

When telephoning, please ask for: Tracey Coop
Direct dial 0115 914 8511
Email democraticservices@rushcliffe.gov.uk

Our reference:
Your reference:
Date: Wednesday, 3 June 2020

To all Members of the Planning Committee

Dear Councillor a Virtual Meeting of the Planning Committee will be held via Zoom on Thursday, 11 June 2020 at 2.00 pm to consider the following items of business.

The meeting will be live streamed via YouTube for the public to listen and view via the link: <https://www.youtube.com/user/RushcliffeBC>

Note: Please be aware that until the meeting starts the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely



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 14 May 2020 (Pages 1 - 4)
4. Planning Applications (Pages 5 - 30)

The report of the Executive Manager - Communities.

Membership

Chairman: Councillor R Butler
Vice-Chairman: Councillor Mrs M Stockwood
Councillors: A Brennan, P Gowland, C Thomas and D Virdi

Rushcliffe Borough
Council Customer
Service Centre

Fountain Court
Gordon Road
West Bridgford
Nottingham
NG2 5LN

Email:
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Telephone:
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Opening hours:
Monday, Tuesday and Thursday
8.30am - 5pm
Wednesday
9.30am - 5pm
Friday
8.30am - 4.30pm

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

Meeting Room Guidance

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



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Borough Council

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MINUTES OF THE MEETING OF THE PLANNING COMMITTEE THURSDAY, 14 MAY 2020

Held virtually at 2.00 pm and live streamed on
the Rushcliffe Borough Council YouTube Channel

PRESENT:

Councillors R Butler (Chairman), Mrs M Stockwood (Vice-Chairman),
A Brennan, C Thomas, D Viridi and B Gray

ALSO IN ATTENDANCE:

Councillor R Mallender

OFFICERS IN ATTENDANCE:

A Pegram
T Coop
S Sull

Service Manager - Communities
Democratic Services Officer
Monitoring Officer

APOLOGIES:

Councillors P Gowland

18 Declarations of Interest

Councillor M Stockwood as Ward Councillor declared an interest in Tree
Presevation Order 19/00246/TORDER.

19 Minutes of the Meeting held on

The minutes of the meeting held on 12 March 2020 were agreed as a true
record and were signed by the Chairman.

20 Planning Applications to be determined by Delegated Authority

This item was noted by the Committee.

21 Planning Applications

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

**19/01500/FUL – Demolition of existing offices, workshops and stores and
erection of 4 two storey dwellings (Amended Description), PJ Fletcher
and Sons Ltd, Builders Yard, Cropwell Road, Langar Nottinghamshire.**

Updates

This application was deferred to enable matters raised by a local resident at a late stage of the process to be considered further.

200/00352/FUL – Single storey rear extension – 46 Adbolton Grove, West Bridgford, Nottinghamshire.

Updates

A representation was received from Councillor S Mallender (Ward Councillor) objecting to the application after the agenda had been published and was circulated to the committee before the meeting.

A statement and photographs from Mr Castwell, (objector) was received and circulated to the committee before the meeting.

Councillor R Mallender, (Ward Councillor) addressed the committee.

DECISION

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan(s): FB 19-1107 PL03-A proposed elevations; PL03 proposed floor plans; PL01-A block plan

[For the avoidance of doubt and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

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 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

4. Flood mitigation measures shall be incorporated into the extension hereby approved in accordance with details set out in the submitted Flood Mitigation Statement dated 4 May 2020.

[To ensure protection against flooding and to comply with policy 17 (Managing Flood Risk) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

You are advised that your property falls within an area identified to be at risk of flooding in the Environment Agency's Flood Risk Maps. It is therefore necessary to incorporate into the build the mitigation measures detailed in the submitted Flood Mitigation Statement dated 4 May 2020. If in doubt about the measures that need to be incorporated into the extension it is recommended to discuss these requirements with the Environment Agency.

22 Tree Preservation Orders (TPO)

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

19/00246/TORDER – Aslockton No. 1 Tree Preservation Order 2019 – The Maltings, Abbey Lane, Aslockton, Nottinghamshire.

Councillor M Stockwood had declared an interest in this item and withdrew from the meeting at this point.

Members of the committee considered the objections and **RESOLVED** that the order be confirmed with modifications detailed in the schedule which accompanied the report.

Councillor M Stockwood re-joined the meeting.

19/00260/TORDER – Edwalton No. 1 Tree Preservation Order 2019 – Land South of Landmere Lane, Edwalton, Nottinghamshire.

Members of the committee considered the objections and **RESOLVED** that the order be confirmed without modification.

The meeting closed at 2.50 pm.

