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Direct dial 0115 914 8481
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Our reference:
Your reference:
Date: Wednesday, 14 April 2021

To all Members of the Planning Committee

Dear Councillor

A Virtual Meeting of the Planning Committee will be held via Zoom on Thursday, 22 April 2021 at 6.30 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>

Please note, that until the meeting starts the live stream video will not be showing on the Council's 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. Planning Applications (Pages 1 - 58)

The report of the Executive Manager – Transformation is attached.

Membership

Chairman: Councillor R Butler
 Vice-Chairman: Councillor Mrs M Stockwood
 Councillors: N Clarke, P Gowland, L Healy, A Major, D Mason, J Murray,
 F Purdue-Horan, C Thomas and D Virdi

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 9.30am - 5pm
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 8.30am - 4.30pm

Postal address
 Rushcliffe Borough
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 Rushcliffe Arena
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 NG2 7YG



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

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Recording at Meetings

The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt.

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**Planning Committee****22 April 2021****Planning Applications****Report of the Executive Manager – Transformation**

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
20/03030/FUL	Land North Of 18 Gladstone Avenue, Gotham, Nottinghamshire	3 – 18
	Proposed residential development for 3 dwellings with associated garages and off road parking.	
Ward	Gotham	
Recommendation	Planning permission be granted subject to conditions	
20/01974/FUL and 20/01988/RELD	48 Main Street East Leake Nottinghamshire LE12 6PG	19 – 38
	(i) Demolition of existing rear garage outbuilding and erection of new dwelling	
	(ii) Demolition of existing rear garage outbuilding	
Ward	Leake	
Recommendation	(i) 20/01974/FUL – Planning Permission be granted subject to conditions (ii) 20/01988/RELD - Planning Permission for relevant demolition in a conservation area be granted subject to the following conditions	
20/02665/FUL	Allen Vending Supplies Ltd, 27 High Street, Ruddington, Nottinghamshire	39 – 58
	Change of use of buildings to five flats and alterations including partial demolition of existing modern extensions and erection of two storey and single extensions. (Resubmission)	
Ward	Ruddington	
Recommendation	Planning permission be granted subject to conditions	



Application Number: 20/03030/FUL
Land north of 18 Gladstone Avenue, Gotham



scale 1:1000

page 3

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20/03030/FUL

Applicant	Mr D Skillington
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Location	Land North Of 18 Gladstone Avenue Gotham Nottinghamshire
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Proposal	Proposed residential development for 3 dwellings with associated garages and off road parking
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Ward	Gotham
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APPLICATION SITE

1. The application site comprises of a vacant rectangular parcel of land located on the west side of Gladstone Avenue in the village of Gotham. The site currently comprises of overgrown vegetation. The site is bounded by residential properties to the north and south, opposite the site to the east are two storey terraced properties, beyond the eastern boundary are the rear garden areas of detached bungalows located on Meadow End.
2. Access to the site is off Gladstone Avenue via East Street to the north. Gladstone Avenue has no through access or turning facility.
3. The village of Gotham is now inset from the Green Belt.

DETAILS OF THE PROPOSAL

4. The application seeks full planning permission for the erection of 3 dwellings. The proposed development originally comprised of 2 ½ storey three bedroom town houses with dormer windows to the front and rear, and a single storey flat roof element to the rear.
5. Amended plans were submitted during the course of the application, removing the second floor accommodation within the roof space and lowering the ridge height from 9.5m to 8.8m in height, thereby reducing the proposed dwellings from 2 ½ to 2 storey. In addition, all the dormers within the front facing roof slopes, and all but one dormer within the rear facing roof slopes, have been omitted. This has resulted in plots 1 and 2 being reduced from three to two bedroom dwellings. Plot 3 remains a three bedroom property. The first floor windows to the front of the plots 1 and 2 would now serve bedrooms as opposed to landings and kitchens.
6. The plans were also revised to alter the off-street car parking arrangements. The integral carports to plots 1 and 2 have been increased in size, the car port to plot 3 has been omitted, and two parking spaces provided to the front of that property. The agent has also provided a swept path analysis showing how cars would enter and exit the proposed driveways.

SITE HISTORY

7. There is a long planning history of applications for residential development on the site, many of which have been approved, as follows:
- 89/01292 – Construct one bungalow. Refused.
 - 90/00296 – Erect one dormer bungalow. Approved.
 - 94/00350/OUT – Construct 2 detached two storey houses. Approved.
 - 98/00551/OUT - Construct 2 detached two storey houses. Approved.
 - 99/01094/FUL – Construct 3 detached two storey houses with integral garages. Withdrawn.
 - 01/00740/OUT – Construct 2 detached two storey houses (renewal of 98/00551). Approved.
 - 03/00788/REM – Construct 2 detached houses. Approved.
 - 08/00514/FUL – Construct 3 two storey houses (with accommodation in roof space). Approved. Whilst some representations received from local residents in respect of the current application suggest that development commenced before being abandoned, the agent has not submitted any evidence with the current application that this previous permission was implemented.

REPRESENTATIONS

Ward Councillor

8. The Ward Councillor (Cllr R Walker) originally objected to the application on the following grounds:
- i. The height and layout of the proposed dwellings is not in keeping with the surrounding area owing to the 2.5/3 storey design amongst traditional Edwardian terraces.
 - ii. There is insufficient amenity or garden space for properties of this size.
 - iii. The massing would have an unacceptably detrimental impact on the properties on Meadow End at the rear of the site.
 - iv. The parking arrangements are inadequate in that the road is not wide enough to allow safe access to the proposed drives/car ports as cars park on the road already.
9. Following the submission of the revised site layout, the Ward Councillor confirmed that whilst he appreciated the work the applicant had undertaken to improve the scheme, he still considered the access to be unacceptable, particularly in relation to the plot nearest 8 Gladstone Avenue. He maintains his objection regarding height and massing. Following the submission of the

revised elevation plans, the Ward Councillor confirmed that whilst the height and massing has been addressed, he remains unconvinced that the parking and access arrangements are adequate considering the size, layout and useage of Gladstone Avenue.

Town/Parish Council

10. Gotham Parish Council object to the application on the following grounds:
 - a. Over intensive development/inappropriate design, proposed three storey properties not in keeping with surrounding two storey terraces, contrary to the Gotham Neighbourhood Plan.
 - b. The proportion of garden areas appears to be non-compliment with building regulations.
 - c. Impractical car access design. Existing residents park all down the opposite side of the road. When cars are parked it would be impossible to access or egress the proposed driveways.
 - d. Strongly urged that no decision should be taken without a detailed site visit being made.
11. Following the submission of revised plans, the Parish Council commented as follows:- *'we acknowledge and approve of the revised Layout and Elevations. However, we are strongly concerned that no revisions have been proposed to address the problems regarding access and car parking'*.

Statutory and Other Consultees

12. Nottinghamshire County Council as Highway Authority originally commented that Gladstone Avenue is a narrow cul-de-sac with no turning head. There is an existing narrow footway to the east of the carriageway, although no footway provision on the western side. The existing properties on Gladstone Avenue do not benefit from off-street parking provision, and on-street parking takes place on the eastern side of the road. The layout as proposed includes a garage/carport together with a frontage parking space for each dwelling. It is noted that the carports as detailed on the layout plan fall short of the dimensions required to be counted towards parking provision. It was also noted that insufficient space is available to the rear of the parking spaces to enable vehicles to manoeuvre, with the presence of on-street parking further restricting the available space. Based on the information available, it would appear that the parking spaces as proposed are unlikely to be useable. The layout should be reviewed to ensure 2 useable parking spaces are provided per plot, with sufficient space to ensure vehicles will be able to enter and exit the spaces at all times, taking into account the presence of on-street parking. Consideration could be given to the provision of a shared access and turning area, to enable vehicles to enter and exit the site in a forward gear.
13. Further comments were received following the submission of a revised site plan. They stated that the proposals have been amended to provide wider parking areas, together with swept path analysis to demonstrate vehicles accessing and egressing the properties, whilst taking into account the presence of on-street parking on Gladstone Avenue. The concerns previously raised have now been addressed and no objection is raised subject to

conditions and informatives relating to the provision of an extended dropped kerb and the surfacing of the driveways.

14. Trent Valley Internal Drainage Board comment that the site is outside of the Trent Valley Internal Drainage Board district but within the Board's catchment. There are no Board maintained watercourses in close proximity to the site. Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

Local Residents and the General Public

15. Representations have been received from 11 local residents residing on Gladstone Avenue and Meadow End, objecting to the proposal on the following grounds:
 - a. Principle of housing – should not build on a small bit of greenery when there are 10,000 houses being built nearby.
 - b. Highway safety/parking – parking is a major issue on Gladstone Avenue which is a narrow road; the development would create a further 6 cars on the road; the car parking spaces are small; the garages (carports) would not be used for parking, there are no turning facilities; the swept paths show vehicles entering from the wrong direction; increased parking could hamper access for emergency vehicles; the road requires re-surfacing; difficult for construction traffic to access the site; some residents park on the nearby pub car park.
 - c. Design – the proposed dwellings are not of a design which is in keeping with the character or appearance of the area, in particular the three storey design which is too high.
 - d. Impact on neighbours – Overlooking onto garden and living room windows from 2nd and 3rd floor windows; conifer trees along the western boundary should be retained; overshadowing/loss of daylight.
 - e. Drainage/flooding – the existing drainage was installed in 19th century and there are issues with blocked sewers; the method of dealing with surface water drainage (soakaways) would be inadequate due to a history of inadequate drainage on the site, the current drainage and sewer system would be unable to support three additional properties; part of the village floods during heavy rainfall; the water table is high in the area; underground river.
 - f. Land Issues – the development of the land was previously commenced but abandoned when the builder hit the water table, the land was originally orchard, land is potentially contaminated from asbestos.
 - g. Other matters – Impact on property values; No.8 is currently unoccupied; the plans do not include an existing extension to the rear of no.6 which contains a south facing window.

