewed from Mount Pleasant. Located on the corner and set back from the street the proposal would only be visible at certain points on Mount Pleasant. It would not disrupt the formal building line set out by the existing properties. The property would not be viewed from other location such as from Nicker Hill due to its size, distance away from that road and intervening structures. The use of Larch is not a traditional material, however, it is considered acceptable in this location. The use of render is also an acceptable material and there are examples of properties in the area, including on Mount Pleasant Road, which incorporate render in the external finish. Overall there is no objection to the design and appearance of the proposed property and it is not considered that the proposal would have a significant visual impact on the street scene.

26. Many of the objections raised relate to parking and highway safety. The proposal seeks to obtain land used as part of the parking area to 184 Mount Pleasant. The proposal would result in a narrower driveway for number 184 Mount Pleasant. This is not ideal, however, it is considered that it would still be possible to provide at least two off street parking spaces for No. 184 and parking within the site for the new dwelling. The proposal would provide a large parking/turning area to the front which can accommodate at least two off street parking spaces. The proposal would result in a long driveway to the property. The applicant has provided additional details demonstrating that it would be possible for vehicles to turn within the site and, therefore, enter and leave in a forward direction. This is an improvement and would prevent vehicles reversing down the long driveway in between the driveways of 182 and 184 Mount Pleasant and exiting onto Mount Pleasant in reverse. In addition, Mount Pleasant is a quiet road with low vehicular speeds. It is not considered that the level of traffic likely to be generated by a single dwelling would have a significant impact on the highway network in the area or would be likely to result in any highway safety issues. A condition is recommended that the access driveway is surfaced in a bound material for a minimum distance of 5 metres beyond the highway boundary. Overall the Highway Authority do not raise an objection and, whilst concern has been raised in written representations, it is not considered that a reason for refusal on highway safety grounds could be justified or sustained at appeal.
27. Trees had been removed from the site prior to submission of the application, including a prominent Silver Birch. The Tree Officer visited the site at the time and it was found that the Silver Birch had decay in the lower trunk so its removal was appropriate. On the western boundary of the site, alongside 184 Mount Pleasant, is a line of Beech trees which will be retained. There is little detail in relation to the construction of the driveway and, to minimise root damage to retained trees, a no dig solution is recommended for the driveway. A condition is recommended to provide control over construction, layout and levels of hard surfaces. Tree protection during the construction period will be important as the retained trees are in locations where they will be at greatest risk from construction and a condition is recommended that the trees to be retained are protected during the construction phase.
28. The few trees on the site contain no nesting birds or mammals and there are no badger setts in the site or surrounding gardens, therefore, no ecology

survey was required. It is not considered the proposal would have an impact on the status of European protected species if developed sensitively.

29. Councillor Edyvean makes reference to application ref: 17/02907/FUL which was for a new dwelling on Nicker Hill that was refused. As Cllr Edyvean acknowledges, each case is treated on its own merit.
30. Overall, it is considered that the proposal is acceptable and would have a minimal impact on visual amenity, highway safety and residential amenity, subject to the conditions set out in the recommendation.
31. The application was subject to pre-application discussions resulting in amendments to the height (reduction) and position of the dwelling. Furthermore, additional information was sought during consideration of the application to ensure that adequate turning for vehicles could be provided on site to enable vehicles to enter and leave the site in a forward direction. As a result of this process, the scheme is considered to be acceptable and it is recommended that planning permission is granted.

RECOMMENDATION

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

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

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].
2. The development hereby permitted shall be carried out in accordance with the plans ref no. location plan and 2018-05-002 received on 07/11/2018 and revised plan ref no. 2018-05-001 received on 10/12/2018.

[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].
4. Prior to occupation of the dwelling, the windows in the first floor side elevations of the proposed dwelling shall be permanently obscure glazed to Group 5 level of privacy, with top light opening only, and no additional windows shall be inserted in these elevations without the prior written approval of the Borough Council. Thereafter, the windows shall be retained to this specification.

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

5. No operations shall commence on site until the existing trees and/or hedges which are to be retained have been protected in accordance with details to be approved in writing by the Borough Council and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[To ensure existing trees are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. These details are required to be approved prior to work commencing on site to ensure that appropriate protection is in place prior to work commencing on site for the protection of the trees to be retained]

6. A 'no-dig' method of drive construction must be used in accordance with BS 5837:2012.

[To ensure the protection of trees, which are to be retained in order to enhance the development and visual amenities of the area and to comply with policy GP1 viii (Delivering Sustainable Development) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

7. Before the dwellings hereby approved are occupied, the private drive access shall be constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway. The provision to prevent the discharge of surface water to the public highway shall thereafter be retained for the life of the development.

[To prevent surface water being discharged onto the public highway in the interests of highway safety and to comply with Policy GP2 (design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

8. Occupation of the proposed dwelling shall not take place until the access driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

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

9. Prior to work commencing on site a full specification for the construction of any parking/turning areas and driveways shall be submitted for the approval

of the Borough Council. The submission shall include details of a no-dig specification and extent of the parking/turning areas and driveways to be constructed using a no-dig specification and relevant sections through them. Thereafter, the development shall be undertaken in accordance with the approved details.

[To ensure existing trees are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. These details are required to be approved before work commences on site to ensure that the development does not adversely impact on trees to be retained]

10. Prior to occupation of the approved dwelling, provision shall be made within the site for a minimum of two parking spaces to serve 184 Mount Pleasant. Thereafter, the parking spaces shall be retained in accordance with the approved details for use by that property.

[To ensure appropriate level of access and parking is retained for the dwelling (184 Mount Pleasant) and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

Notes to Applicant

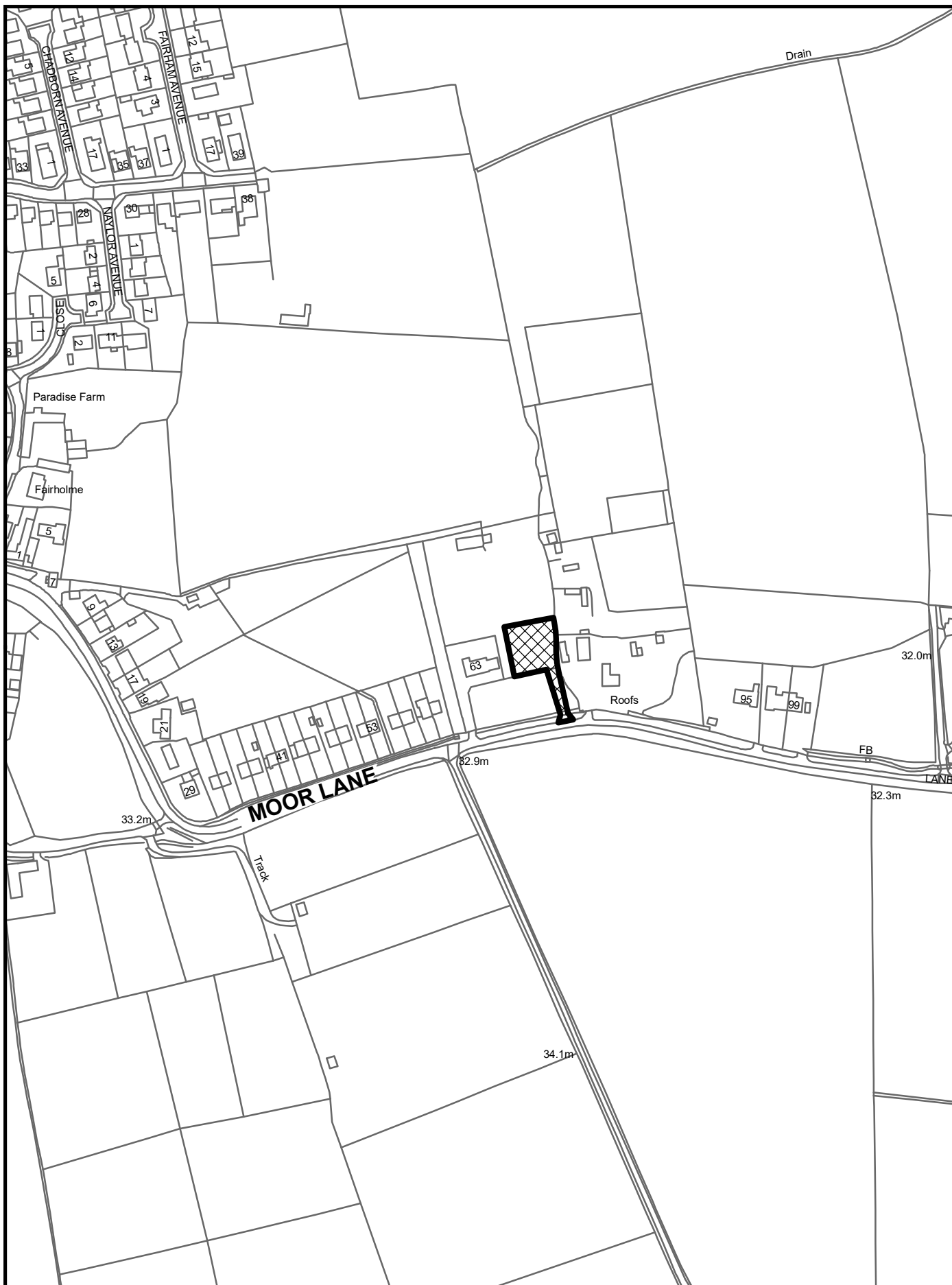
The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please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