CHAIRMAN

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Planning Committee

11 June 2020

Planning Applications

Report of the Executive Manager - Communities

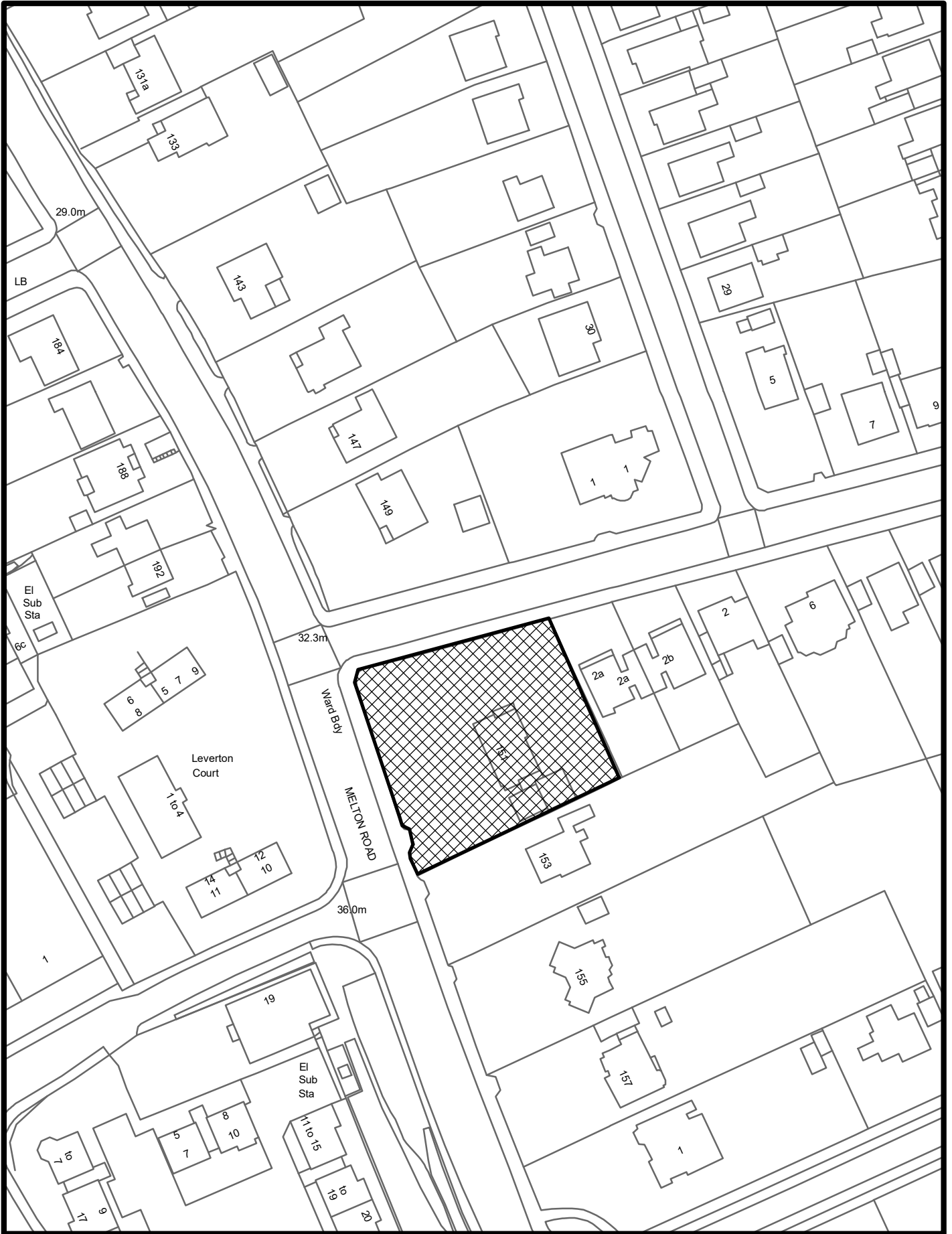
PLEASE NOTE:

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
19/01206/FUL and 19/01425/RELDEM	151 Melton Road, West Bridgford, Nottinghamshire, NG2 6JL (i) 19/01206/FUL – Proposed (secondary) driveway off Stamford Road, erection of proposed detached garage and demolition of part of the boundary wall (ii) 19/01425/RELDEM – Demolition of section of boundary wall	7 - 22
Ward	Abbey	
Recommendation	(i) 19/01206/FUL Planning permission be granted subject to conditions. (ii) 19/01425/RELDEM permission for relevant demolition of an unlisted building in a conservation area be granted subject to conditions	
20/00635/FUL	148 Harrow Road, West Bridgford, Nottinghamshire NG2 7DX A single storey side extension. Extension to garage. First floor rear extension and a loft conversion with a side dormer and gable end to the rear of the property. (Resubmission).	23 - 29
Ward	Musters	
Recommendation	Planning permission be granted subject to conditions.	