PLANNING POLICY

16. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1), the Local Plan Part 2: Land and Planning Policies (LPP2), and in this instance, the Gotham Neighbourhood Plan. Other material considerations include the National Planning Policy Framework (NPPF) (2019), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

17. The following sections in the National Planning Policy Framework (NPPF) are of relevance:
- Chapter 2 - Achieving Sustainable Development
 - Chapter 9 - Promoting Sustainable Travel
 - Chapter 12 - Achieving Well Designed Places
 - Chapter 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change

Relevant Local Planning Policies and Guidance

18. The following policies within LPP1 are of relevance:
- Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 2 - Climate Change
 - Policy 3 - Spatial Strategy
 - Policy 8 - Housing Size, Mix and Choice
 - Policy 10 - Design and Enhancing Local Identity
 - Policy 17 - Biodiversity
19. The following policies of LPP2 are of relevance:
- Policy 1 - Development Requirements
 - Policy 17 - Managing Flood Risk
 - Policy 18 - Surface Water Management
 - Policy 40 - Pollution and Land Contamination
 - Policy 41 - Air Quality
20. The Gotham Neighbourhood Plan was adopted in 2017, it sets out to protect and conserve the environment of the village, as well as allow sustainable development. Policy H1 sets out sites the Neighbourhood Plan will recommend allocating for housing in any future review of the Neighbourhood Plan or Local Plan. The application site is identified as Site GOT 09 Land at Gladstone Avenue, a 'recommended housing site'. Policy H2 Design Briefs proposes design briefs for the housing sites. It is understood that a Design Brief has not been prepared for GOT 09 Land and Gladstone Avenue.
21. The Rushcliffe Residential Design Guide sets out guidance as to local character and materials, height, scale and massing, achieving privacy and guides for amenity space. It states that *"Infill development should respect the existing massing, building form and heights of buildings within their immediate locality"*. It also provides guidance on garden sizes for new dwellings.

APPRAISAL

Principle of Housing

22. The settlement of Gotham is no longer washed over by the Green Belt, but inset. Policy 3 (Spatial Strategy) of the Rushcliffe Local Plan Part 1: Core Strategy, sets out the settlement hierarchy for residential development across the Borough. Gotham is not one of the settlements specifically identified for housing growth, and therefore falls into paragraph b) viii) 'other villages solely to meet local housing need'.
23. Paragraph 3.3.17 of the Local Plan Part 1 states that *'in other settlements, development will meet local needs only. Local needs will be delivered through small scale infill development or on exception sites (see Policy 8). Beyond this, where small scale allocations are appropriate to provide further for local needs, these will be included in the Local Plan Part 2: Land and Planning Policies Development Plan Document, including Neighbourhood Plans.'*
24. The application site is modest in size and is located in an existing residential area, surrounded on all four sides by existing dwellings. The proposed development of three town houses is considered to meet the definition of 'small scale infill'. Furthermore, the site has a history of permissions for residential development, and is identified on the Gotham Neighbourhood Plan as a recommended housing site.
25. For the reasons set out above, the principle of developing the site for residential purposes is considered acceptable.

Highways

26. The application site would be accessed off Gladstone Avenue, via East Street to the north. Gladstone Avenue is narrow (approx. 4.6m in width) with no through route or turning facility. Due to the terraced nature of properties, few have off-street car parking to the front resulting in high levels of on-street car parking, although some properties on the east side of the road appear to have parking accessed off Wallace Street. At the time of the Officer's site visit, cars were parked along the eastern side of Gladstone Avenue. Cars exiting Gladstone Avenue are required to reverse northwards onto East Street.
27. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
28. Following consultation with NCC Highways, they initially objected on the grounds that the proposed carports were of an insufficient size to count towards off-street car parking provision, and that insufficient space would be available to the rear of the parking spaces to enable vehicles to manoeuvre, particularly when on-street car parking would further restrict the space available.
29. The agent subsequently submitted revised plans showing an increase in the size of the proposed car ports serving 2 plots (each with a car parking space to the front), and the car port to the third plot deleted and two spaces provided to the front of the property. The frontage of all three properties would be

surfaced in hard landscaping. In addition, the agent provided swept path analysis of cars accessing and egressing the proposed spaces with on-street car parking occurring along the eastern side of Gladstone Avenue.

30. NCC Highways subsequently withdrew their objection and recommended conditions relating to the provision of a dropped kerb and the provision and surfacing of the driveways. Further clarification was sought from NCC Highways regarding the proposed car parking spaces and swept analysis. The Highways Officer advised that; *“Whilst it is acknowledged that the swept paths do not illustrate vehicles accessing and egressing each individual space, the details are considered sufficient to confirm an acceptable layout. The site frontage has been kept clear to ensure maximum manoeuvring space is provided. It is also noted that in accordance with Manual for Streets, where space is limited it may not be possible to provide for vehicles to get into parking spaces in one movement. Some back and fore manoeuvring is likely to be acceptable where traffic volumes and speeds are low. As such, in this location, should additional back and fore manoeuvring be required, it is not considered a highway safety concern. The swept paths provided illustrate vehicles entering the spaces in a forward gear and reversing out of the spaces. It is not suggesting that vehicles would have to reverse into or out of Gladstone Avenue. On-site turning provision would not be required for this location, and as such the arrangement is considered acceptable.”*
31. In order to avoid any loss of off-street car parking provision in the future, it is proposed to condition that the driveways and car ports are kept free from obstruction and retained for the parking of vehicles for the life time of the development, and permitted development rights removed to prevent the car ports being converted to living accommodation.
32. The issue of refuse collection has also been raised. It is understood at present that the refuse vehicle waits on East Street to the north and operatives collect the bins from the front of the 4 existing properties to the west side of Gladstone Avenue (the properties to the eastern side of Gladstone Avenue are serviced from the rear off Wallace Street). The three proposed properties would be serviced in the same way that the four existing properties along the same side of Gladstone Avenue are at present. There is sufficient access to, and space within, the rear garden areas of each plot to store the three wheeled bins operated by Rushcliffe. Therefore, the proposed off-street car parking arrangements would not be impacted upon by bin storage.
33. Due to the narrow nature of Gladstone Avenue, and the constraints of the site, it is considered necessary to condition the submission of a ‘Construction Management Plan’ prior to works commencing on site. The Management Plan would be expected to include details of the means of access for construction traffic; parking provision; the loading and unloading of materials; the storage of plant and materials; and the hours of operation.

Impact upon character and appearance of area

34. The surrounding area is residential in nature, characterised by a mix of two storey terraced and semi-detached dwellings along Gladstone Avenue, some having accommodation in the roof with the addition of dormer windows, with detached bungalows located to the west off Meadow End.

35. The application site occupies an existing gap within the street frontage between 8 and 18 Gladstone Avenue (no no's 10, 12, 14 and 16 Gladstone Avenue). The proposed row of two storey town houses would infill this existing gap and create an active street frontage. Following the submission of revised plans, the ridge of plots 1 and 2 has been reduced in height from 9.5m to 8.8m, and given the tall nature of the existing two storey houses along Gladstone Avenue, the ridge of plot 1 would only measure 800mm higher than the ridge of no.18, with the eaves sitting at a lower level. The roof of plot 3 has been stepped down, resulting in the ridge of the section closest to no.8 sitting lower than the existing ridge to this neighbouring property, with the eaves sitting at the same level. It is also noted that the proposed ridge heights are 600mm lower than the previously approved scheme. The scale and proportions of the proposed dwellings would not therefore appear out of character with, or be harmful to the street scene.
36. In order to ensure that the dwellings are constructed in appropriate materials, a condition is recommended requiring details to be submitted to the Borough Council for approval.

Residential Amenity

37. In terms of the impacts upon neighbouring properties, the existing separation distance between the frontages of properties on Gladstone Avenue is 10.6m. The front of the three proposed dwellings would be positioned 13m (plot 1), 13.5m (plot 2) and 14m/15.3m (plot 3) from the front elevations of properties on the opposite side of Gladstone Avenue, and only plot 3 would contain one habitable room window at ground floor serving a snug in the element set furthest back from Gladstone Avenue. The first floor front elevation of all three plots would contain bedroom windows only. The dormer windows have all been removed from the front elevations, and a condition removing permitted development rights for the insertion of roof lights or dormers is recommended, in order to protect the living conditions of neighbouring properties. Given the modest number and size of the window fenestration within the front elevations, the nature and layout of the rooms they would serve, and the increased separation distances (compared to the existing street scene), it is not considered that the proposal would result in significant harm through overlooking in relation to properties on the opposite side of Gladstone Avenue.
38. The proposed dwellings would be located to the west of the existing properties on Gladstone Avenue. Despite the slightly higher ridge line to plots 1 and 2, the properties would be set back a further 2.4m – 3.4m metres than the existing properties along the western side of Gladstone Avenue, with the roof pitching away from the existing properties, and as a result, it is not considered that the proposal would result in significant harm as a result of overshadowing in relation to the existing dwellings opposite.
39. The side elevation of Plot 1, which would be blank, would be located 3.4m from the side elevation of no.18. This neighbouring property was extended in the late 1970's by a two storey rear extension. Whilst the side elevation of this extension does contain a door and small window at ground floor, plus a larger window at first floor, these all serve non-habitable rooms. The proposed rear projecting element is single storey in nature and has been designed with a flat roof to limit its height. As a result, the dwelling to plot 1 would not result in

overlooking or create an overbearing impact on this existing neighbouring property.