The following British Standards should be referred to: BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.

In the interest of wildlife, good practice construction methods should be adopted including:

- Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted (care should be taken when dismantling log piles).
- All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
- Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.

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Application Number: 18/02716/OUT
63 Moor Lane Gotham

scale 1:3000

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18/02716/OUT

Applicant Simon And Jane Horner

Location 63 Moor Lane Gotham Nottinghamshire NG11 0LH

Proposal Development of one detached dwelling with new access (Outline application with all matters reserved except for access) (resubmission)

Ward Gotham

THE SITE AND SURROUNDINGS

1. The site relates to an area of land to the side of 63 Moor Lane, a single storey dwelling set back from the road and located to the south east of Gotham on the edge of the village. The site is well screened by boundary trees. There is a small culvert to the front of the site. This part of Moor Lane is privately maintained.
2. To the east of the site is a residential dwelling and a cattery and to the north and south of the site is open countryside. To the west of the site also on Moor Lane and beyond No. 63, are more residential dwellings predominantly semi-detached located within the built up area of Gotham.
3. Gotham is currently washed over by the Green Belt, as such there is strict controls over development.

DETAILS OF THE PROPOSAL

4. This is an application seeking outline planning permission to establish the principle of one new dwelling on the site. All matters are reserved for future approval with the exception of access. These matters include layout, landscaping, scale and appearance.
5. The sketch design of the proposed dwelling, which is for indicative purposes only, shows a single storey detached dwelling forming a 'T' shape and located on the same building line as the host property at 63 Moor Lane and of a similar size and scale. The boundary trees and hedges are to be retained.
6. The access proposed is to the front of the site, off Moor Lane, crossing the culvert.
7. The application was accompanied by a Planning Statement and a Design & Access Statement.
8. The main difference from the previous application is the site area covered by the red line has been reduced. The area to the front of the proposed location of the dwelling is no longer within the red line boundary with the only part to the front included in the red line is the proposed access.

SITE HISTORY

9. An application to erect bungalow (app no S21/345) was granted permission in 1970 (now 63 Moor Lane).
10. An application to erect garage (app no S/21/411) was granted permission in 1972.
11. An application for a Certificate of Lawful Use for the occupancy of the dwelling (63 Moor Lane) without complying with condition 2 of planning permission S/21/345, which retained the dwelling for occupation by a person working the surrounding land for agricultural purposes (app no 16/01261/CLUExD) was granted in 2016.
12. An outline application for proposed erection of one detached dwelling with new access (app no 18/01705/OUT) was refused for the following reason:

"The proposal would result in an inappropriate form of development in the Green Belt, which is harmful by definition, and also to the openness and character of the Green Belt at this location. It is not considered that 'very special circumstances' exist or have been demonstrated to outweigh this harm. Therefore, the proposal is contrary to the policies contained in the National Planning Policy Framework which are applicable to development in the Green Belt and Policy ENV14 of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states:

"Within the green belt as defined on the proposals map planning permission will only be granted for appropriate development for the following purposes:

- a) agriculture and forestry
- b) for other uses which preserve the openness of the green belt, including essential facilities for outdoor sport and recreation and for cemeteries;
- c) alteration and limited extension or replacement of existing dwellings;
- d) limited residential infilling in existing settlements within the green belt.

Planning permission will not be granted for inappropriate development, including the construction of new buildings other than those set out in the criteria, unless very special circumstances can be shown to outweigh the resulting harm to the green belt."

REPRESENTATIONS

Ward Councillor(s)

13. The Ward Councillor (Cllr Walker) has declared an interest in the application as the application site borders his property on The Rushes.

Town/Parish Council

14. Gotham Parish Council object to the application as it would be inappropriate development in the Green Belt.

Statutory and Other Consultees

15. Nottinghamshire County Council as Highway Authority raise no objection. They outline that the proposed access will be from a privately maintained section of Moor Lane that forms part of Gotham Footpath number 7. The applicant will need to contact the landowner(s) to establish whether private access rights along the track will be offered to future occupiers. The applicant also has a responsibility to ensure their development does not affect the surfacing of the footpath without obtaining prior authorisation from the Rights of Way Team.
16. Environmental Health raise no objection subject to a condition that 'During any ground works, demolition or construction there shall be no burning of waste on the site'. They also recommend an informative that all demolition and construction work including deliveries be restricted to the following times- Monday to Friday- 0700-1900 hours, Saturday- 0800-1700 hours, Sundays/Bank holidays- no working activity.

Local Residents and the General Public

17. A representation has been received from a local resident objecting to the proposal on grounds that the land is within the Green Belt and the law states you cannot build on it.
18. Two representations have been received in supporting the proposal on the grounds they can't see any reason why it should be refused and it would be a great addition to the village.

PLANNING POLICY

19. The decision on the planning application should be taken in accordance with the Development Plan, unless material considerations indicate otherwise. The development plan for Rushcliffe consists of the five saved policies of the 1996 Local Plan, and Local Plan Part 1: Rushcliffe Core Strategy (Core Strategy). Other material considerations include the National Planning Policy Framework (NPPF) and the Non-Statutory Replacement Local Plan (NSRLP) where policies are consistent with the NPPF and the Core Strategy. Also of some relevance is the emerging Local Plan Part 2 and supporting studies, particularly the Green Belt Review.

Relevant National Planning Policies and Guidance

20. Paragraph 11 of the National Planning Policy Framework (NPPF) 2018 outlines that plans and decisions should apply a presumption in favour of sustainable development.
21. Paragraph 134 outlines that the Green Belt serves five purposes:
 - a) To check the unrestricted sprawl of large built-up areas;
 - b) To prevent neighbouring towns merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and

- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
22. Paragraph 143 states that inappropriate development is harmful to the Green Belt and should not be approved unless there are 'very special circumstances'.
23. Paragraph 144 ensures that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
24. Paragraph 145 states that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include; limited infilling in villages.
25. There is no definition of 'limited infilling' in the NPPF. In planning terms in the planning portal glossary the generally accepted definition of 'limited infilling' is; 'the development of a small gap in an otherwise continuous built up frontage'.

Relevant Local Planning Policies and Guidance

26. Saved Policy ENV15: Green Belt of the Rushcliffe Borough Local Plan 1996 outlines that there is a Green Belt as shown on the proposals map.
27. Policy 3: Spatial Strategy of the Core Strategy 2014 states that 'The sustainable development of Rushcliffe will be achieved through a strategy that supports a policy of urban concentration with regeneration for the whole of Greater Nottingham to 2028. The settlement hierarchy for Rushcliffe to accommodate this sustainable development is defined on the Key Diagram and consists of:
- a) the main built up area of Nottingham; and
 - b) Key Settlements identified for growth of Bingham, Cotgrave, East Leake, Keyworth, Radcliffe on Trent and Ruddington. In other settlements (not shown on the Key Diagram), with the exception of Newton and the redevelopment of the former RAF Newton, development will be for local needs only.'
28. Policy 4: Nottingham-Derby Green Belt of the Core Strategy 2014 states that the Green Belt within Rushcliffe will be retained. Gotham shall be inset from the Green Belt. One of the statutory purposes of the Green Belt is the need to maintain the openness and prevent coalescence between settlement; establishing a permanent boundary which allows for development in line with the settlement hierarchy.
29. Policy EN14: Protecting the Green Belt of the 2006 Rushcliffe Borough Non Statutory Replacement Local Plan (RBNSRLP) states planning permission will only be granted for limited residential infilling in existing settlements in the Green Belt.