Application Number: 19/01206/FUL & 19/01425/RELD
151 Melton Road West Bridgford



scale 1:1000

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19/01206/FUL & 19/01425/RELDDEM

Applicant Mr Tang

Location 151 Melton Road West Bridgford Nottinghamshire NG2 6JL

Proposal

- (i) 19/01206/FUL - Proposed (secondary) driveway off Stamford Road, erection of proposed detached garage and demolition of part of the boundary wall.
- (ii) 19/01425/RELDDEM - Demolition of section of boundary wall

Ward Abbey

THE SITE AND SURROUNDINGS

1. The site relates to a large, detached house located on the corner of Melton Road and Stamford Road within an established residential area of West Bridgford. There is an existing vehicular access off Melton Road which leads to a detached garage sited to the front of the house.
2. The site is within the Edwalton Conservation Area, with the walls and hedges to the site boundaries identified in the townscape appraisal and highway tree to the sites northern boundary along Stamford Road identified as a positive tree. The site generally slopes down towards Stamford Road with a Bulwell stone wall running along the site's northern and western boundaries to Stamford Road and Melton Road respectively.

DETAILS OF THE PROPOSAL

3. It is proposed to construct a single storey garage to the northern side of the house. The garage would be 3.9 metres in height to the ridge and contain two garage doors to the rear (east) elevation. The garage would have a footprint of 6.3m by 6.195m with a pyramidal hipped roof, and would be located some 7.1m from the northern site boundary.
4. The garage would be accessed by a secondary driveway off Stamford Road which is also proposed. This would involve demolishing a 7.2m section of the existing stone wall to create a new 3.75m wide access drive that would allow for 1.5m by 1.5m pedestrian visibility splays in each direction at the drive entrance. These new visibility splays would be created by rebuilding the wall with curved visibility splays to the entrance, whilst the retaining walls up the driveway would also be constructed from Bulwell stone to match. The drive would be finished in block pavements with aco drains to be provided in two locations down the drive to trap any surface water run-off.
5. During the course of the application the location of and design of the access have been revised, with the garage also pushed 2m further west within the site to allow greater manoeuvring space.

SITE HISTORY

6. The site has a history of householder applications for extensions and garages:
 - 07/02011/FUL- Extension of porch – Approved November 2007.
 - 06/01866/FUL - Detached double garage; alteration to dwelling including dormer window to rear; first floor rear extension; extension to porch; reposition gate – Approved January 2007.
 - 01/00742/FUL - Two storey side and single storey rear extensions (revised proposal) – Approved July 2001.
 - 01/00235/FUL - Construct pair of subterranean double garages – Approved August 2001.
 - 98/00426/FUL - Two storey side and rear extension – Approved August 1998.

REPRESENTATIONS

Ward Councillor(s)

7. One Ward Councillor (Cllr Gowland) initially commented that they approve of the scheme. However, on submission of the revised plans they identified concerns with the development due to additional information to hand. Her concerns related to the following matters:
 - a. Loss of the unique local boundary wall which is integral to the character and feel of the area;
 - b. The reduction in porous ground on the plot would be substantial;
 - c. Run-off will be challenging to mitigate given the gradient of the drive;
 - d. The councillor is somewhat surprised by the need for so many garages and so much parking for a family home;
 - e. The councillor can understand the wish not to have to exit onto Melton Road; and
 - f. The councillor can understand the plans have changed to protect the trees, and that the highway tree will not be affected.
8. One Ward Councillor (Cllr Buschman) does not object.
9. A Councillor of an adjacent ward (Cllr Jones) has no specific comments and can understand what the applicant is seeking, however notes the matters raised by the Highways Authority are clearly relevant to road safety.

Statutory and Other Consultees

10. The Borough Conservation Officer identifies that whilst the host dwelling at 151 Melton Road isn't identified as any building which contributes particularly positively to the character and appearance of the conservation area, the boundary walls and trees behind them (to Melton Road) are. The officer identifies that the wall is of considerable length, circa 80 metres in total and that the existing and proposed access points represent openings

approximately 4.5 metres each. The officer notes that the two openings (existing and proposed) could not be seen together in the same views and each would represent small proportions of the length of frontage on which they are sited.

11. The officer considers that whilst the cumulative impact would not be an issue and the vast majority of the wall would remain to continue making a positive contribution to the character of the area, it must be acknowledged that demolition of part of a positive feature is inherently harmful, and whilst the harm would be both limited and minor such that application of the test within paragraph 196 of the NPPF may conclude that the statutory presumption against granting planning permission under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 can be departed from, it is legitimate to consider whether benefits of the scheme could be achieved via alternative means which avoid harm, or result in less harm.
12. The officer goes on to suggest that the scheme causes harm which is avoidable as the garage could be reversed and accessed from the existing drive. They conclude as such, that given the harm would appear avoidable via alternative means which could achieve the same benefits, there would not appear to be any clear and convincing justification for the harm arising from the proposal, and they therefore object to the proposal.
13. Historic England confirm they do not wish to offer any specific comment and advise the Local Planning Authority to seek the views of their specialist conservation officers.
14. Nottinghamshire County Council as Local Highway Authority (LHA) initially commented noting the new access was in close proximity to a highway tree and advised the County Forestry Team had been consulted separately on the matter. They would not wish to see any scheme cause damage to the tree through the required dropped kerb proposals. They suggested the scheme could show appropriate visibility splays of 2.4m x 43m in both directions and that the access was of an appropriate width, however they advised 1.5m by 1.5m pedestrian visibility splays would need to be demonstrated and that turning provision within the site should be made.
15. Following lengthy discussions relating to visibility and the tree, revised plans were submitted in October 2019. Comments in response to these plans were received from the local highway authority in January 2020. The highway authority had no objection to the revised plans, save for seeking confirmation that no excavation would be made within 3m of the highway tree, that any excavation beneath the tree canopy and more than 3m from the centre would be carried out by hand and any roots of greater than 25mm to be retained should they be discovered. The LHA had no concerns with the visibilities proposed on the revised plans and recommended two conditions covering drainage and the requirement for a dropped kerb.
16. Following receipt of the above plans, a further revised plan was submitted in February 2020 in response to the comments regarding the tree. The LHA identified the latest plan provided further detail on the location of the access and associated works (i.e. dropped kerb construction) in relation to the highway tree, and that the county forestry officer now had no objection to the scheme.