40. The side elevation of Plot 3 would be located 1.2m from the side elevation of no.8 which has a blank side gable located on the shared boundary, and a small single storey extension to rear. The dwelling to plot 3 has been designed so that the closest element to no.8 would be set back and set down, with the rear elevation comprising of a cat slide roof containing a dormer, to limit its size and scale in relation to this neighbouring property. Whilst, the 1½ storey element to the rear of Plot 3 may result in some loss of light during the winter months, the existing property no.18 to the south creates some over shadowing at present, as can be seen in the site photographs. As a result, it is not considered that any further loss would be so substantial so as to result in significant harm.
41. The proposed dwellings would be located over 30m from the rear elevations of the bungalows on Meadow End. All but one of the original dormer windows have been removed from the rear elevation, the remaining dormer being at first floor level. Such substantial separation distances would ensure that the proposal would not result in harm on the living conditions of the properties to the rear through overlooking or appearing overbearing. Whilst it is not considered reasonable to require the retention of the leylandii trees along the western boundary (they are non-native and in poor condition) a condition is proposed which would require the submission of boundary treatment and hard and soft landscaping to the Borough Council for approval.
42. In terms of the proposed garden sizes, the length of the rear garden areas would measure 8.9m, 9m and 8.2m, which fall short of the 10m as set out in the Residential Design Guide. Furthermore, the guidance suggests a garden area of 90sqm for semi-detached and terraced properties, and the proposed rear garden areas would measure less than this at between approximately 50 and 60sqm. The rear garden areas of the proposed dwellings are shorter than the existing dwellings on Gladstone Avenues, as the properties have been pushed further back into the site in order to accommodate off-street car parking to the frontages. Whilst the rear garden areas are smaller than the guidelines suggest, in this instance it is considered an acceptable compromise in order to accommodate off-street car parking.

Flooding/Drainage

43. Residents have raised concerns regarding a high water table and flooding in the village. The site is located within Flood Zone 1 on the Environment Agency's Flood Zone maps, which have a low possibility of flooding. However, the Environment Agency maps do indicate that the area may suffer from surface water flooding.
44. Following consultation with Trent Valley Internal Drainage Board they raise no objections, but advise that surface water run-off rates to receiving watercourses must not be increased as a result of the development, and that the design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority. A condition is therefore recommended which would require a scheme for the provision and implementation of surface water run-off limitation measures to

be submitted for approval, and the development carried out in accordance with the approved scheme.

45. The disposal of sewerage would be dealt with under the Building Regulations, in consultation with the sewerage undertaker.

Sustainability

46. In order to promote sustainable development and construction, conditions are proposed which would require the dwellings to be constructed so as to limit the water consumption of each property to no more than 110 litres per person per day, and require the installation of electric vehicle charging points at each property.

Other Matters

47. The issue of property values, raised by a local resident, is not a material planning consideration.
48. With regards to the issue of asbestos, the site is currently overgrown and there is no evidence of abandoned structures. An informative is however recommended reminding the applicant of their legal responsibilities in relation to the appropriate disposal of such.

Conclusion

49. The erection of three additional dwellings within this existing settlement, and on a site identified for housing on the Gotham Neighbourhood Plan, would make a small contribution to the housing supply in the Borough. Subject to conditions, the proposed development would not result in harm to the character or appearance of the area, highway safety, nor the living conditions of surrounding or future occupiers. The proposed development is considered to accord with the Local Plan and the guidance contained within the NPPF and is therefore recommended for approval.
50. The proposed development was not the subject of pre-application discussions. Negotiations have however taken place with the agent during the course of the application and amended plans have been submitted to address the concerns raised in relation to car parking provision and access arrangements; the character and appearance of the street scene; and the living conditions of neighbouring residents. This has resulted in a more acceptable scheme and the recommendation to grant planning permission, subject to conditions.

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:
- Site Plan and Location Plan - As Existing and Proposed VED644 01 Revision B amended on 12.01.2021
 - Layout and Elevations - As Proposed VED644 02 Revision B amended on 28.02.2021.

[For the avoidance of doubt and to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

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

[To ensure the appearance of the development is acceptable, and to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

4. The dwellings hereby permitted shall not be occupied until details of the landscaping and boundary treatments to the rear garden areas have been submitted to and approved in writing by the Borough Council. The approved boundary treatment and hard landscaping shall be installed prior to the dwellings being occupied. The approved soft landscaping shall be planted during the first planting season following occupation of the dwellings.

[To ensure that the amenities of future and surrounding occupiers are protected, and to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

5. The development shall not be constructed above damp proof course level until a scheme for the provision and implementation of surface water run-off limitation measures has been submitted to and approved in writing by the Borough Council. The dwellings shall not be brought into use until the approved scheme has been implemented.

[To ensure that adequate surface water drainage provision is secured for the site, in accordance with Policy 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

6. The development shall not commence until details of the finished ground and floor levels of the proposed dwellings, in relation to an existing datum point, existing site levels and adjoining land, shall be submitted to and approved in writing by the Borough Council. The development shall only be undertaken in accordance with the details so approved.

[This is a pre-commencement condition to ensure that the houses are constructed at an appropriate level, in the interests of visual and residential amenity, in accordance with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

7. The development shall not be brought into use until the access driveways have been provided and surfaced in a bound material (not loose gravel), 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 as such for the life of the development.

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

8. The dwellings shall not be occupied until a dropped vehicular footway crossing has been provided along the whole of the site frontage, in accordance with the Highway Authority's specifications.

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

9. Notwithstanding the provisions of Schedule 2, Part 1 Class A 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 physical alterations to, or enclosure or conversion of, the integral car ports of the dwellings hereby approved.

[To ensure that adequate off-street car parking is secured for the life of the development, in the interests of highway safety and to comply Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

10. The off-street car parking spaces, including the integral car ports, as shown on the approved site layout plan referred to under condition 2 of this planning permission, shall be retained for off-street car parking and kept free from all other obstructions, for the life of the development.

[To ensure that adequate off-street car parking is secured for the life of the development, in the interests of highway safety and to comply Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

11. The dwellings hereby approved shall not be constructed above damp proof course level until a scheme for the provision of an electric vehicle charging point for each dwelling has been submitted to and approved by the Borough Council. Thereafter, unless it has been demonstrated that the provision of electric vehicle charging points is not technically feasible, each dwelling shall not be occupied until it has been serviced with the appropriate electric vehicle charging infrastructure, in accordance with the approved scheme. The electric vehicle charging infrastructure shall thereafter be retained and maintained for the lifetime of the development.

[To ensure that the development is capable of promoting sustainable modes of transport and to comply with Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

12. The residential dwellings hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

13. 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 for:

- 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 hours of operation

[This is a pre-commencement condition to ensure that the site can be developed in a safe manner and limit the impacts upon residential amenity and highways safety throughout the construction phase, in accordance with Policy 1 (Development Requirements) of the Rushcliffe Local Plan 2: Land and Planning Policies].

14. Notwithstanding the provisions of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no additional windows (including roof lights and dormer windows) inserted within any part of the roof of the dwellings hereby approved, other than as shown on the approved plans referred to in condition 2 of this permission, nor any alterations to any part of the roof of the dwellings hereby approved.

[In order to protect the living conditions of surrounding occupiers from unacceptable levels of overlooking and loss of privacy, and to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the 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 or at licenses@viaem.co.uk to arrange for these works to take place.

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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.

Condition 12 requires the new dwelling to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

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

You are advised that should the site contain asbestos, it will require specialist removal. Further advice on this matter can be obtained from Nottinghamshire County Council (0115 977 2019). Alternatively you can obtain an asbestos fact sheet from their website www.nottinghamshire.gov.uk



Application Number: 20/01974/FUL & 20/01988/RELD
48 Main Street, East Leake



scale 1:1000

page 19

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20/01974/FUL and 20/01988/RELDDEM

Applicant Mrs Paula Clarke

Location 48 Main Street East Leake Nottinghamshire LE12 6PG

Proposal (i) Demolition of existing rear garage outbuilding and erection of new dwelling
(ii) Demolition of existing rear garage outbuilding

Ward Leake

THE SITE AND SURROUNDINGS

1. The application relates to a rectangular parcel of land comprising part of the side and rear garden area of 48 Main Street, East Leake, a two storey detached dwelling located in the centre of the village.
2. The dwelling is proposed to the rear garden/orchard area, which is currently overgrown and contains a number of trees, with trees and hedges to the site boundaries.
3. Although access to the site is located in the centre of the village, opposite a number of commercial premises, the rear garden area of no.48 is surrounded by residential properties.