30. Policy EN19: Impact on the Green Belt and Open Countryside of the 2006 RBNSRLP outlines where a proposal is in accordance with other policies it must be demonstrated that there will be no significant adverse impact on the open nature of the Green Belt or open countryside.
31. Policy HOU2: Development on Unallocated Sites of the 2006 RBNSRLP outlines that permission will not be granted for amongst other things the size and location of the site is such that its development would not detrimentally affect the character or pattern of the surrounding area or the settlement as a whole; the site is one which does not make a significant contribution to the amenity of the surrounding area by virtue of its character or open nature; the development of the site would not extend the built-up area of the settlement; the proposal does not fall within an area of sporadic or ribbon development outside a settlement, nor is situated in the countryside.
32. The Green Belt review undertaken alongside the emerging Local Plan Part 2 proposes that Gotham should be 'inset' from the Green Belt. However, the current application site sits outside of the main built up part of the settlement and is proposed to remain within the Green Belt.
33. The Gotham Neighbourhood Plan has been published, however, at this stage little weight should be attached to the plan as it has not been subject to full consultation/examination and there are a number of stages outstanding before the plan can be formally adopted.

APPRAISAL

34. Given the proposal is an outline application, with all matters (except access) reserved for subsequent approval, the main consideration is the principle of a residential property on the site and the impact on the Green Belt, particularly whether very special circumstances exist which outweigh the harm by reason of inappropriateness, the effects of the proposal on the openness and visual amenities of the Green Belt, any changes from the previous refusal which could make the proposal acceptable and whether the new access is acceptable on highway grounds.
35. The generally accepted definition of 'limited infilling' is 'the development of a small gap in an otherwise continuous built up frontage'. To the west of the site along Moor Lane is a continuous form of linear residential development of mainly semi-detached houses located on relatively small plots. However, the application site and host dwelling are wider plots and also larger plots set back from the road. Beyond that to the east are four more residential dwellings scattered along Moor Lane before entering the open countryside. The plot widths of the properties to the west are approximately 8 metres whereas the proposed plot width is approximately 32 metres. The gap between the host property and the proposed dwelling would be approximately 7.5 metres. In addition, the location of the dwelling is proposed to be set back approximately 30 metres from the road. The area immediately adjacent to Moor Lane (with the exception of a narrow strip to provide access to the site) is no longer included within the application site, however, it is still marked as 'Proposed Garden (front)' and there is, therefore, a clear indication that this area of land will form the front garden of the proposed dwelling. The plot is still large and the gaps between properties are well spread. The site forms part of a substantial gap within an area of sporadic development. Whilst there

is no specified definition of limited infilling, it is considered that this proposal would be contrary to the meaning of development in a small gap in otherwise built up frontage. It is not considered that the reduced red line boundary is a significant improvement or change in circumstances, when compared with the previous application, and the proposal still does not represent limited infilling.

36. Gotham is proposed to be inset from the Green Belt in the review of the Green Belt undertaken alongside the preparation of Part 2 of the new Local Plan currently under examination. The boundary for the area to be inset, which forms the built up area of Gotham has been drawn so as to exclude the application site, together with the immediate neighbour to the west (No. 63) and properties to the east from the inset boundary. The site falls outside of this built up area as it is on the edge of the village and would still form an important part of the Green Belt. It would therefore remain within the Green Belt.
37. The applicant has stated that the Gotham Neighbourhood Plan has had extensive consultation with villagers and the plan was submitted to the Boroughs planning policy team in June 2018. At present no Examiner has been appointed to consider the plan and there are a number of stages in the process to be completed, including a referendum, before the plan can be adopted. Therefore, at this stage the plan would carry little weight.
38. The proposal, whilst reasonably well screened at the front by mature trees, would impact on the semi-rural nature of the site and on the views of the open countryside beyond and the openness of the Green Belt. The NPPF makes it clear that land should be kept permanently open as the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is harmful to the Green Belt.
39. The planning permission for 63 Moor Lane in 1970 was subject to a condition limiting occupation of the dwelling to agricultural workers. This was because dwellings in the countryside and the Green Belt would not normally be acceptable unless there was a specific justification, e.g. they were to be occupied by agricultural workers. Clearly at that time, the site was considered to be within the countryside and not within the settlement.
40. The applicant has stated the development would count towards the self-build target for Rushcliffe as well as contributing to housing numbers for the area. Recent appeal cases (nationally) have confirmed that dwellings delivered on a self-build basis do not amount to 'very special circumstances'. Furthermore, whilst dwellings delivered on previously unidentified sites would make a contribution to the housing numbers for the Borough, in this instance, the proposal involves a single dwelling and it is not considered that the contribution the proposal would make is significant or would outweigh the harm to the Green Belt. Therefore, it is not considered that there are any very special circumstances associated with this proposal.
41. In terms of access, the proposal would introduce a new access onto a quiet lane which already has existing vehicular accesses. The site could also accommodate suitable turning space. There is no objection to a new access in this location. The applicant would need to contact the owner of this privately maintained part of Moor Lane to establish whether private access

rights along the track will be offered to future occupiers. Any works to the culvert will need separate land drainage consent from Nottinghamshire County Council's Flood Risk Team.

42. The applicant has mentioned other similar applications for housing granted permission. These include Home Farm, 15 Church Street, Bunny (app no 18/01489/FUL), the site lies in the centre of the village of Bunny in a built up area next to the school so it was considered to represent limited infilling. The application for 16 Loughborough Road, Bunny (17/03038/FUL) has also been cited, in this instance the Draft Green Belt Review considers this part of Bunny as the secondary core of Bunny village that doesn't contribute to the openness of the Green Belt. This area is due to be removed or inset from the Green Belt through the review.
43. Overall the proposal would not represent limited infilling and would result in harm to the openness of the Green Belt as well as the intrinsic character and beauty of the countryside. Little has changed in the application from the previous refusal. It is considered that the proposal would constitute inappropriate and unjustified development that would carry with it the harm to the Green Belt, which is not outweighed by any very special circumstances, and granting permission would set a precedent for similar development in the Green Belt. The proposal is in conflict with national and local planning policy.
44. The proposal was the subject of pre-application discussions (prior to the submission of the previous application) and the applicant/agent was made aware of the policy objections and/or identified unacceptable impacts of the development. There have been no significant changes to the proposal or policy considerations following refusal of the previous application and there remains a fundamental policy objection. Therefore, consideration of the application has not been delayed by negotiations which could not overcome the policy objection.

RECOMMENDATION

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

1. The proposal would result in an inappropriate form of development in the Green Belt, which is harmful by definition, and also to the openness and character of the Green Belt at this location. It is not considered that 'very special circumstances' exist or have been demonstrated to outweigh this harm. Therefore, the proposal is contrary to the policies contained in the National Planning Policy Framework which are applicable to development in the Green Belt and Policy ENV14 of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states:

"Within the green belt as defined on the proposals map planning permission will only be granted for appropriate development for the following purposes:

- a) agriculture, and forestry
- b) for other uses which preserve the openness of the green belt, including essential facilities for outdoor sport and recreation and for cemeteries;
- c) alteration and limited extension or replacement of existing dwellings;
- d) limited residential infilling in existing settlements within the green belt.