In general, the information provided on the latest plans was considered acceptable subject to the two conditions previously recommended.

17. Nottinghamshire County Council Forestry identified that dropped kerbs needed to be positioned to avoid any trees, and that trees will not be removed to make way for dropped kerbs. The officer fundamentally identified that no excavation or construction should be made within 3m of the centre of the tree.
18. Revised plans submitted in July 2019 showed a solution with a squared access which was further from the tree and raised no associated forestry concerns. This design however failed to achieve appropriate visibility splays for pedestrians and as such was withdrawn.
19. No further direct comments were received from NCC Forestry, instead their comments were included within further highways responses.

Local Residents and the General Public

20. 2 separate objections have been received from one neighbouring resident. The concerns raised can be summarised as follows:
 - a. Loss of light from the garage to the side living room window at 2A Stamford Road.
 - b. Unnecessary form of development.
 - c. Damage to the tree roots of the street tree on Stamford Road.
 - d. Any development should utilise a reputable builder.
 - e. Impact on subsidence as a result of moving a large amount of earth
 - f. Visibility on Stamford Road is worse than Melton Road due to parked cars.
 - g. If unnecessarily demolishing an old Bulwell stone wall in a conservation area is acceptable then the concept of a conservation area is a misnomer.
 - h. The scheme will leave no garden at 151 Melton Road.
 - i. Officers and Members should visit the application site and 2A Stamford Road before reaching a decision.

PLANNING POLICY

21. The development plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy and Local Plan Part 2: Land and Planning Policies. Other material considerations include the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the Rushcliffe Residential Design Guide (RRDG). Any decision should be taken in accordance with the adopted development plan documents.

Relevant National Planning Policies and Guidance

22. 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.
23. The NPPF includes a presumption in favour of sustainable development. Local planning authorities should approach decisions 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. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Decision-makers at every level should seek to approve applications for sustainable development where possible.
24. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
 - a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
25. In paragraph 15 the NPPF states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.
26. Along with this core principle, the proposal should seek to achieve well designed places as set out in section 12. Section 12 - 'Achieving Well Design Spaces' states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that planning policies and decisions should ensure that developments, inter alia:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
27. Section 16 - Conserving the Historic Environment states under paragraph 193 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
28. Paragraph 194 of the NPPF states inter alia, that any harm to, or loss of, the significance of a heritage asset, whether that be from alteration, destruction or as with this application, development within its setting, should require a clear and convincing justification. Paragraph 196 further identifies that where any harm is identified as less than substantial, the harm should be weighed against the public benefits of the proposal.
29. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Relevant Local Planning Policies and Guidance

30. The Rushcliffe Local Plan Part 1: Core Strategy sets out the overarching spatial vision for the development of the Borough to 2028. The following policies in the Rushcliffe Local Plan Part 1: Core Strategy are relevant:
- Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 10 - Design and Enhancing Local Identity
 - Policy 11 - Historic Environment
31. Under the Rushcliffe Local Plan Part 1 – Core Strategy, there are three policies that relate to the proposal. Policy 1: ‘The Presumption in Favour of Sustainable Development’, states ‘When considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework’. The proposal should also be considered under Policy 10; ‘Design and Enhancing Local Identity’ which states that all new developments should be designed to make a positive contribution to the public realm and reinforce valued local characteristics. Finally, Policy 11 – ‘Historic Environment’ is also applicable which states that proposals will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance.

32. Under the Rushcliffe Local Plan Part 2: Land and Planning Policies, there are two policies particularly pertinent to highlight in relation to the proposal.
- Policy 1 - Development Requirements
 - Policy 28 - Conserving and Enhancing Heritage Assets
33. Policy 1 – ‘Development Requirements’ states that permission for new development will be granted provided that, where relevant, certain criteria apply. These include that there is no significant adverse effect upon amenity, particularly residential amenity of adjoining properties or the surrounding area, by reason of the type and levels of activity on the site, or traffic generated and the scale, density, height, massing, design, layout and materials of the proposal are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. It should not lead to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy.
34. Policy 28 – ‘Conserving and Enhancing Heritage Assets’ sets out a criteria against which proposals affecting heritage assets will be considered, including whether the proposal would preserve and enhance the character and appearance of the heritage asset, by virtue of siting, scale, building form, massing, height, materials and quality of detail, and would be sympathetic to the character and appearance of the asset and any features of special historic interest, architectural, artistic or archaeological interest that it possesses.