DETAILS OF THE PROPOSAL

4. This is a joint report for a full planning application, 20/01974/FUL, and an application for relevant demolition of an unlisted building in a Conservation Area, 20/01988/RELDDEM.
5. Application 20/01988/RELDDEM seeks permission for the demolition of a brick outbuilding located to the rear of no.48, to allow vehicles to gain access to the rear garden area.
6. Application 20/01974/FUL seeks planning permission for the erection of a two storey dwelling. The proposed dwelling has been designed with a flat roof and would be constructed of painted brick, render and composite cladding in a dark finish, with aluminium powder coated windows and doors and a grey membrane to the roof. The proposed dwelling would comprise of a main 'house' plus an 'annex' which would share an entrance door and hallway. At ground floor the dwelling would comprise of the following accommodation; a hallway, open plan kitchen/dining/living room, separate living room, study and utility room serving the main house, and a hallway, open plan kitchen/living room, utility room and W.C. serving the annex, and at first floor four bedrooms with en-suites serving the main 'dwelling' and a fifth bedroom with en-suite serving the 'annex'.

7. Access to the site would be via the existing vehicular access off Main Street which currently serves no.48.
8. In support of the application the following documents have been submitted; A Design and Access Statement; A Heritage Statement; Ecology Report; and Tree Report.
9. During the course of the application, a number of revisions have been made. A double detached garage originally proposed to the front garden area of no.48 has been omitted; the proposed dwelling has been moved 1.6m northwards (it is now shown 13.5m from the southern boundary); the position of the northern garden boundary of the new dwelling has been moved further northwards; additional parking, circulation and turning areas have been provided for the existing and proposed dwelling; further details of the proposed access off Main Street have been provided.

SITE HISTORY

10. None.

REPRESENTATIONS

Ward Councillor(s)

11. One Ward Councillor (Cllr Thomas) objects on the following grounds:
 - a. The proposal is contrary to policy V1(a) of the East Leake Neighbourhood Plan (ELNP) which states that the only types of development permitted in this location are those that particularly require this village centre location. This does not include general family housing. The only types of housing included are “for older people and those with mobility problems and situations where living over the shop is appropriate with such uses for these homes preserved over time.” A two storey building is unlikely to be suitable without a lift.
 - b. Policy V1(b) of the ELNP requires new buildings to use materials sensitive to the local context. The scale and proportions of the buildings should be sympathetic to their surroundings and complement the unique historic character of East Leake. Question whether this modern design satisfies V1(b).
 - c. The garage building proposed for demolition currently provides a positive contribution to the Conservation Area. The replacement garage, in the location shown, would detract from the frontage of No 48 and cause harm to the Conservation area.
 - d. The narrow access into the site is right in the village centre, almost opposite the busy T-junction over a narrow pavement in an area of high pedestrian footfall, where people are frequently crossing Main Street. Visibility is frequently obscured by parked cars (despite the yellow lines). Parking/turning space within the site for both the new dwelling and No 48 also needs further consideration.
 - e. Electric charging points should be included.

- f. The new house would come quite close to the back gardens of several houses. The balcony would be a dominating feature and with the extensive floor full length glazing, there would be considerable overlooking of the gardens (although these gardens are themselves quite long and the neighbouring houses are set at an angle).
 - g. The area is currently wooded with mature trees visible from many properties and the surrounding roads, and providing a welcome green lung in the village centre. Loss of so many trees would be regrettable. Conditions could include planting replacement trees. Conditions would be needed to ensure that works follow the extensive protection measures and non-traditional construction methods detailed in the tree protection plan to protect the remaining trees. Additional TPOs might be advisable.
 - h. Although the description says “dwelling” the space is effectively two self-contained units, and given the size of the house there are likely to be a number of vehicles. The plot seems small for two dwellings. If the annex is intended for a part of the family group, there should perhaps be a condition to require further planning permission to split the house into two.
- 12. Following the submission of revised plans Cllr Thomas maintained her objection.
- 13. One Ward Councillor (Cllr Way) objects on the following grounds:
 - a. The plans are out of proportion for the size of the plot and will give rise to an over intensive development.
 - b. Being of a modern style and construction, the building is out of character for the conservation area.
 - c. The two storey design and balcony will overlook neighbouring properties and have a detrimental effect on the ability for the residents to enjoy privacy in their gardens and homes.
 - d. There is insufficient parking for the two properties that would be on site. A property of this size is likely to give rise to the need to park several vehicles. There does not appear to be adequate turning space for vehicles which may mean reversing onto a busy street. The exit from the site is onto a busy road, Main Street, and has poor visibility to right and left, both in respect of traffic and pedestrians. The exit is close to a busy T-junction in the centre of East Leake and there are often parked cars obstructing the view to the west.
 - e. Many trees will be felled; others will be in danger of damage to root systems. If this goes ahead there needs to be measures in place to protect the remaining boundary trees and conditions put in place that prevent the remaining trees from being removed or radically reduced at a future date.
- 14. Following the submission of revised plans Cllr Way maintained her objection.

15. One Ward Councillor (Cllr Shaw) objects. Whilst it can be argued that the proposed building will not be visible from the street, and he is not against buildings with an ultra modern design, it remains in the Conservation Area and on this occasion he feels that the proposed design is totally inappropriate.

Town/Parish Council

16. East Leake Parish Council objected to the original application on the grounds that the history of one outbuilding should be recorded, and that trees on boundary should not be removed. There will be an increase in traffic on and off Main Street very close to the main T- junction in the village centre. The application is also in breach of policy V1 of the Neighbourhood plan requiring that new buildings in the Conservation area need to be justified as necessary, which a house may not be. It was noted there are a number of adverse comments on the planning portal from consultees.
17. East Leake Parish Council maintained their objection to the revised plans on the grounds that it goes against Policy V1 in the Neighbourhood Plan; is not in keeping with the Conservation Area; and Overlooking neighbours on Cromwell Drive.

Statutory and Other Consultees

18. Nottinghamshire County Council as Highways Authority originally requested additional information relating to the width and surfacing of the proposed access, visibility splays, parking and turning provision, bin collection point and access for emergency vehicles.
19. Following the submission of amended plans, the Highway Authority consider that the proposal is unlikely to result in a severe impact on the public highway, or an unacceptable risk to highway safety. They acknowledge that there would be a 'pinch point' at the site entrance (due to the frontage wall) however the driveway is of a sufficient width (5.1m) to allow vehicles to pass. Therefore, they do not raise an objection to the proposal, subject to conditions relating to the widening of the dropped kerb, provision of parking and turning, surfacing and drainage of driveway.
20. Nottinghamshire County Council Archaeology advised that in terms of the archaeological implications there are no records relevant to the current application and they have no comments or recommendations to offer in that regard. However, it should be noted that the building proposed for demolition is present on the 1st Edition County Series mapping and is flagged as being of Local Interest on the Nottinghamshire HER. They recommend that a programme of building recording should form part of the conditions on the development to ensure that this local asset is preserved in record. Advice should be sought from the Conservation Officer on what level of recording is appropriate.
21. RBC Conservation Advisor comments that "*The proposal site is located within the East Leake Conservation Area, and therefore the impact of the proposals upon the Conservation Area must be assessed. The erection of the proposed new dwelling would have no impact on the Conservation Area, as it would be two storeys high, with a flat roof, and very much set back behind the existing house. It would not be visible from the public realm within the Conservation*

Area, and therefore it would preserve the special interest of the Conservation Area. The existing outbuildings that it is proposed to demolish currently make a positive contribution to the street-scene by virtue of their traditional materials and character, and are identified as making a positive contribution in the East Leake Conservation Area Townscape Appraisal. They are set back from the road and offset slightly from the access drive. Visibility will vary according to the amount of vegetation to the front boundary, but they are definitely partially visible, though not prominent. In terms of the degree of harm to the heritage asset, their removal would be somewhere between less than medium to medium harm. The harm arises from the removal of a characterful outbuilding that evokes East Leake's past, but it is mitigated slightly by the lack of prominence of the asset.

22. *The proposed replacement garage would be sited close to the access point and the front boundary with Main Street, (also identified as a positive building in the Conservation Area Townscape Appraisal). While no. 48 is generally partially screened from public view by vegetation, and set back from the boundary, it is still partially visible from the access point, and screening can vary over time and with the seasons. A new garage appearing between the access point and the host house would alter the street scene and harm the character and appearance of the Conservation Area. The degree of harm to the Conservation Area arising from this proposal would be medium-high, and I would advise that either hardstanding is substituted for a built garage, or that a new garage is proposed to the rear of the building. The proposed new close-boarded timber fencing to the eastern side of the access road would not be visually prominent from the public realm, but it would be visible, particularly the section closest to Main Street, and I would therefore advise that consideration is given to a more attractive style of fencing that would preserve the appearance of the Conservation Area, such as vegetation atop a dwarf masonry wall, or estate railings."*
23. RBC Sustainability Officer notes that an Ecological Appraisal (including bat reports with surveys) was completed in September 2020 and this appears to have been completed in line with good practice and is in date. No protected species were identified, however there is potential for foraging bats, birds and hedgehogs, and there are opportunities for ecological enhancement. He sets out a number of recommendations relating to habitat protection, management and enhancement, during and after construction.
24. RBC Landscape Officer comments that T1 in particular is a prominent tree and he is pleased to see the front garden is being retained as it stands currently. He notes that the tree report recommends the removal of T2 and this would need a conservation area tree notice to be submitted to the Council, but he would not see the Council preventing work taking place given the fungal decay. By contrast the rear garden is very private and whilst there are some large trees within it which can be viewed as from public vantage points, they tend to be located on the part of the garden not being developed. He doesn't object to the removal of the trees shown on the layout plans and would suggest they are not sufficiently visible from public vantage points to warrant protection. In terms of conditions, there will be a need to see a revised tree protection plan that is updated to reflect which trees are being retained and removed. To enable the conifer trees to the east of the building to be retained, the tree survey recommends pile and beam foundations are used and details of the building foundations should be approved in writing before work commences.