Planning permission will not be granted for inappropriate development, including the construction of new buildings other than those set out in the criteria, unless very special circumstances can be shown to outweigh the resulting harm to the green belt"



Application Number: 18/01115/FUL
62 Repton Road, West Bridgford

scale 1:1000

page 51

Rushcliffe Borough Council - 100019419

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18/01115/FUL

Applicant Mrs Surrinder Kaur

Location 62 Repton Road West Bridgford Nottinghamshire NG2 7EJ

Proposal Single storey rear extension (retrospective change to previous planning permission 17/02766/FUL)

Ward Musters

THE SITE AND SURROUNDINGS

1. The application relates to a two storey detached, interwar property constructed of a dark red brick with a red plain tiled pitched roof. The frontage has a double height bay window faced in hung plain tiles. The property has been extended to the side with a two storey addition, constructed pursuant to planning permission granted in January 2017. There was until recently a circa 3 metre deep, single storey rear extension alongside a circa 4 metre deep conservatory (approved in 2003), however, these have been demolished and replaced with the flat roofed, single storey rear extension that is the subject of this application, originally constructed pursuant to planning permission granted in January 2018. However, it was subsequently established that the extension was not constructed in accordance with the approved plans and the current application seeks to regularise the situation.
2. To the rear of the recent extension is a paved patio area, with an approximately half a metre step down from the rear of the property due to the changes in land levels, that leads to a circa 50 metre deep rear garden. The garden is bordered by high hedges and trees, with a garden room and shed at the far end of the garden. The property is located in a residential part of West Bridgford, surrounded by similar size and aged properties.

DETAILS OF THE PROPOSAL

3. The initial submission was for a revision to the as built single storey rear extension to the property and also for the formation of a new, raised rear patio area to be flanked by a close boarded timber fence to the neighbouring properties.
4. During the determination of the application officers met with the applicant and their agent on site to assess the proposal and expressed concerns regarding the proposed raised patio and fencing. As a result of those discussions it was clarified that the raised rear patio would be withdrawn from the proposal, and that only permission to revise the as built single storey rear extension would be sought. The withdrawal of the raised patio from the application was confirmed in writing.
5. Furthermore, although the single storey rear extension has been recently constructed on site, and despite the proposal description it should be noted that this application does not seek to regularise that structure, but to modify it

by reducing its overall height to better relate to the permission granted in January 2018 under application ref: 17/02766/FUL.

6. Therefore, the committee is asked to assess the proposal for a single storey rear extension measuring a total of 9.8 metres in width, across the extent of the rear elevation of the property, and 6.5 metres in depth projecting from the rear elevation of the original dwelling, a further 3.7 metres and 2.7 metres respectively beyond the former extension and conservatory this extension replaced. The rear extension is constructed with facing materials matching the dwelling with a flat roof design set behind a coped parapet wall. Overall, the extension is proposed to measure a maximum of 3.675m in height (at the southern end of the proposal alongside number 64 Repton Road), reducing to 3.645m to the northern (side) elevation (alongside 60 Repton Road), taking into account the slope across the site with ground levels rising from north to south. The roof form includes a centrally positioned glazed lantern roof light, large glazed doors facing out towards the applicant's garden and a new opening in the north (side) elevation facing towards the rear of number 60 Repton Road.

SITE HISTORY

7. Planning ref: 03/00822/FUL- Single storey side and rear extensions. Granted in July 2003.
8. Planning ref: 16/02914/FUL - (Demolition of garage and rear extensions) Erection of two storey side extension, single storey front and rear extensions. Granted in January 2017. This was not implemented in accordance with the approved plans and resulted in a further application (referred to below) being submitted seeking to regularise matters.
9. Planning ref: 17/02766/FUL – (Demolition of garage and rear extensions), two storey side extension, single storey front and rear extensions. (Resubmission). Granted January 2018. The single storey extension was constructed in accordance with the approved plan and resulted in the current application being submitted, again seeking to regularise matters.

REPRESENTATIONS

Ward Councillor(s)

10. One Ward Councillor (Cllr Jones) objected to the proposal as originally submitted due to the increase in height of the rear extension when compared to the planning approval (17/02766/FUL) as it was overly bulky and unnecessarily high. Concerns were also expressed regarding the use of the roofing materials (paving slabs) and its visual impact on the neighbouring properties. Cllr Jones also objected to elements of the two storey side extension (that do not form part of this planning application) and to the proposed raised patio that was considered to be over dominant and due to the proposed fencing out of character, creating a hemmed in feeling to neighbouring properties.
11. Following the submission of the revised plans, removing the raised patio and clarifying that the height of the proposed rear extension would be reduced, by removing courses of bricks, to a maximum height of 3.675m from ground

level to the top of the coping stones atop the parapet, Cllr Jones confirmed that he still objects to the proposal as it does not significantly reduce the height and, therefore, is still overbearing to the neighbours and also that there are still issues with the guttering on the two storey side extension (again an element of application ref: 16/02914/FUL not forming part of the current proposal).

Statutory and Other Consultees

12. Due to the scale and nature of the proposal, i.e. a residential extension, no statutory or other consultees input was required.

Local Residents and the General Public

13. Five written representations have been received from the two immediate neighbouring properties (60 and 64 Repton Road) objecting to the proposal on grounds which can be summarised as follows:
 - a. Proposal is too high and dominant, especially within 2m of the boundary.
 - b. Proposal is too deep and dominates neighbouring properties.
 - c. Plans are not clear as to what is being proposed.
 - d. Inaccuracies on the application forms.
 - e. Overbearing and dominant nature of the rear extension.
 - f. Overshadowing and loss of light from rear extension.
 - g. Concerns about soil shrinkage due to proximity of buildings to trees.
 - h. Overbearing nature of proposed fence and patio.
 - i. Applicants cannot be trusted to implement what has been built as demonstrated by two previous applications and necessary enforcement action.
 - j. Concerns that the Planning Department have already determined this application.
 - k. Other issues with the two storey element should be regularised as part of this application.
 - l. Drawings are inaccurate/seek to deceive.
 - m. Breaches of building regulations.
 - n. References to the GPDO and General Development Order.
 - o. Ugly, monolithic structure that is out of keeping with the area.
 - p. Applicants have flagrantly abused the planning system.

- q. The proposal should be assessed as a new application, not a retrospective one nor a resubmission.
 - r. Loss of privacy from window in side elevation of extension.
 - s. Previous planning approvals show a disregard of the neighbours and set a dangerous precedent.
14. Following further submissions by the applicant's agent clarifying what is being proposed and confirmation that the patio and fencing was withdrawn from the submission two further letters of objection were received from the neighbouring properties confirming that their previous objections still stood and also raising concerns regarding rights to light, the impact from light emitted through window in side elevation of the extension, the accuracy of Certificate A of the application forms; the risk of fire due to students renting rooms in the applicants property (a potential change of use), and also concerns about the drainage.

PLANNING POLICY

15. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy and the 5 saved policies of the Rushcliffe Borough Local Plan 1996.
16. Other material planning considerations include the updated 2018 National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), and the Rushcliffe Borough Non Statutory Replacement Local Plan (NSRLP) (2006). The publication version Local Plan Part 2: Land and Planning Policies is also a material consideration although these policies carry limited weight as they are currently the subject to an independent examination and the plan has not yet been formally adopted.
17. Any decision should therefore be taken in accordance with the Rushcliffe Core Strategy, the Neighbourhood Plan, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

18. The proposal falls to be considered under the National Planning Policy Framework (NPPF) and should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The proposal falls to be considered under section 12 of the NPPF (Achieving well designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

Relevant Local Planning Policies and Guidance

19. Policy 1 of The Rushcliffe Local Plan Part 1: Core Strategy reinforces 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 falls to be considered under Core Strategy Policy 10 (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. The development should be assessed in terms of the criteria listed under section 2 of Policy 10, 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.
20. 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, specifically GP2d, whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development.

APPRAISAL

21. Members are advised that there is currently a single storey extension built to the rear of the property, constructed pursuant to the planning permission granted in January 2018 under application ref: 17/02766/FUL. However, following concerns expressed by the neighbour an investigation by the Borough Council confirmed that the structure as erected did not accord with the approved plans and was taller than the approved rear extension. Following discussions with the applicants, they were advised that the structure as built (which measured 3.930m tall above the ground level at its highest) was unlikely to be considered favourably, however a reduction in its overall height, to 3.6m as approved under application would resolve the matter without the need for a further planning application. For technical reasons (set out below in Para.27) the applicant's agent advised that this was not possible and therefore the current application has been submitted for consideration to seeking to regularise the situation and permission for modifications to the extension as currently built.
22. As a point of clarification Members are advised that regardless of whether the application is described as "retrospective" or "resubmission" it is still a planning application to be determined on its own merits, taking into account all material planning considerations. Furthermore, it should be noted that any apparent failings by the applicant's builders are not a material consideration. Members are reminded that enforcement procedures (this application being the result of an enforcement investigation) are intended to be remedial rather than punitive and, therefore, the planning system cannot and should not be

used to “punish” an applicant’s previous failings to lawfully implement a valid planning permission.