APPRAISAL

35. The main considerations when determining this application relate to the principle of development, assessing any design and amenity impacts of the proposal, assessing any heritage impacts and any impact upon highway safety and trees.

Principle of Development

36. The site is located within an established residential area and as such it is considered that the principle of the development of a secondary entrance and garage to an existing residential plot is acceptable, subject to detailed issues including impact on the conservation area, trees, highway safety/parking and residential amenity.

Amenity

37. The closest neighbouring property is at 2A Stamford Road. This neighbour does not have any principal side windows facing the proposal. The garage would be located some 16m from the shared boundary with this neighbour, where a close boarded fence of 1.8m in height and further planting provides initial screening. Given the proposed garage would be single storey with a hipped pyramidal roof, and located 16m north west of the boundary with the neighbour at 2A Stamford Road, it is not considered that there is the potential for any significant or undue overbearing or overshadowing impacts. Given the nature of the development as a garage it is unlikely to raise any privacy issues and the use of the new driveway, serving one property, would not be considered to raise any notable noise and disturbance issues. Overall, it is

considered that the design and position of the garage would not have a significant impact on any residential amenities.

Design

38. In basic design terms, the garage would be a traditional feature with a design in keeping with the host dwelling. Given the level changes and existing boundary treatments the garage would not be prominent within any street scene, and whilst it would represent the second detached garage on the plot, this larger site would still retain adequate private garden areas for the use of future occupiers. Overall the proposed garage would be considered sympathetic and subservient to the character and appearance of the host dwelling and wider area and would not be considered to represent overdevelopment of the site.
39. In terms of the new drive, the materials from the demolished section of wall would be re-purposed and utilised in the new curved boundary entrance, and then also in the retaining wall for which views will be available up the new drive. Additional planting would also be made to the top of the walls, and overall the proposed material finish and design of the entrance is considered complimentary to the character and appearance of the area.

Heritage

40. The boundary walls are identified in the Edwalton Conservation Area Townscape Appraisal, with trees to the western site boundary with Melton Road and a street tree bordering the site along Stamford Road also identified as 'prominent trees'. The Townscape Appraisal Map should not be treated as an exact or completely comprehensive mapping exercise of positive or prominent features, but more a tool in identifying character areas and features which contribute to the area.
41. The identified walls are constructed from Bulwell stone, and mark the sites western and northern boundaries with Melton Road and Stamford Road. The walls themselves are prominent and noticeable features when viewed within the street. The wall undoubtedly contributes to the character and appearance of the area and can be seen as a form of boundary that contributes positively to the special historic and architectural character of the identified Edwalton Conservation area. It must therefore be concluded, as identified in the Conservation Officers comments, that the demolition of part of this boundary wall, would cause harm to the character and appearance of the conservation area, and would therefore not 'preserve' the character and appearance of the area.
42. In considering this scheme holistically, only a small part of the wall would be removed, some 7.2m out of the walls 40m length across the application site on Stamford Road. It should be noted the wall continues further east beyond the site and extends south down Melton Road. Further to this, curved visibility splays would then be re-constructed utilising the stone removed in demolition, with the visibility splays allowing 1.5m by 1.5m pedestrian visibility, and narrowing the gap of removed wall to 3.75m. The 3.75m gap would be consistent with other gaps in the boundary treatment along Stamford Road which provide vehicular accesses, and further to this the retaining wall up the drive would also be constructed in Bulwell stone, with additional planting to the

top of the wall. Whilst these design changes and features do not eliminate the harm that may be caused by the demolition of the wall, they do seek to minimise it, which represents an important step as advocated in best practise guidance on assessing the settings of Heritage Assets (Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets). This advocates a multi-phased approach to assessment of which the 4th Step is exploring ways of maximising enhancement and avoiding or minimising harm.