25. RBC Environmental Health do not object, but recommend conditions requiring a method statement detailing the measures to be employed to control noise, dust and vibration during construction, and the submission of a Contaminated Land Report.

Local Residents and the General Public

26. Representations have been received from 10 local residents, objecting to the proposal on the following grounds:
- a. Residential amenity – loss of privacy/overlooking from first floor windows and balcony particularly if trees are removed, glare from large areas of glazing, proposed dwelling is disproportionate to existing surrounding buildings, increased noise and disturbance from vehicles, lack of privacy for future residents.
 - b. Impact on Conservation Area – the scale and design of the proposed modern house is out of character with the Conservation Area and surrounding properties, loss of brick outbuilding and historic tennis court, alterations to access to provide visibility may harm character of area.
 - c. Highway safety – additional traffic exiting onto Main Street near a busy junction with no sight lines, there is insufficient vehicular parking and turning within the site requiring vehicles to reverse onto Main Street, a previous proposal on the site was rejected due to the access, the current proposal for a dwelling and annex is essentially two semi-detached dwellings, provision of bin storage, lack of access/turning for emergency vehicles, the use of a sprinkler system does not negate the need for a fire appliance to attend the site.
 - d. Impact on trees – the proposal would harm the existing trees on site, these should be retained and protected during construction, if the trees are removed or destroyed, they should be replaced.
 - e. Surface water drainage - no details of soakaway provision.
 - f. Increase in air pollution.
 - g. Proposal is contrary to Neighbourhood Plan Policy V1.
 - h. Presence of Great Crested Newts

PLANNING POLICY

27. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1), the Local Plan Part 2: Land and Planning Policies (LPP2), and in this instance, the East Leake Neighbourhood Plan. Other material considerations include the National Planning Policy Framework (NPPF) (2019), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

28. The following sections in the National Planning Policy Framework (NPPF) are of relevance:

- Chapter 2 – Achieving Sustainable Development
- Chapter 9 – Promoting Sustainable Travel
- Chapter 12 – Achieving Well Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 16 – Conserving and Enhancing the Historic Environment

Relevant Local Planning Policies and Guidance

29. The following policies within LPP1 are of relevance:

- Policy 1 – Presumption in Favour of Sustainable Development
- Policy 2 – Climate Change
- Policy 3 – Spatial Strategy
- Policy 8 – Housing Size, Mix and Choice
- Policy 10 – Design and Enhancing Local Identity
- Policy 11 – Historic Environment
- Policy 17 – Biodiversity

30. The following policies of LPP2 are of relevance:

- Policy 1 – Development Requirements
- Policy 11 – Housing Development on Unallocated Sites within Settlements
- Policy 12 – Housing Standards
- Policy 17 – Managing Flood Risk
- Policy 18 – Surface Water Management
- Policy 28 – Conserving and Enhancing Heritage Assets
- Policy 37 – Trees and Woodland
- Policy 40 – Pollution and Land Contamination
- Policy 41 – Air Quality

31. The East Leake Neighbourhood Plan was adopted in 2015, and the following policy is considered of particular relevance:

- Policy V1 – Priority Uses for Village Centre

32. The Rushcliffe Residential Design Guide sets out guidance as to local character and materials, height, scale and massing, achieving privacy and guides for amenity space. It states that *“Infill development should respect the existing massing, building form and heights of buildings within their immediate locality”*. It also provides guidance on garden sizes for new dwellings.

33. Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990) also requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

APPRAISAL

Principle of a Dwelling

34. The village of East Leake is a settlement identified for growth within Policy 3 (Spatial Strategy) of the Local Plan Part 1.
35. The application proposes a new dwelling, within an existing built up part of the village, which is surrounded on all four sides by existing residential properties. The erection of one dwelling on this site, in a sustainable village location identified for growth, is considered acceptable in principle.
36. Objections have been received from local residents and one Ward Councillor, on the grounds that the proposal would be contrary to Policy V1 of the East Leake Neighbourhood Plan. Policy V1 (Priority Uses for Village Centre) seeks to limit the types of development within the centre of the village to those that particularly require this village central location, including; housing for older people, those with mobility problems, and situations where 'living over the shop' is appropriate.
37. In response to this issue, the agent has commented as follows; *"Policy V1 allows for housing for older people, but does not elaborate on the type of development this is. In this case we are proposing an assisted living arrangement where the applicant's parents and young family live together, thus securing their care in later life. We consider that planning policy regarding the development of housing for older people does not confine itself solely to a situation which encourages the development of houses for older people to live in isolation in a single dwelling separate from their family. Quite the contrary in fact. We consider that the type of multi-generation living arrangement proposed is appropriate and provides suitable, contemporary housing for older people."*
38. Given that the proposed dwelling would contain an ancillary residential annex, which would allow multi-generational living, including for older people, it is not considered that the proposal would be contrary to Policy V1 of the East Leake Neighbourhood Plan. A condition is recommended to ensure that the annex remains ancillary to the main dwelling house, and not occupied as a separate dwelling house.

Impact on Character and Appearance of Conservation Area

39. Policy 11 of the LLP 2 supports housing development on unallocated sites, subject to a number of criteria including; the proposal is of a high standard of design and does not adversely affect the character or pattern of the area by reason of its scale, bulk, form, layout or materials; the site does not make a significant contribution to the amenity of the surrounding area by virtue of its character or open nature; the proposal would not result in the loss of any existing buildings considered to be non-heritage assets unless the loss of the asset is justified; the proposal would not have an adverse visual impact from outside the settlement; the proposal would not cause a significant adverse impact on the amenity of nearby residents and occupiers; and appropriate provision for access and parking is made.
40. The proposed dwelling would be located over 70m from Main Street, and due to the position of existing properties to the north of the application site fronting

onto Main Street, the proposed two storey flat roof dwelling would not be visible from public vantage points. Despite its modern design and construction materials, given that views of the dwelling would not be possible from the Conservation Area, the proposed dwelling would not harm its character or appearance.

41. In terms of the pattern and grain of development within this part of the Conservation Area, there are a number of residential properties to the west of the application site which have been constructed behind properties fronting onto Main Street. As a result, the siting of the proposed dwelling to the rear of no.48 would not conflict with and would preserve the pattern of development within this part of East Leake.
42. The double detached garage originally proposed to the front garden area of no.48 Main Street has been omitted from the application, and the access arrangements have been re-designed to enable the existing frontage wall to be retained.
43. The proposed development would result in the loss of an existing outbuilding located to the rear of no.48. Whilst such buildings are considered to make a positive contribution to the character of the East Leake Conservation Area, given the degree of set back from the road, and the level of existing vegetation, views of the building from the public realm are limited. The harm, as a result of the loss of this building, is therefore considered to be less than substantial. Given the site's location within a sustainable village, identified for housing growth in the Local Plan, and that the proposal could facilitate a residential development suitable for a multi-generational family, together with the economic benefits during the construction period, it is considered that these factors provide the public benefits which outweigh the less than substantial harm identified as a result of the loss of the building. In order to secure an appropriate historic record of the building, a condition is recommended requiring this to be carried out prior to demolition taking place.
44. In terms of the loss of a tennis court, little physical evidence remains on site of this structure, and it is not considered to be of any historic significance.
45. For the reasons set out above, it is considered that the proposal would preserve the character of the East Leake Conservation Area, as required by Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).

Highway Safety

46. The proposed dwelling would utilise the existing vehicular access serving 48 Main Street. During the course of the application amended plans were submitted, demonstrating that the existing access was of a sufficient width without requiring the existing frontage wall to be removed or altered, and that adequate visibility splays existed onto Main Street without requiring third party land. Furthermore, the existing dwelling would be served by three off-street car parking spaces with turning, and the proposed dwelling would be served by 4 spaces with turning, which would allow vehicles serving both dwellings to enter and exit the site in a forward gear.

47. The Highway Authority acknowledged that there would be a 'pinch point' at the site entrance (due to retaining the existing frontage wall), however the driveway would be of a sufficient width (5.1m) to allow vehicles to pass. They have therefore raised no objections to the proposal, subject to conditions relating to the widening of the dropped kerb, provision of parking and appropriate surfacing.
48. In terms of refuse bins, there is sufficient space within both the existing plot and the proposed plot to store the three bin system. Rushcliffe Council operates a kerb side bin collection service, therefore it would be the responsibility of future occupiers to deliver their bins to the kerb side on Main Street on collection day.
49. With regard to access by emergency vehicles, the agent has confirmed that the property would be installed with a sprinkler system, which would be dealt with under the Building Regulations.

Ecology

50. The application was supported by an Ecological Appraisal which concluded that there was no evidence of bats using the existing buildings for any purpose, although the site does offer foraging potential. In order to ensure that protected species are protected a condition is recommended requiring a further survey to be carried out if the demolition of the outbuilding does not take place within the next 12 months. In order to secure ecological enhancements on the site, a condition requiring the installation of two bats boxes is recommended.
51. A local resident raised the issue that Great Crested Newts may potentially be present within the site, however the submitted Ecological Appraisal confirms that the site is considered to offer negative potential for the presence of Great Crested Newts.