23. It should also be noted that application 17/02766/FUL for the “(Demolition of garage and rear extensions), two storey side extension, single storey front and rear extensions. (Resubmission)” as granted in January 2018 constitutes a fall-back position. This means that the development approved under application 17/02766/FUL legally forms an acceptable form of development that could be lawfully implemented and, therefore, this should be used as a measure against which the current proposal must be assessed i.e. it is a material planning consideration. In short, any harm attributed to the current proposal can only relate to the differences between the approved extension (regardless of the fact it has not been built) and the current application that Members are asked to determine.
24. Finally, Members will note from both the Ward Councillor’s objections and the objections received from residents that their comments also relate to the two storey elements approved to the side of the applicants dwelling. The alleged breaches have been investigated by the Enforcement team and whilst there were elements that did not comply with the approved plans, given the nature of those breaches it was not considered expedient to take any further action, other than to advise the property owners that the breaches would remain unauthorised, and this application only relates to the single storey rear extension to the property. For the avoidance of doubt it should also be noted that the proposed raised patio and fencing element of the original submission has also been withdrawn and, therefore, no longer forms part of the of the application Members are asked to determine.
25. Regardless of the fact that it has not been built in accordance with the approved plans, the single storey rear extension approved under application ref: 17/02766/FUL would have measured 9.8m in width, projected 6.5m out from the rear elevation of the original property and 3.6m high (at its highest) measured externally from the finished ground level to the top of the coping stones on the parapet wall surrounding the structures flat roof.
26. The current application proposes a single storey rear extension measuring 9.8m in width, projecting 6.5m out from the rear elevation of the original property and 3.675m high (at its highest) measured externally from the finished ground level to the top of the coping stones on the parapet wall surrounding the structures flat roof. The reduction in the height of the extension as built on site would be achieved by removing three courses of brickwork. In other words, the current proposal is a maximum of 0.075m (or 75mm) taller than the approved application (ref: 17/02766/FUL). Therefore, Members’ consideration should be focussed on any harm arising as a result of this increase in height, effectively the impact that the additional 75mm in height has on the amenity of the neighbouring properties and whether or not that harm is significant enough to warrant refusal, particularly bearing in mind that application 17/02766/FUL can still lawfully be implemented, i.e. the fall-back position.
27. In discussing the issues with the agent, officers requested information to demonstrate why the lawful permission could not be implemented, i.e. lowering the height of the parapet wall to at least achieve the approved height of the structure even if the parapet wall height itself would not necessarily

comply with that approval. The agent has advised that the 'flat roof' of the structure is not actually flat, but that the roof actually falls from the rear elevation of the house to prevent rain water pooling on the roof's surface and to use gravity to force the rain water to flow towards the gutters and guttering installed on the rear elevation of the extension. As a result of the roof covering not being flat (despite the fact that the parapet wall that cloaks the roof covering is level), if the height of the bricks were reduced to an overall height of 3.6m then part of the roof surface would become exposed and that not all the surface water on the roof would be contained, potentially allowing it to flow onto the neighbour's property. Furthermore, exposing the highest part of the sloping roof covering would also be visually less attractive than concealing it behind the parapet wall. Therefore, it is the agent's position that the two courses of brick work above the lowest part of the roof covering are required as this is the minimum upstand that can be achieved and this would result in the extension being 3.675m high above the finished ground level.

28. Therefore, the key consideration in the determination of the application is the impact on neighbouring amenity, having specific regard for access to or loss of light, overbearing, overlooking and loss of privacy, in relation to the proposed increase in height of the extension.
29. Objections from the neighbouring property have been received objecting on grounds of a loss of privacy arising from the additional window in the side elevation of the extension. Whilst this is a ground floor window, as a result of changes in ground level, this window which serves the kitchen/day room, would have the potential to result in overlooking of the garden to the neighbouring property, albeit that there is some boundary treatment/natural growth that may limit any overlooking. Furthermore, the previous approval for a single storey extension was subject to a condition requiring that this window was to be obscure glazed. With the exception of two top hung windows, the window installed in the extension is fixed shut and has been obscure glazed, although this appears to have been achieved through the application of an obscure film, rather than using glass which has been permanently rendered obscure. It is not considered that the retention of the two top hung casements as clear glazed opening windows would result in unacceptable overlooking or loss of privacy. However, a condition is recommended requiring the replacement of the largest pane of glass with glass which is permanently obscured.
30. It should be noted that the ground and first floor windows to the south elevation (within the two storey extension which is not the subject of the current application) would serve shower rooms/WC and were previously conditioned through the determination of application 17/02766/FUL that those windows be obscure glazed to prevent overlooking and loss of privacy. Concerns also expressed over the windows opening outwards over the boundary and resulting in a safety hazard were also addressed by a planning condition requiring the windows to open inwards and only when at 1.7m above floor level within the rooms they serve. These windows do not form part of the current application, however the conditions attached to permission 17/02766/FUL would still apply and serve to protect the privacy of the occupants residing in the adjoining residential properties.

31. Objections have also been received from neighbouring properties concerning the height and scale of the single storey rear extension. Whilst it is acknowledged the single storey rear extension is of a larger scale than the extensions found on properties to either side of the application site, and slightly greater in eaves height than previously approved, the increase in height of 75mm is not considered to result in an unacceptable overbearing impact or loss of light. This view is reached giving due consideration to the fall-back position of the extant planning permission approved in January 2018 that could be implemented on site.
32. Representations from a neighbour refer to the fact that the extension does not comply with the provisions of the Town and Country Planning (General Permitted Development) Order (the Order) and that procedures referred to in the Order have not been followed by the Borough Council. The extension, the subject of this application, does not comply with the criteria in the Order (which apply to extensions/additions which may be undertaken as 'permitted development') and, therefore, planning permission was required for the addition. Similarly, the procedures referred to by the neighbour are applicable to extensions which are being proposed under the permitted development rights, therefore, they do not apply to applications for planning permission. It is, however, material to the decision on this application that the scale of the proposed extension is marginally greater in height than what could be constructed under Schedule 2, Part 1 Class A of the Town and Country (General Permitted Development) Order 2015. It is therefore considered, in conclusion, that an objection to the increased height of the rear extension could not be reasonably sustained as a reason to refuse the application.
33. Objections have also been received in respect of the external appearance and stylistic approach to the design and the impact on the character of the area. In considering the design of the extensions, through the various applications for this property, and the impact on the street scene, the front and side extensions were considered to relate well to the scale, design and appearance of the existing dwelling and were, therefore, considered to be acceptable. In contrast, the rear extension with its flat roof design does not seek to replicate directly the design of the host property with its pitched roofs but this does not mean that it represents an unacceptable design approach. Furthermore, the location of the extension, to the rear of the property, does not impact on the street scene or public realm. The facing materials match those used elsewhere on the property. Again, consideration must also be given to the approved extension which bears a considerable similarity to the proposal under consideration. Any refusal on design grounds is considered to be very difficult to justify and defend at any subsequent appeal in light of the fact that the only difference between the approved scheme and the current proposal is an increase in height of 75mm.
34. Concerns regarding the alleged unauthorised occupation of the applicant's property and its potential change of use to a house of multiple occupation (HMO) were also investigated by the enforcement team and found to be unsubstantiated. During this investigation, the investigating officer was advised by the owner of the property that part of the extended property is used to accommodate an elderly family member who has full access to and use of the rest of the property i.e. they are not living separately and independently from the rest of the family. Furthermore, at the time of the

investigation a foreign exchange student was also temporarily staying with the family, an arrangement that is reciprocated to the applicant's child as part of a school foreign exchange programme. This does not amount to a material change of use of the property.