43. Given the above, and subject to securing implementation of the new driveway immediately on demolition of the wall, it is considered that the scheme would cause less than substantial harm to the identified historic and architectural appearance of the Edwalton Conservation Area, albeit that the harm caused would be at the most limited end of the scale. As advocated in the NPPF and local policies, where harm is identified, there must be a clear and convincing justification, and where harm is 'less than substantial' it must be weighed against any public benefits of the scheme.
44. It is noted that the Conservation Officer has advocated that the proposal results in harm which would appear to be avoidable via alternative means which could secure the same benefits, however these conclusions are not supported. The sole entrance to the site as existing exits onto Melton Road, a busy classified 'A' road which links the Edwalton, including the Sustainable Urban Extension, to West Bridgford and Nottingham beyond. This busy commuter road is single carriageway and includes dedicated cycleways. In providing the site with a separate entrance onto Stamford Road, it will allow for a reduced use of the Melton Road entrance. Any reduction in use of the direct entrance to Melton Road will bring about highway safety benefits from a reduction in the number of possible conflicts on this busy commuter road.
45. For the reasons set out above, it is considered that the public benefits of the scheme would be sufficient to outweigh the limited level of harm identified from the scheme to the special historic and architectural character of the Edwalton Conservation Area. The proposal therefore is considered to be compliant with the NPPF as well as Local Plan Part 2 Policy 28: Conserving and Enhancing Heritage Assets.
46. It is recommended that a condition be imposed that the demolition of the wall cannot take place until such time as the contracts are agreed for the construction of the new access and retaining walls as proposed.

Access

47. The design of the access has been amended through the course of the application in response to queries over the retention of a highway tree, and also for pedestrian visibility requirements at the access. Previous plans had sought to minimise the amount of wall required to be demolished by keeping the entrance to the width required for the drive. This however resulted in pedestrian and highway safety concerns due to poor visibility for drivers and pedestrians on exiting the drive, resulting in potential conflicts. Revised plans have shown how 1.5m by 1.5m visibility curves can be provided at the entrance to the access. These splays would be formed in new Bulwell stone retaining walls utilising the stone from the removed section of wall. Following the revised plans, County Highways have confirmed they have no objections from a highway safety perspective to the layout of the new access.

48. Within the site, the access would lead to the proposed double garage, with a turning head to ensure vehicles can enter and exit in a forward gear. The drive would be provided with aco drains at two locations, one at a mid-point and one at the end of the drive to divert surface water and drain it within the site, rather than discharging to the road.

Trees

49. The proposed access is located in proximity to a large mature street tree situated on Stamford Road. Original plans for the access would have resulted in a new dropped kerb that would have likely resulted in significant impacts to the roots of the tree that would have resulted in the trees loss. This would have had a significant impact on the character and amenity of the area. Revised plans, moving the access as far from the tree as possible, and planning the required dropped kerbs, have shown how the works could be completed without any potential undue impacts on the health of the highway tree. The County Forestry Officer has confirmed they are content that the revised plans would allow for the successful retention of the tree.

Other Matters

50. The standard of construction, an issue raised in public comments, is not relevant to the consideration of a planning application. With regard to possible subsidence, it is noted the drive would not be directly adjacent the boundary with the neighbouring building. As such there is not considered to be any direct land stability issues associated with the site. The previous case officer for this application visited the neighbour at 2A Stamford Road, and whilst the request for a further visit was noted, in undertaking a site visit for the scheme it was considered that the relationship between the site and 2A Stamford Road could be comprehensively assessed.

Conclusions

51. Given all the matters as considered above, and having assessed the development proposal against the policies set out in the development plan for Rushcliffe, the scheme is considered to be acceptable. Therefore, it is recommended that planning permission, and permission for relevant demolition of an unlisted building in a conservation area are granted.
52. The application was not subject to any pre-application discussions. Amendments and additional supporting information have been provided through the course of the application in response to comments made by consultees and the public. The revised plans and additional documents have sought to address the aforementioned concerns and has resulted in the recommendation to grant permission.

RECOMMENDATION

- (i) 19/01206/FUL 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 plans:

- Proposed Site Plan and Garage Elevations – ‘1914-060 Rev E’ Received 19/05/2020;
- Street Elevations – 1914-200 Rev C’ – Received 19/05/2020;

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The garage hereby approved shall be constructed only in materials to match the existing dwelling house.

[The condition is required to ensure the appearance of the development is satisfactory and to comply with policies 10 (Design and Enhancing Local Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan part 1: Core Strategy and policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. The new boundary and retaining walls for the driveway and access shall be constructed only from Bulwell stone to match the existing boundary wall to be partially removed. Stone should be reclaimed from the demolition of the wall, and any additional stone required should closely match the appearance of the existing and reclaimed stone to be used onsite. No other materials shall be utilised in the new boundary and retaining walls hereby approved.

[The condition is required to ensure the appearance of the development is satisfactory and to comply with policies 10 (Design and Enhancing Local Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan part 1: Core Strategy and policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. Prior to any demolition of the boundary wall taking place, a landscaping scheme for the provision of additional planting as suggested on the approved site plan shall be submitted to and approved by the local planning authority. 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 biodiversity and to comply with policies 10 (Design and Enhancing Local Identity); 11 (Historic Environment) and 17 (Biodiversity) of the Rushcliffe Local Plan part 1: Core Strategy and policies 1 (Development Requirements); 28 (Conserving and Enhancing Heritage Assets) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

6. The driveway hereby approved shall not be brought into use until such time as it has been surfaced in a hard bound material, and 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 ensure compliance with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. The approved driveway shall not be brought into use until it is fronted by a suitably constructed footway crossing as detailed on the approved site plan. This provision shall be retained for the lifetime of the development.