Impact on Trees

52. There are a number of trees within the site and along the site boundaries. Following consultation with the Borough Council's Landscape Officer he acknowledged that the rear garden is very private and whilst there are some large trees within it which can be viewed from public vantage points, they tend to be located on the part of the garden not being developed. He raised no objections to the trees proposed for removal, as they are not sufficiently visible from public vantage points to warrant protection. He advises conditions be attached to any approval requiring a tree protection plan, together with details of the proposed pile and beam foundations, to ensure the existing conifer trees to the boundaries are retained.

Residential Amenity

53. In terms of the impacts upon existing residents, concerns were raised with the agent regarding the potential noise impacts on residents immediately to the east and west of the site entrance from traffic passing close to their side elevations (namely 46, 46a and 48 Main Street). The agent has confirmed that the access would be surfaced in a bound porous material, as opposed to loose gravel, thereby reducing the potential of noise from vehicles entering and exiting the site. Given that these dwellings do not contain any habitable room

windows facing the site, and that the access would serve only one additional dwelling, it is not considered that the proposal would result in a significant increase in activity which would cause unacceptable levels of noise and disturbance to these neighbouring properties.

54. Several objections have been received from neighbouring properties located to the south, east and west of the application site on Salisbury Avenue (east), Cromwell Drive (south) and Starch Close (west) regarding the impacts of the proposed dwelling on their living conditions. It is acknowledged that the proposed two storey dwelling would contain large areas of glazing, particularly to the south elevation, including a first floor balcony. During the course of the application the proposed dwelling was positioned further northwards within the site. The proposed dwelling would be located 12.5m from the southern boundary, 23m from 5 Starch Close, between 30m and 40m from the rear elevations of properties on Cromwell Drive and 25m from the rear elevations of properties on Salisbury Avenue. Furthermore, the existing trees to the boundaries provide screening of the site from the surrounding area. The protection of these trees during construction would be secured by condition. Given the significant separation distances and the existing boundary screening, it is not considered that the proposed dwelling would result in significant harm through overlooking, overshadowing, nor appear overbearing.
55. A separation distance of 37m would be maintained between the rear elevation of no. 48 and the front elevation of the proposed dwelling, and the gardens would be separated by a new close boarded timber fence and planting. No.48 would continue to benefit from a large rear garden area, which would not be overlooked by first floor windows from the new dwelling. It is not considered therefore that the living conditions of no.48 would be harmed by the proposed dwelling.
56. In terms of future occupiers of the proposed dwelling, it would be positioned within a wide plot, with a large private garden area to the rear and off-street car parking and turning areas to the front. As detailed above, given the existing boundary treatments and distances from surrounding properties, future residents would be afforded an adequate level of privacy.

Flooding/Drainage

57. The site is located within Flood Zone 1 on the Environment Agency's Flood Zone maps, which have a low possibility of flooding. However, following long periods of heavy rainfall, areas of the village do suffer from surface water flooding.
58. In order to ensure that the surface water run-off rates from the site are controlled, a condition is recommended which would require a scheme for the provision and implementation of surface water run-off limitation measures to be submitted for approval, and the development carried out in accordance with the approved scheme.

Sustainability

59. In order to promote sustainable development and construction, conditions are recommended which would require the dwellings to be constructed so as to

limit the water consumption to no more than 110 litres per person per day, and require the installation of electric vehicle charging points.

Conclusion and Planning Balance

60. The proposal would contribute an additional dwelling to the Boroughs housing supply within a highly sustainable location. It would provide flexible living accommodation which has the ability to accommodate a multi generation household close to the amenities of East Leake. This outweighs the less than substantial harm to the East Leake Conservation Area as a result of the loss of the existing outbuildings. Subject to conditions, the proposal would not result in harm in relation to highway safety, trees, ecology, residential amenity or flooding. The proposal therefore accords with the policies contained within the Rushcliffe Local Plan and the guidance contained within the NPPF.
61. The proposed development was not the subject of pre-application discussions. Negotiations have however taken place with the agent during the course of the application and amended plans have been submitted to address the concerns raised in relation to access arrangements; the character and appearance of the Conservation Area; and the living conditions of neighbouring residents. This has resulted in a more acceptable scheme and the recommendation to grant planning permission, subject to conditions.

RECOMMENDATION

- (i) 20/01974/FUL - It is **RECOMMENDED** that planning permission be granted subject to the following conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Location Plan & Site Plan revision 02 dated 17 Dec 2020

Proposed Location Plan and Site Plan revision 06 dated 23 March 2020

Proposed Highways - Access, Visibility and Existing Parking revision 05 dated 18 March 2021

Proposed Highways - Drive and Parking revision 04 dated 8 Feb 2021

Proposed Elevations revision 08 dated 31 Dec 2020

Proposed Plans revision 07 dated 31 Dec 2020

Proposed Building Scale and Massing Comparison revision 03 dated 31 Dec 2020

[For the avoidance of doubt and to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

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

[To ensure the appearance of the development is satisfactory and preserves the character of the Conservation Area, to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policies 1 (Development Requirements) and Policy 28 (Conserving and Enhancing Heritage Assets) of the Local Plan Part 2: Land and Planning Policies].

4. The dwelling hereby approved shall not be constructed above damp proof course level until a hard and soft landscaping scheme for the site, including details of the boundary treatment to all the site boundaries, has been submitted to and approved in writing by the Borough Council. The hard landscaping shall be completed prior to the occupation of the dwelling hereby approved. The soft landscape planting shall be completed no later than the first planting season following occupation of the dwelling hereby approved.

[To ensure the appearance of the development is satisfactory, preserves the character of the Conservation Area, and protects the living conditions of neighbouring occupiers. To comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policies 1 (Development Requirements) and Policy 28 (Conserving and Enhancing Heritage Assets) of the Local Plan Part 2: Land and Planning Policies].

5. The dwelling hereby approved shall not be occupied until the access has been surfaced in a hard-bound material for a minimum distance of 5m to the rear of the highway boundary. The hard-bound surfacing shall thereafter be retained for the life of the development.

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

6. The dwelling hereby approved not be occupied until the existing dropped kerb vehicular footway crossing has been widened in accordance with the Highway Authority specification.

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

7. The dwelling hereby approved not be occupied until the parking and turning provision as shown on the approved plans referred to under condition 2 of this approval, has been provided. The parking and turning provision shall thereafter be retained as such for the life of the development.

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

8. The dwelling hereby approved shall not be occupied until the access driveway, as shown on the approved plans referred to under condition 2 of this approval, has been constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall thereafter be retained for the life of the development.

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

9. The development shall not be constructed above damp proof course level until a scheme for the provision and implementation of surface water run-off limitation measures has been submitted to and approved in writing by the Borough Council. The dwellings shall not be brought into use until the approved scheme has been implemented.

[To ensure that adequate surface water drainage provision is secured for the site, in accordance with Policy 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

10. The development shall not commence until details of the finished ground and floor levels of the proposed dwellings, in relation to an existing datum point, existing site levels and adjoining land, shall be submitted to and approved in writing by the Borough Council. The development shall only be undertaken in accordance with the details so approved.

[This is a pre-commencement condition to ensure that the dwelling hereby approved is constructed at an appropriate level, in the interests of visual and residential amenity, in accordance with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

11. Development shall not commence until a Contaminated Land Report has been submitted to and approved in writing by the Borough Council. As a minimum, this report will need to include a Desktop Study. Where the Desktop Study identifies potential contamination, a Detailed Investigation Report will also be required. In those cases where the Detailed Investigation Report confirms that "contamination" exists, a remediation report and validation statement will also be required. In such instances, all of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council prior to development commencing.

[This is a pre-commencement condition to ensure that the site is suitably free from contamination in order to protect the living conditions of future residents, and to comply with Policy 40 (Pollution and Land Contamination) of the Local Plan Part 2: Land and Planning Policies.]

12. The dwelling hereby approved shall not be constructed above damp proof course level until a scheme for the provision of an electric vehicle charging point has been submitted to and approved by the Borough Council. The

scheme shall provide details of the provision of an electric vehicle charging point to serve the development on site. Thereafter, unless it has been demonstrated that the provision of an electric vehicle charging point is not technically feasible, the dwelling shall not be occupied until such time as the site has been serviced with the appropriate electric vehicle charging infrastructure, in accordance with the approved scheme. The electric vehicle charging infrastructure shall thereafter be retained and maintained for the lifetime of the development.

[To ensure the development is capable of promoting sustainable modes of transport and to comply with Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

13. The residential dwelling hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

14. Development shall not commence 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 for:

- 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 hours of operation

[This is a pre-commencement condition to ensure that the site can be developed in a safe manner and limit the impacts upon residential amenity and highways safety throughout the construction phase, in accordance with Policy 1 (Development Requirements) of the Rushcliffe Local Plan 2: Land and Planning Policies].

15. The development hereby approved shall be carried out in accordance with the recommendations as set out in section H of the Ecological Appraisal WCL/EA/7920 dated 2nd September 2020.

[To ensure that protected species and their habitats are enhanced as a result of the development, in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2: Land and Planning Policies].

16. The dwelling hereby approved shall not be constructed above damp proof course level until details of two integrated bat boxes to be fitted to the eastern and western elevations of the dwelling hereby approved, have been submitted to and approved in writing by the Borough Council. The approved bat boxes shall be installed within the fabric of the new dwelling during its construction, and retained and maintained as such thereafter.

[To ensure that protected species and their habitats are enhanced as a result of the development, in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2: Land and Planning Policies].

17. The residential annex contained within the dwelling hereby approved, shall not be occupied at any time other than for residential purposes which are ancillary to the residential use of the main dwelling house and shall not be sub-let or sold separately.