35. In conclusion, it is considered that the scale, form design and appearance of the extension is acceptable in the context of residential amenity and impact on the street scene and character of the area. Furthermore, when compared to the fall-back position and taking all the material considerations into account, the current proposal is not considered cause demonstrable harm to the amenities of the neighbouring properties such as to warrant refusal. The application is therefore recommended for conditional approval.
36. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers/to address concerns/objections raised in letters of representation submitted in connection with the proposal. As a result, elements of the proposal were withdrawn, addressing the identified adverse impacts of this element, and a reduction in the height of the extension was negotiated, thereby resulting in a more acceptable scheme and the recommendation to grant planning permission.

RECOMMENDATION

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

1. The development hereby permitted shall be carried out in accordance with the Floor Plans (1:50), Site Plan (1:500) and Site Location Plan (1:1250) received on 14 May 2018 and the revised elevations (scale 1:100) received on 2 January 2019.

[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. Within two months of the date of this permission, with the exception of the two top hung opening casement windows, the glazing in the window in the north elevation of the single storey extension shall be replaced with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent and the window shall be retained as non-opening. Thereafter, the window shall be retained to this specification for the lifetime of the development.

[To protect the amenity of the neighbouring property 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no additional windows, doors or openings of any kind shall be formed in the north (side) or south (side) elevations of the approved development without

first obtaining the relevant planning permission to do so.

[To safeguard the reasonable residential amenities of adjoining properties and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. Other than for general maintenance, cleaning and repairs the flat roofed area shall not be accessed for any purpose incidental to the enjoyment to the occupiers of the property, nor shall the flat roofed area be used as a balcony/terrace at any time.

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

Notes to Applicant

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

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



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Application Number: 18/02456/FUL
119 Gertrude Road, West Bridgford

scale 1:1000



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Applicant Mrs Kirsty Morley

Location 119 Gertrude Road West Bridgford Nottinghamshire NG2 5DA

Proposal Two storey side extension; single storey front and rear extensions; raised patio area and rendering of extension and existing property.

Ward Lady Bay

THE SITE AND SURROUNDINGS

1. 119 Gertrude Road is a two storey detached property constructed from red brickwork with red concrete pantiles to the roof. The dwelling is of a typical design and build style for properties in the locality with a 1950's design style incorporating a hipped roofed ground floor bay window and a mock Tudor framed front gable feature. The house has a gabled roof as do both of its immediate neighbours which are also detached two storey houses.
2. The ground level at the rear of the dwellings in the vicinity drops by 1m around 3m from the rear elevations leading to raised platforms/patios at the rear. Nos. 117, 119 and 121 Gertrude Road all have raised areas at the rear.
3. There are substantial existing outbuildings adjacent to the boundary with the neighbouring dwelling at 117 Gertrude Road. These consist of a timber car port which runs along the side of the dwelling at a height of 3m and a concrete garage which runs for a further 5.3m along the boundary into the rear garden with a ridge height of 4m from lower ground level (3m from raised ground level) resulting in boundary structures for a distance of 12m.

DETAILS OF THE PROPOSAL

4. The current application seeks planning permission for a two storey side extension, single storey front and rear extensions, the provision of a raised patio area and rendering of extension and existing property.

SITE HISTORY

5. There is a small single storey rear extension that was built around 1984. This would be demolished as part of the proposal.

REPRESENTATIONS

Ward Councillor(s)

6. One Ward Councillor (Cllr S Mallendar) objects stating, "*It is detrimental to the street scene in that it would lead to a terracing effect on a street of Victorian/Edwardian semi-detached and detached houses. It would affect the amenity of the neighbouring property at number 117, Gertrude Road due to massing and the overbearing nature of the side extension; The proposed development would also reduce light for the side and rear windows of 117; As*

the rear gardens of both properties slope down significantly, the proposed extension and raised terrace will lead to overlooking of the private amenity space of number 117. There is no provision for the siting of wheelie bins.”

Local Residents and the General Public

7. Representations have been received from two local residents and/or their representatives objecting to the proposal and raising the following points:
 - a. Loss of light to the windows and passage way on the side elevation of no. 117.
 - b. Massing and overbearing nature of the side extension.
 - c. Change of level involved in the development of the patio area may lead to overlooking.
 - d. The property will look more like a terraced property changing overall street view.
 - e. Loss of parking provision.
 - f. Probable need to excavate for foundations within 3 metres of neighbouring properties (117 and 121) making it likely that adjacent properties will require protection.
 - g. Access for works.
 - h. Possible impeded access at side of dwelling during construction.
 - i. Building over a drain.
 - j. Building works damaging sewers.
 - k. No provision for the siting of wheelie bins.
 - l. Method of construction.
 - m. Access to the rear for emergency services.

PLANNING POLICY

8. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the Rushcliffe Local Plan Part 1: Core Strategy.
9. 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.
10. Any decision should therefore be taken in accordance with the Rushcliffe Core Strategy, the NPPF and NPPG, and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are

consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

11. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development and states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should approach decision on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible. There are three dimensions to sustainable development: economic, social and environmental.

Relevant Local Planning Policies and Guidance

12. The proposal falls to be considered foremost under The Rushcliffe Local Plan Part 1: Core Strategy. Under Core Strategy Policy 1, a positive and proactive approach to planning decision making should be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The proposal should also be considered under Core Strategy Policy 10 (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. The development should be assessed in terms of the criteria listed under section 2 of Policy 10, specifically 2(b) whereby the proposal should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.
13. None of the 5 saved policies of the Rushcliffe Borough Local Plan 1996 apply to this application.
14. Whilst not part of the development plan, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan should be given weight as a material consideration in decision making. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan. Of particular relevance is GP2 section d, whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development.

APPRAISAL

15. The proposed extensions (two storey and single storey) would run for a distance of 13.2m along the boundary. The front wall of the two storey extension would sit forward of the existing car port but the extension projection at the rear would fall short of that of the existing structures by approximately 1.2m.

16. There is an existing timber outbuilding in the garden of 117 Gertrude which currently screens approximately half of the existing concrete garage. The projection of the single storey extension would be around 1.2m less than the existing garage and, therefore, well screened from the side. There are no windows proposed in either side elevation of the single storey rear extension.
17. There is a small kitchen extension on the rear of no. 117 with a window facing into the garden. Given the presence of the existing structures it is not considered that the proposed extension would lead to any undue or additional loss of light to this window or other windows on the rear of the dwelling. It is therefore considered that the rear part of the extension would have a similar impact to the existing structures and not cause undue harm to the residential amenities of no. 117 Gertrude Road.
19. At the rear, the side boundary with no. 121 to the south consists of a 2.5m breeze block wall with a further 800mm of fencing on top plus a 2.5m high section of vertical fencing immediately adjacent the rear elevations on the dwellings. There is an existing extension at the rear of 121 Gertrude Road which projects out around 2.5m. There are no windows in the side elevation of this extension. The proposed rear extension at no. 119 would be on the boundary with no. 121 but 2.3m from the side elevation of the dwelling and extension. It would project a further 3.5m than the extension at no. 121 but given the substantial boundary treatment, and distance from the dwelling itself, it is not considered that the extension would be unduly overbearing.
20. A 1m high raised patio is proposed adjacent to the extension with a projection of 3m. This patio creates a raised area that would not be matched on either side at this distance into the garden, therefore, it may have the potential for over-looking. The applicant has agreed that privacy screens to a height of 1.8m should be incorporated into the proposal to prevent undue overlooking and this could be secured by way of a condition, should planning permission be forthcoming. Having regard to the existing structures adjacent to the boundary and/or existing boundary treatment, it is not considered that these proposed screens would impact significantly on neighbouring amenity in terms of overbearing impacts
21. The front wall of the proposed two storey side extension would be set back from the existing front elevation by 1m and set down from the main ridge line of the roof by 300mm, thereby alleviating any perceived terracing effect and ensuring the extension has a subservient appearance to the main dwelling. The overall design and appearance of the two storey side extension would be sympathetic to the existing house and streetscene.
22. The two storey side extension would be 2.3m wide and 7.2m long, along the side elevation of the dwelling. The eaves height would match the existing dwelling. The extension would be set 100mm off the shared boundary and 1.1m from the side elevation of no. 117 Gertrude Road. This elevation contains a door at ground floor level and a mid-height obscurely glazed window serving a mid-stair landing. There is also a very small obscure glazed window presumably serving a bathroom/toilet, ultimately there are no habitable room windows on this side elevation.