[In the interests of highway safety and to ensure compliance with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. Notwithstanding the provisions of Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), prior to the installation of any gates on the driveway hereby approved, details of the design, positioning and operation of the gates shall first be submitted to and approved by the local planning authority. Any gates shall thereafter only be installed and maintained in accordance with the approved details.

[The condition is required to ensure the appearance of the development is satisfactory and in the interests of highway safety and to comply with policies 10 (Design and Enhancing Local Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan part 1: Core Strategy and policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

The development makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact Via (in partnership with Nottinghamshire County Council) on 0300 500 8080 to arrange for these works to take place.

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.

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

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

You are advised that the site is within a designated Conservation Area and any trees are therefore protected. Prior to undertaking any works to any trees you should contact the Borough Councils Conservation and Design Officer on 0115 9148243 and/or the Councils Landscape Officer on 0115 914 8558.

(ii) 19/01425/RELDDEM - It is RECOMMENDED that permission for relevant demolition of an unlisted building in a conservation area be granted subject to the following condition(s)

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

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

2. This permission solely relates to the demolition of the section of boundary wall as shown as required on the following approved plans:

- Proposed Site Plan and Garage Elevations – ‘1914-060 Rev E’ Received 19/05/2020;
- Street Elevations – 1914-200 Rev C’ – Received 19/05/2020;

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. No demolition of the boundary wall shall take place until such time that a contract for the construction of the new driveway and associated boundary and retaining wall structures has been secured, and condition 5 of permission 19/01206/FUL has been discharged. Evidence of these requirements being met and a schedule and timescale for works shall first be submitted to and approved by the Local Planning Authority, and works thereafter shall be completed in accordance with the approved details.

[The condition is required to ensure the appearance of the development is satisfactory and to safeguard the character and appearance of the Edwalton Conservation Area, to comply with policies 10 (Design and Enhancing Local Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan part 1: Core Strategy and policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

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



Application Number: 20/00635/FUL
148 Harrow Road, West Bridgford



scale 1:1000

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20/00635/FUL

Applicant Mr Amarpal Virdee

Location 148 Harrow Road West Bridgford Nottinghamshire NG2 7DX

Proposal A single storey side extension. Extension to garage. First floor rear extension and a loft conversion with a side dormer and gable end to the rear of the property. (Resubmission)

Ward Musters

THE SITE AND SURROUNDINGS

1. The application relates to a two storey detached 1950's dwelling faced in a dark red brick with a bow window to the frontage and a pitched roof faced in rosemary tiles. A garage adjoins the south (side) elevation. There is a single storey rear extension, beyond which there is a raised patio area with an approximately metre step down to the main garden. There is a modest front garden and drive providing one off-road parking space, and a circa 25 metre deep rear garden enclosed by a high hedge and a circa 2 metre high timber fence on the boundary with 150 Harrow Road.

DETAILS OF THE PROPOSAL

2. The application seeks planning permission for a single storey side extension to the north elevation of the dwelling, a first floor rear extension, a dormer to the north roof slope and a first floor side extension to the south east corner of the dwelling.
3. This application is a resubmission of a previously approved application 19/02610/FUL. The only change is that the side extension would follow the hind leg line of the boundary wall rather than the previously approved straight building line. This would result in the side extension having a 400mm gap to the neighbouring property, except for a small proportion, towards the middle, having a gap of 120mm. It would run the length of the dwelling and rear extension.
4. The proposed first floor rear extension would measure 3.8 metres in depth, matching the depth of the existing ground floor rear extension and matching the width of the dwelling. This would form a continuation of the existing roof, forming a rear gable in place of the rear roof slope. Linked to this would be a first floor side extension projecting 1.28 metres from the side elevation of the existing dwelling and proposed side extension for a length of 8.3 metres, this would have a hipped pitched roof matching the eaves height of the dwelling with a ridge height of 8 metres. The proposed side dormer would have a predominantly flat roof with a pitch to the front, this would run the length of the dwelling and first floor rear extension with a 0.6 metre set-back from the front roof slope of the dwelling.
5. The facing and roofing materials on the extensions would closely match the existing.

SITE HISTORY

6. A4/91/0541/P- Single storey rear extension. Granted in 1991.
7. 19/02610/FUL - Single storey side extension, enlargement of existing garage, first floor extension, loft conversion and dormer. Granted February 2020.

REPRESENTATIONS

Ward Councillor(s)

8. One Ward Councillor (Cllr Major) originally objected to the application. The reasons for objection were the side extension potentially creating a terracing effect and preventing access to the side of the neighbouring property for maintenance purposes. Councillor Major later withdrew her objection.
9. One Ward Councillor (Cllr Jones) has objected to the application on the grounds of the adverse impact on the neighbouring property the side extension may cause. Additionally, he raises concern with regard to the access to maintain the neighbouring properties gutter, wall and fascia.