[It is not considered that the site is suitable to accommodate two independent dwellings in terms of the means of access, internal parking and turning areas and outdoor amenity space, having regards to Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

18. Development shall not commence until, a Tree Protection Plan detailing the methods by which existing trees on the site will be protected during construction, shall be submitted to and approved by the Borough Council. The plan shall include details of the proposed pile and beam foundations of the proposed dwelling. The tree protection measures shall be provided before work commences on site and the development works shall only be carried out in accordance with the approved plan. No spoil, materials or vehicles shall be stored within the area of tree protection.

[This is a pre-commencement condition to ensure that appropriate controls are secured prior to development commencing, to protect the health of existing trees and to comply with Policy 37 (Trees and Woodland) of the Local Plan Part 2: Land and Planning Policies.]

19. The windows in the northern first floor elevation of the proposed dwelling hereby permitted, shall be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification unless otherwise approved in writing by the Borough Council.

[In order to prevent unacceptable levels of overlooking towards 48 Main Street, in the interests of protecting the living conditions of its occupants, and in accordance with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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 development makes it necessary to amend 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 or at licenses@viaem.co.uk to arrange for these works to take place.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

During and post construction, a sensitive lighting scheme should be implemented to prevent disturbance to commuting and foraging bats in the local area. Lighting should be directed away vegetative features within the site and along boundaries, and light overspill of over 1lux should be avoided within these vegetated areas.

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.

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

You are reminded that the site is located within the East Leake Conservation Area and permission would be required for the demolition of any gate, wall or fence or other means of enclosure with a height of one metre or more if next to a highway, or a height of two metres elsewhere.

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 Landscape Officer on 0115 914 8558.

Condition 13 requires the new dwelling to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

- (ii) 20/01988/RELDDEM - It is RECOMMENDED that planning permission for relevant demolition of an unlisted building in a conservation area 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.

amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Location Plan & Site Plan revision 02 dated 17 Dec 2020

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

3. Prior to the commencement of demolition, a method statement detailing techniques for the control of noise, dust and vibration during demolition shall be submitted to and approved by the Borough Council. The demolition works shall only be carried out in accordance with the approved method statement.

[This is a pre-commencement condition to ensure that appropriate controls are secured prior to demolition commencing, to protect the amenities of surrounding residents and to comply with Policy 1 (Development Requirements) and Policy 40 (Pollution and Land Contamination) of the Local Plan Part 2: Land and Planning Policies].

4. If the demolition of the outbuilding does not take place within 12 months of the date of this decision, an additional survey to determine if bats are roosting within the building shall be carried out, and the results and recommendations of which shall be submitted to the Borough Council for approval. The demolition of the outbuilding shall thereafter be carried out in accordance with the recommendations as set out in the approved additional bat survey.

[To ensure that protected species and their habitats are not harmed as a result of the development, in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2: Land and Planning Policies].

5. Prior to the commencement of demolition, a Building Recording Exercise of the building (to a detailed level 2 record, in accordance with guidance provided in Understanding Historic Buildings: A guide to good recording practice), shall be carried out, submitted to and approved in writing by the Borough Council.

[To ensure a detailed record of the building is obtained and to comply with policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. A pre-commencement condition is required to ensure an accurate record of the building can be obtained].



Application Number: 20/02655/FUL
27 High Street, Ruddington



scale 1:1000

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Rushcliffe Borough Council - 100019419

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20/02655/FUL

Applicant	Mr Robert Allen
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Location	Allen Vending Supplies Ltd, 27 High Street, Ruddington, Nottinghamshire, NG11 6DW
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Proposal	Change of use of buildings to five flats and alterations including partial demolition of existing modern extensions and erection of two storey and single extensions. (Resubmission)
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Ward	Ruddington
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THE SITE AND SURROUNDINGS

1. The application relates to a group of buildings located on the corner of High Street and Kirk Lane in the centre of the village of Ruddington. Collectively the buildings are known as 27 High Street and most of the site provided the former premises of the company 'Allen Vending Supplies'. Most of the buildings are now vacant, although a remaining estate agent's business, J P Lettings, still occupies part of the building on the corner of the site.
2. The original, two storey buildings fronting High Street and Kirk Lane date from the late C19th/early C20th century and were physically separate buildings. Later extensions were added to join them together. A small parking area has been left in the middle of the site, accessed from Kirk Lane. To the rear the building adjoins the site of another two storey building occupied by the Ruddington Conservative Club. To the east lies a terrace of residential properties.
3. The site lies within the designated Ruddington Conservation Area. Ruddington is also defined under the Local Plan as an inset settlement within the Green Belt.

DETAILS OF THE PROPOSAL

4. Planning permission is sought to change the use of the site and buildings to a residential development.
5. 5 residential units would be provided. The building fronting High Street would be converted to two 1 bedroomed flats, one on each floor. The building fronting Kirk Lane would be converted to two 2 storey units, each with two bedrooms. The single storey rear extensions to this building would be removed and replaced with a two storey flat roofed rear extension and two further small lean-to extensions either side of two central courtyard areas.
6. A further first floor, two bedroom flat would be established in the centre of the site which would involve a new flat roofed, two storey extension. This would replace the existing extensions in the centre of the site. A covered stairway

would also be added to the rear of the building fronting High Street to provide access to this flat.

7. The courtyard would be retained in the centre of the site to provide parking spaces, accessed from Kirk Lane and a cycle storage and refuse storage area. The ground floor of the western side elevation of the building fronting Kirk Lane would be opened-up to provide additional space to this area. The new extension in the centre of the site would also have an open undercroft. Four of the units would have small outdoor courtyard areas.
8. The existing estate agent's business is to remain and both the ground and first floors of this section of the building would not be altered by the proposals.

SITE HISTORY

9. 19/02024/FUL - Change of use of buildings to five flats and alterations including partial demolition of existing extension and erection of two storey and single extensions. Withdrawn 3 January 2020 by the applicant to allow submission of additional information to demonstrate that there is no demand for the site/premises in its existing specified employment use.
10. 13/01176/FUL - Change of use from police station to a Class A2 (office for financial and professional services). Approved 20 August 2013
11. 95/00196/FUL - First floor extension over car port to form additional office accommodation. Approved 26 April 1995
12. 83/01040/CENTRA - (a) Change of use from residential to shop and offices; (b) Alteration to building; (c) Demolition of outbuilding to form additional parking facilities. Approved 31 August 1983

REPRESENTATIONS

Ward Councillors

13. One Ward Councillor (Cllr J Walker) objects to the proposal due to the intensity of the plan in the village Conservation Area. It is considered that the village centre cannot support 5 flats with only 4 proposed parking spaces.

Ruddington Parish Council

14. The Parish Council object to this application as it is too intensive for this site. Sufficient parking space has also not been provided, there is no nearby parking available either.

Statutory and Other Consultees

15. Nottinghamshire County Council as Highways Authority has no objections to the proposal.
16. The application site occupies a corner plot at the junction of the B680 Kirk Lane/ High Street in the shopping centre area of Ruddington Village. The commercial nature of the area generates a high demand for on-street parking which is

controlled by the presence of formalised parking bays, and “No Waiting At Any Time” restrictions. Therefore, any on-street parking demand generated by this proposal would be controlled by the existing on-street parking restrictions.

17. The proposal is for a change of use from business premises to 5no. residential units (flats) and 2 no. commercial units (existing), i.e. the office use of the ground floor unit (presently occupied by the estate agents office) and the first floor “Business Room” are to remain unchanged. Whilst the proposal will generate some demand for on-street parking, it is not envisaged that this will compromise the highway safety as the applicant proposes to accommodate some off-street parking within the site’s curtilage.
18. The application was subject to a pre-application enquiry and the applicant has addressed the previous highway comments in the documents submitted with this full application.
19. The submitted plan ref. Proposed Ground Floor Plan, drawing no. 03 rev. B, dated 12/2018 shows 4 no. off-street parking bays accommodated within the site. All these parking bays are in accordance with current Nottinghamshire Highway Design Guide.
20. The applicant has shown a location of a communal bin storage area on the submitted plan, which is accommodated within the site. A designated bin collection point near the highway within the site’s curtilage should also be provided to avoid residents’ bins being stored on the footway on collection days. Although not shown on the plan, there seems to be enough space to accommodate this near the highway and off the footway.
21. The applicant has shown a large unobstructed area of the courtyard where the vehicles would manoeuvre within the curtilage of the site to allow them to enter and leave the site in forward gear. This would enable the vehicles to avoid reversing into or out of the site onto a busy B-class road near the junction.
22. There are few issues that have not been raised at the pre-application stage. However, they should be addressed:
 - (a) The existing vehicular access outside the shutter door on the northern elevation of the building along Kirk Lane is required to be removed and reinstated into a footway. This is not shown on the submitted plan, but is required to be provided by the applicant and their expense.
 - (b) The proposed cycle rack should be proposed as lockable to improve security of the cycles stored in it.
 - (c) Any windows and doors off the public footway should open inwards only to prevent highway obstruction.
23. Although there may be some concerns regarding the location of the proposal near a busy junction, it is not envisaged that this proposal will severely compromise highway safety and its existing use has been established historically. The Highway Authority therefore do not wish to raise an objection, subject to conditions being attached to any grant of consent in relation to the

provision of the parking and turning areas and the cycle storage facilities prior to the development being brought into use, closure of the existing site access off Kirk Lane and a condition to state the windows and doors on street frontage should open inwards.