23. There are no windows proposed in the side elevation of the extension and it is not considered that the side extension would be unduly over-bearing or lead to unacceptable overshadowing or overlooking. New first floor windows, having a similar impact to existing windows, are proposed on the front and rear elevations.
24. There would be a small front extension with a projection of 450mm thereby increasing the set-back distance of the two storey extension to 1.45m. This front extension would run the full width of the existing front elevation and have a mono-pitch roof with a maximum height of 2.85m. It is not considered that the front extension would have a detrimental impact on neighbouring dwellings of the area in general.
25. A drive would be retained in front of the extension with adequate space for off road parking for one vehicle, and Gertrude Road, like many other residential roads in the area, have dedicated parking strips at the side of the road. It is not considered that the proposal would exacerbate or cause any highways or parking issues.
26. It is proposed to render the extensions and the existing dwelling to provide a uniform finish using a white colour render. There are examples in the area of fully and part rendered dwellings and this finish would not be out of character. The front elevation of the dwelling has visible mortar lines where cracks have been repaired and the new finish would improve the look of the dwelling within the street scene.
27. Overall the proposal is considered to be sympathetic to the original property in terms of its scale, finish, design and location. It would see the removal of old run-down out buildings and would improve the property within its environs. The development would not cause any undue impact on the wider street scene.
28. The application was not the subject of pre-application discussions. The scheme, however, is considered acceptable and no discussions or negotiations were considered necessary.

RECOMMENDATION

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan(s): 18-1629-1, 18-1629-2.

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

3. The materials specified in the application and the agents email of 12 November 2018 shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

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

4. Prior to the raised patio being brought in to use privacy screens with a height of 1.8m above the level of the patio shall be installed on both side boundaries for the full length of the patio, in accordance with details to be first submitted to and approved by the Borough Council. Thereafter, the privacy screens shall be retained in accordance with the approved details for the lifetime of the development.

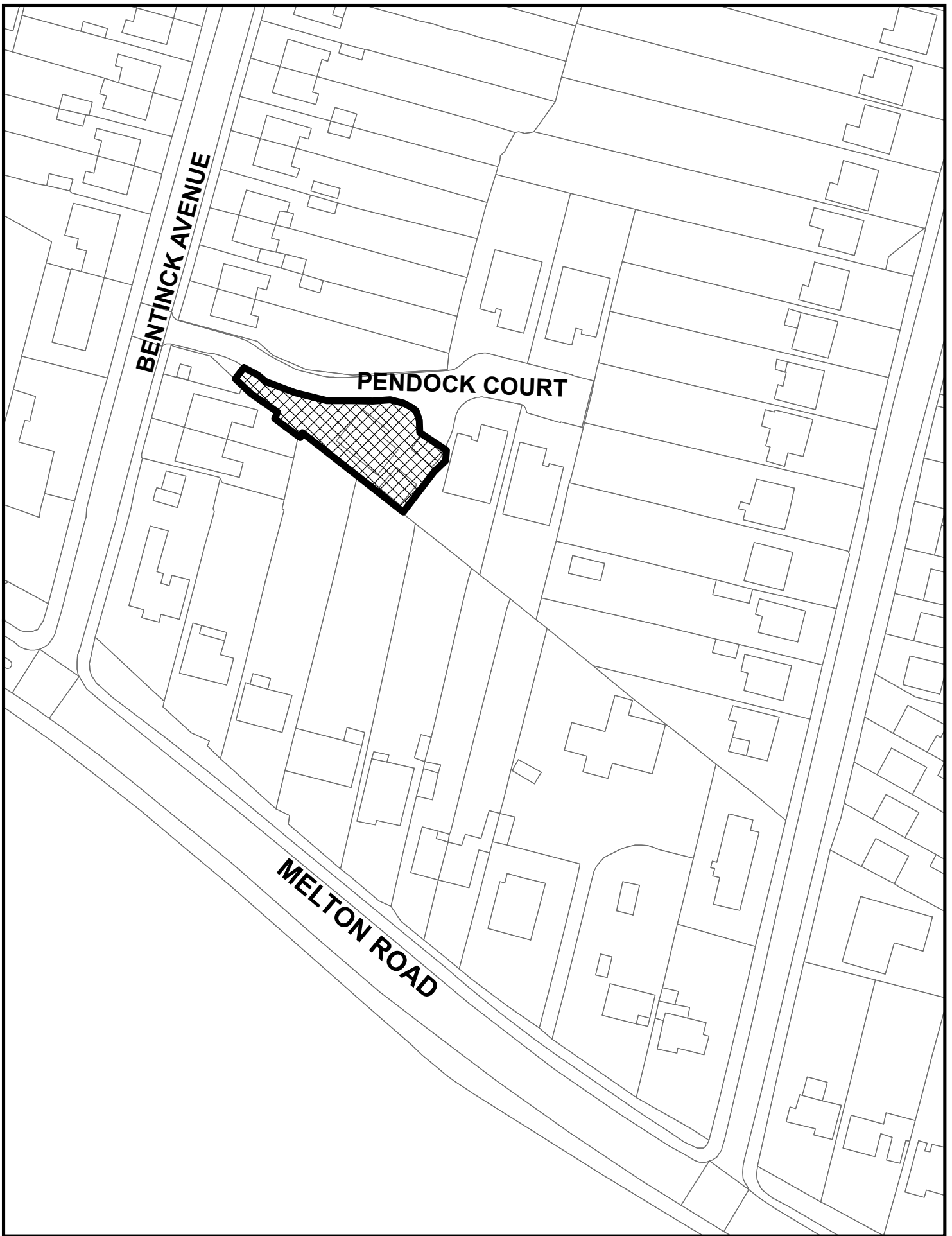
[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

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

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

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



Application Number: 18/01405/FUL
5 Pendock Court, Tollerton

Scale: 1:1,000

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18/01405/FUL

Applicant Mr Ashley Murdock

Location 5 Pendock Court Tollerton Nottinghamshire NG12 4FN

Proposal 2 Storey side extension

Ward Tollerton

THE SITE AND SURROUNDINGS

1. The application relates to a modern two storey detached dwelling that is part of a residential development of 5 dwellings approved in 2010 (10/00883/FUL). The site is within a residential area of Tollerton and is located in a backland position with access from Bentinck Avenue via a shared private drive. The dwelling is located in a broadly triangular plot with the main private garden to the west side of the dwelling, this garden tapers to the west. The dwelling is faced in a light red brick with a dark grey tiled roof. The frontage has a forward-projecting two storey gable. There is a detached double garage to the east side of the dwelling, this has a pitched roof with facing materials to match the dwelling. There is a paved area to the front of the garage providing two parking spaces. The boundary treatment along the side and rear boundaries of the site consists of a timber fence approximately 1.8 metres high, with a matching height brick wall with pillars and fencing along the front boundary between the garden and shared drive.

DETAILS OF THE PROPOSAL

2. The application seeks planning permission for a two storey side extension that would link into and replace half of the existing detached garage. The extension would measure 4.15 metres in width, 7.4 metres in depth with a pitched roof forming a side gable measuring 4.6 metres to the eaves and 7.35 metres to the ridge. The frontage would have a forward projecting ground floor bay window and a half dormer first floor window. There would be an obscure glazed first floor window to the rear. The facing brick and roof tiles would match the existing.

SITE HISTORY

3. 06/01125/FUL- Erection of 8 detached dwellings with associated access. Refused in 2006
4. 07/00785/FUL- Erection of 5 detached dwellings. Granted in 2007
5. 10/00883/FUL- Five dwellings (revised proposals). Granted in 2010

REPRESENTATIONS

Ward Councillor(s)

6. One Ward Councillor (Cllr Mason) objects to the proposal. When the site was under development, No. 5 was not allowed to be any larger which was agreed with. There are now too many changes of roof height which would not be aesthetically pleasing.

Town/Parish Council

7. Tollerton Parish Council objected to the originally submitted plans for the following reasons: "scale and mass overbearing on adjacent property". The application plans were revised and further responses were received from the Parish Council on 7 September and 4 October, both maintaining their objection.
8. Tollerton Parish Council submitted further comments on 8 November in response to the final set of revised plans, maintaining their objection.