Local Residents and the General Public

10. 1 representation received from a neighbour, objecting to the proposal. The issues raised were as follows:
 - a. Restricting the access to maintain external drainage and pipes and guttering.
 - b. Create a terracing effect.
 - c. Out of character with the streetscene.

PLANNING POLICY

11. The development falls to be determined in accordance with the Local Plan Part 1: Core Strategy and the Local Plan Part 2: Land and Planning Policies. Other material planning considerations include the National Planning Policy Framework (NPPF) and Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

12. National Planning Policy Framework (NPPF):

Part 2 - Achieving Sustainable Development
Part 12 - Achieving Well Designed Places

Relevant Local Planning Policies and Guidance

13. Local Plan Part 1: Core Strategy:

Policy 1 - Presumption in Favour of Sustainable Development
Policy 10 - Design and Enhancing Local Identity

14. Local Plan Part 2: Land and Planning Policies:

Policy 1 - Development Requirements

15. The Rushcliffe Residential Design Guide

APPRAISAL

16. In terms of residential amenity, the neighbour to the north at 146 Harrow Road has a hip-to-gable extension to the rear roof slope and a single storey rear extension. The rear of the proposed first floor rear extension would be broadly level with this neighbouring extension. Given the position of this neighbouring extension, it is not considered that the proposed development would result in an undue overbearing or overshadowing of their rear garden space. The neighbouring dwelling at No. 146 is set off the boundary with a garage/single storey extension to the side, given the separation distance the proposed first floor extension would not result in an overbearing impact or loss of light to the first floor rear windows of this neighbour. There are no first floor side windows that would be impacted upon by the development.
17. The proposed first floor side/rear extension element would be situated 1.7 metres from the side boundary with 150 Harrow Road. This neighbouring property has a single storey rear extension, the proposed first floor side/rear extension would project approximately half a metre beyond the rear of this. As No. 150 is situated to the south, there would not be a direct overshadowing impact on this neighbour. The extension would not impact upon the 45 degree line of sight from the closest first floor rear window to No. 150. Furthermore, this window appears to serve a bathroom rather than a habitable room. This neighbouring property has a side window which is positioned midway between the ground and first floor, it is therefore presumed to serve a landing/stairs rather than a habitable room. It is not considered that the extensions would result in an undue overbearing impact on this neighbour.
18. The proposed first floor dormer would feature a side facing window, this would serve a bathroom rather than a habitable room and thus there would not be an overlooking impact. No. 146 has a pair of roof lights in the roof slope facing the proposed dormer, however there is sufficient distance between the two dwellings to ensure that the dormer would not result in a loss of light to these windows.
19. The proposed rear extension would feature second floor rear windows, however given the 22 metre deep rear garden and the separation distance from the neighbour to the rear, it is not considered that these windows would result in a direct overlooking impact.
20. In terms of the street scene, Harrow Road has a uniform character comprising detached dwellings, each with a garage to the south side and a footpath to the north side providing separation. The width of the side extension maintains a degree of separation with a 400mm gap for the majority of the length of the extension, except for the middle section which reduces to 150mm for a short length. However, given the single storey nature of the proposed side extension it is not considered that a terracing effect will be created.

21. The proposed first floor side extension would be set back 3.7 metres relative to the dwelling frontage, therefore ensuring a degree of subservience. Given the fairly modest width of the extension coupled with this set-back, it is not considered that there would be a terracing impact on the street scene.
22. The proposed side dormer would be set back 0.6 metres relative to the front roof slope of the existing dwelling, with a tiled pitched roof to the frontage to match the existing roof. It is noted that there are several examples of side dormers in the vicinity. It is not considered that this element would result in harm to the character of the street scene.
23. In considering the scale of the first floor rear extension, it is noted that a neighbour at 144 Harrow Road has a similar- scale rear extension.
24. Taken as a whole is it not considered that the development would harm the character of the dwelling or the uniform character of the street scene. Given the size of the plot, it is not considered that the extensions would result in an over- intensive development.
25. The proposal would result in the loss of a garage, however this is currently substandard in size to accommodate a vehicle and therefor there would not be a loss of off- street parking.
26. Objections were raised with regard to access to maintain the neighbouring properties drainage pipes/guttering/walls. However, this is not a material planning consideration.
27. For the reasons set out above it is considered that the development accords with the general national and local planning policies in terms of the appearance of the proposals and the impact they would have upon the reasonable amenities of neighbouring residential properties. This view is also taken in light of the applicant's current planning permission for a substantively similar proposal. Accordingly, a grant of planning permission is recommended subject to conditions.
28. The application was not the subject of pre-application discussions. The scheme however is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary. The Local Planning Authority therefore consider that it has worked positively and proactively with the applicant in the consideration of this application.

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 plans: STA_034_06_RevG, STA_034_05_RevF, STA_034_04_RevG and STA_034_06_RevA received on 17 March 2020.

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

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

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. The window in the side dormer of the proposed development shall be 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

[To prevent overlooking and loss of privacy to neighbouring property and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

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