Statutory and Other Consultees

9. Nottinghamshire County Council as Highway Authority do not object to the proposal, commenting that they do not consider that the additional block paving/parking would make a significant difference to the safe operation of the highway. They comment that there is a considerable amount of space for turning outside Nos. 1-4 and even with the loss of around 2.5m of the end of the tarmac leading to the garage for no. 5 it would appear there is still plenty of space available for turning, as such it is considered unlikely that delivery vehicles and the like will need to reverse all the way back onto Bentinck Avenue in order to exit the site.

Local Residents and the General Public

10. Three representations from neighbouring properties have been received objecting to the original set of application plans with the comments summarised as follows:
 - a. The proposal would impact upon the aesthetics of the court, resulting in a loss of its original feel and its cohesion within its surroundings.
 - b. Impact on character and appearance of the area due to the nature and scale of the application, a 5 bed property would be out of keeping.
 - c. The site was only developed 6 years ago, the matters considered in the original planning application remain valid.
 - d. Removal of turning head, impacting on deliveries and parking on the court. Unclear on the site plan whether the area identified for 2 new parking spaces actually belongs to No. 5, it is understood that the 7 m tarmac area identified in the plan is actually part of a shared driveway serving as a turning area.

- e. Would change original concept of the original development which was subject to lengthy discussions with the council regarding the number of dwellings, access, parking and positioning. Plot 5 was considered of insufficient size for a 5 bed dwelling.
 - f. Extensions would be incongruous and overpowering, detracting from the original layout and design of Pendock Court.
 - g. View from No.3 would be faced by a large brick wall and raised roof line.
 - h. The proposal would result in a brick wall 7.4 metres wide and 7.34 metres high close to the boundary with visual impact and loss of evening sun to No. 4.
 - i. Overintensive development, wide frontage would dominate existing balance and equal appearance of the 5 properties on Pendock Court.
 - j. The proposal would result in the parking spaces being built on, there would be only one garage space leading to on-street parking.
11. One neighbour made comments neither objecting to nor supporting the application. They commented that the development would overlook the back garden of 51 Melton Road and therefore all windows in the rear elevation should be obscure glazed including the small side window to bedroom 5.
12. One member of the public supports the application.
13. A set of revised plans were received on 7 September. Three objections were received from neighbouring properties with the comments summarised as follows:
- a. Repeat original objections, would still be faced with a high brick wall adjacent to the boundary to No. 4, the wall to second section would still be 7.4 metres high.
 - b. The change is insignificant, slight reduction in roof apex to end wall, negligible difference to No. 4, would create three difference roof heights that would detract from the original elevations of the property.
14. A further final set of revised plans were received on 8 October. Three objections were received from neighbouring properties with the comments as follows:
- a. Although slight reduction is welcomed, plot 5 is simply not big enough for a building of the size proposed, the property has already been built to the maximum size.
 - b. The proposal would still result in one off-road parking space, increasing parking on the shared access road.
 - c. The building would still be overintensive and overbearing.

- d. The reduction is only marginal and the increase in size and the style is not in keeping with surrounding area and the original concept.
- e. The parking issue has not been addressed.

PLANNING POLICY

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

Relevant National Planning Policies and Guidance

- 16. 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 12 of the NPPF (Achieving well-designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Relevant Local Planning Policies and Guidance

- 17. Policy 1 of the Core Strategy reinforces 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.
- 18. None of the saved policies from the 1996 Local Plan apply to this application.
- 19. Whilst not part of the development plan, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan should be given weight as a material consideration in decision making. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan. Of particular relevance is GP2(d) whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be

carefully considered, and should not lead to an over-intensive form of development.

APPRAISAL

20. The plans which accompanied the original submission proposed a 7.4 metre wide two storey side extension that would have formed a 7.4 metre high side gable wall set a metre off the boundary with 4 Pendock Court. In light of concerns in relation to the scale of the extension and its proximity to No. 4, discussions took place with the agent and the proposals were reduced in scale through several iterations.
21. The final revised set of plans dated 8 October proposed a reduction in the width of the two storey extension to almost half the width of the original proposal. Half of the existing double garage, closest to the boundary with 4 Pendock Court, would be retained as existing.
22. As a result of the revisions, the proposed two storey side extension would be set away 4.3 metres from the side boundary with 4 Pendock Court and approximately 8 metres from the rear corner of the neighbouring dwelling itself.
23. With regard to residential amenity, as the extension would be to the north west of 4 Pendock Court, any overshadowing would be confined to the later part of the day. However, given the set-back position of the proposed extension from the common boundary, it is not considered that it would give rise to an unduly significant or unacceptable overshadowing of the rear garden to No. 4
24. Half of the existing garage would be retained which would help to reduce the prominence of the proposed two storey side extension when viewed from No. 4. Given the retention of this intervening section of garage, coupled with the set-back position of the proposed extension, it is not considered that there would be an undue overbearing or unacceptable impact on this neighbour.
25. With regard to the relationship with the neighbours to the rear at 53 Melton Road, the revisions made during the course of the application have substantially reduced the bulk of the rear wall. This neighbour has a long rear garden (approximately 45- 50 metres in depth) and the proposal would not affect the dwelling itself or the amenity area immediately to the rear of this dwelling. Given the location of this neighbour to the south, the proposal would not have a direct overshadowing impact.
26. With regards to privacy, the proposed extension would feature a first floor rear window although this would be obscure glazed. The first floor front bedroom window would not have a direct overlooking impact given the distance from the opposite facing property at 1 Pendock Court.
27. With regard to the intensity of development, the extension would in effect fill the space between the side of the dwelling and the detached garage. There would be no encroachment upon the usable garden space to the rear and west side of the dwelling and the property would retain a private amenity area of 133sqm, which is considered adequate for a property of the resultant size.

28. In terms of the overall built form, the originally submitted plans proposed a large extension that would have been tantamount in appearance to a new dwelling. The revised scheme appears as a notably more modest addition that would appear subservient to the original dwelling due to the set-back of the frontage and the lowered ridge height. The narrow width of the extension coupled with the set-back frontage relative to the dwelling and the further step back of the garage would help to break up the massing of the frontage.
29. It is not considered that the extension would detract from the character of Pendock Court. Nos. 1-4 Pendock Court are arranged as two pairs of fairly uniform detached dwellings located on the opposing sides of the cul-de-sac. The application property by contrast is located off a separate spur to the south west corner, and it is of a different built form with a front projecting gable and a detached garage to the side. It therefore appears, to a degree, as a standalone dwelling.
30. The extensions would be to the east side of the dwelling and, therefore, the works would be hidden from Bentick Avenue by the bulk of the existing dwelling. The development would not be prominent in the public realm
31. With regard to parking, the revised scheme would retain one garage space and one parking space on the existing block paved area to the front of this garage. The second parking space would be shifted forward 2.5 metres to accommodate the extension and the block paved area would, therefore, be extended forward accordingly.
32. Land registry documents show that the applicant owns half of the private drive running into Pendock Court plus the spur leading to their property. The proposed extended parking area would not, therefore, encroach upon land which they do not own.
33. Nottinghamshire County Council Highways were consulted on the revised parking arrangements. They consider that the loss of 2.5 metres to the end of the current tarmac drive leading to the garage of No. 5 would still retain plenty of space for turning, it is, therefore, considered unlikely that the proposal would result in delivery vehicles reversing back onto Bentinck Avenue in order to exit the site.
34. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers/to address concerns/objections 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.

RECOMMENDATION

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan(s): M.PC.02 Rev D (Proposed Plans), received on 8 October 2018; Site/ Block plan Rev A, received on 27 November 2018; and M.PC.P5 (Parking Plan), received on 30 November 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 extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

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

4. The first floor window in the rear elevation of the proposed development shall be permanently fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the window shall be retained to this specification.

[To ensure a satisfactory development in the interests of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. Prior to parking space 2 being brought into use it shall be surfaced in block paving in accordance with the details submitted on the Proposed Parking Plan (drawing number M.PC.P5)

[To ensure the satisfactory appearance of the development in accordance with Policy Gp2 (Design and Amenity) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

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