24. The Borough Council's Conservation Officer objects to the proposal.
25. The proposal site is located within the Ruddington Conservation Area and relates to a group of buildings at the corner of High Street and Kirk Lane and a carpark area. Several Grade II listed buildings are located within 100 metres of the proposal site. The proposal site contains identified positive buildings of special architectural or historic character on the Townscape Appraisal.
26. Several properties in close proximity are also identified on the same plan as positive buildings. Therefore, the impact of the proposal on the special interest of the Listed Buildings and Conservation Area must be given consideration. The proposal would not harm the special interest of the Listed Buildings by virtue of distance and the lack of indivisibility between the properties. The focus of the response from the Conservation Officer response, therefore, is the impact of the proposal on the Conservation Area.
27. A change of use is proposed, about which there are no heritage-related concerns in principle. The proposed development to the side and rear of the buildings comprises alterations, extensions and demolition to the existing buildings and their conversion to 5 flats. The proposed alterations are front, rear and side elevations of the buildings on the proposal site and would be visible from the public realm. There would be no change to the High Street elevation, but the proposed development to the south elevation on Kempson Street would be visible from the public realm.
28. The proposed alterations would be highly visible and prominent when viewed from the public realm on Kirk Lane.
29. Three modern extensions (1 pitched and 2 flat-roofed) are proposed for demolition and there are no heritage-related concerns about their removal as they are not of any special architectural or historic interest.
30. The High Street buildings (27 High St, Ruddington) - There are no proposed changes to the external appearance that would be visible from the public realm within the Conservation Area and therefore, the special interest of the Conservation Area would be preserved on this elevation.
31. Kirk Lane - Alterations to the façade of this building would be undertaken. There are no concerns where these are related to the domestic conversion and extension of the traditional building identified as a positive building in the Conservation Area. It is suggested the window to be blocked at the first floor LHS be removed from the plans for clarity. It is recommended that where windows are proposed for conversion to doorways with lights above, that these lights be sympathetic in design to the existing window design and it is recommended conditioning this. As for the doorways to be converted to windows, it is suggested any timber infill be set back slightly to understand the

evolution of the building. The use of timber for replacement windows will be appropriate.

32. However, there are strong concerns about the partial demolition of the traditional building for parking. The building is capable of reuse and conversion and therefore, the demolition of part of the building for parking would cause harm to the identified positive building of special architectural or historic character and, therefore, the Conservation Areas special interest. If the demolition of this end of the building were to go ahead it would result in localised facadism which should be resisted.
33. Kirk Lane and Kempson Street - There are concerns about the flat roofs proposed across the site and the officer suggests that these be reconsidered as pitched roofs stepped down from the existing roof heights. Flat roofs are not a common design feature of the Conservation Area.
34. For the reasons given above, the proposals would harm the character and appearance of the Conservation Area.
35. The Borough Council's Environmental Sustainability Officer comments that the applicant has stated no protected or priority species, habitats or sites are found on or adjacent to the development site, no records are held for protected or priority species by the Nottinghamshire Biological and Geological Record Centre for this site. As the demolition work appears to be on new extensions which are unlikely to support protected or priority species, it therefore appears proportionate that no ecological surveys are required at this time. Several recommendations are made in respect of achieving a demonstrated biodiversity net gain.
36. The Borough Council's Environmental Health Officer raises no objection to the proposal on environmental health grounds. The application is to convert a commercial use building to residential. Whilst there are residential properties close by there are also commercial properties in the locality with plant/machinery along with a public house with external seating area. With this in mind, conditions are recommended to minimise any potential nuisance, including the provision of a sound insulation scheme for approval and the provision of a construction method statement detailing techniques for the control of noise, dust and vibration during demolition and construction.

Local Residents and the General Public

37. 14 neighbouring properties have been individually notified and the application has been publicised by notice at the site. 4 public representations have been received. In summary the following points are made:
 - a. The development is too intensive for its location and the Conservation Area. Buildings within the Conservation Area should not be allowed to be drastically altered to make way for housing.
 - b. There is insufficient parking on site which will put further pressure on the already crowded village centre streets. The site is also near to a busy junction. The construction phase would be extremely disruptive.

- c. The proposal is putting more pressure on the limited resources and infrastructure of the village.
- d. Two representations have been received from the owners of the neighbouring property to the east on Kirk Lane which raise concerns in relation to privacy and loss of light. The extension and full height windows on the rear elevation would fully overlook their property and rear garden.

PLANNING POLICY

- 38. The Development Plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (2019), the National Planning Practice Guidance and Supplementary Planning Documents (SPD's). The Ruddington Neighbourhood Plan has been submitted to the Borough Council and has been subject to a consultation exercise and the Examiners final report is expected imminently.

Relevant National Planning Policies and Guidance

- 39. The relevant national policy considerations for this proposal are those contained within the 2019 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 following sections of the NPPF are relevant to this application:
 - Section 5 - Delivering a sufficient supply of homes.
 - Section 9 - Promoting Sustainable Transport.
 - Section 11 - Making Effective Use of Land
 - Section 12 - Achieving well-designed places.
 - Section 15 - Conserving and Enhancing the Natural Environment.
 - Section 16 - Conserving and Enhancing the Historic Environment.
- 40. The Council also has a statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability to preserve listed buildings and their settings and a statutory duty under section 72 to give special regard to the desirability of preserving or enhancing the special character and appearance of the surrounding Conservation Area.

Relevant Local Planning Policies and Guidance

- 41. The following policies of the Rushcliffe Local Plan Part 1: Core Strategy (2014) (LPP1) are considered relevant to this application:
 - Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 2 – Climate Change
 - Policy 3 – Spatial Strategy
 - Policy 5 – Employment Provision and Economic Development
 - Policy 8 - Housing Size, Mix and Choice

- Policy 10 - Design and Enhancing Local Identity
 - Policy 11 - Historic Environment
 - Policy 17 - Biodiversity
42. The following policies of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) (LPP2) are considered relevant to this application:
- Policy 1 - Development Requirements.
 - Policy 11 – Housing Development on Unallocated Sites within Settlements
 - Policy 12 - Housing Standards
 - Policy 15 - Employment Development
 - Policy 18 - Surface Water Management
 - Policy 28 - Conserving and Enhancing Heritage Assets
 - Policy 38 - Non-Designated Biodiversity Assets and the Wider Ecological Network
 - Policy 40 - Pollution and Land Contamination
 - Policy 41 – Air Quality
43. The 2009 Rushcliffe Residential Design Guide SPD provides guidance on infill development, highlighting the importance of paying careful attention to the design and layout of infill development to ensure it relates to the existing settlement context and character. This includes respecting the existing massing, building form and heights of buildings within their immediate locality.
44. The draft Ruddington Neighbourhood Plan is not yet adopted. Therefore, whilst it is a material consideration it has limited weight. The following policies would be relevant to this application:
- Policy 1 – Sustainable Access
 - Policy 3 - Acceptable uses in the village centre
 - Policy 6 – Housing mix
 - Policy 11 – Traffic and new development
 - Policy 12 – Parking and Servicing
 - Policy 13 - Conservation Area.
 - Policy 19 – Ruddington Design Guide
 - Policy 20 – Sustainable design
 - Policy 22 – Biodiversity in new developments
45. Part 2 of the neighbourhood plan is a Design Guide. This includes a Design Code for minor development, which includes extensions to buildings.

APPRAISAL

Principle of Development

46. The application site is located within the centre of Ruddington, a 'key settlement' identified for growth under the spatial strategy set out in LPP1 policy 3. It has good access to the settlement's full range of services and public

transport and is considered to be a sustainable location for new residential development.

47. In addition, paragraph 68 of the NPPF states that Local Planning Authorities should “...*support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes...*”
48. Notwithstanding this, the site also represents an existing employment site. Policy 15 of the Local Plan Part 2 concerns the re-development of existing employment sites and states that planning permission should not be granted unless it can be demonstrated that there is no demand for the site or premises for its specified employment use, and that the site is not viable for re-occupation by an alternative business.
49. Paragraph 4.7 of the explanatory text to policy 15 states that the Council will consider releasing existing employment sites for non-employment uses only where they are no longer in demand. This will require evidence that they have been marketed for their intended employment purpose, without success, for a sufficient period of at least 12 months (although this may be varied on a case by case basis) and a financial appraisal to provide evidence that the premises are not economically viable for reoccupation or refurbishment for employment uses.
50. In response to this policy, a report by Corder Commercial, a property surveying company, has been provided with the application. It advises that in terms of a future, viable commercial site there would be the following concerns:
 - The uncertain state of the market, exacerbated by Covid crisis. There is a limited demand for sites in poorer tertiary locations.
 - The street front location, adjoining a busy crossroads junction in the centre of Ruddington village, is not suitable for business use. There is difficult commercial access/loading, limited parking and the site has an awkward layout.
51. It is advised that the premises have been advertised to let as a commercial business since February 2020. Although there have been some enquiries, there have been no viewings, although it is acknowledged that the COVID pandemic has contributed to this. Due to the above factors it is considered unlikely that the vacant premises would be successfully let for commercial use. No financial appraisal has specifically been provided but it is acknowledged that the site layout and age of the buildings are not conducive to modern working requirements. It is therefore concluded, on balance, that the requirements of policy 15 have been satisfied to an acceptable extent.
52. Therefore, new residential development on the site would be acceptable in principle, subject to the design principles meeting the general development requirements of sustainable development, as set out in policy 10 of the LPP1 and policies 1 and 11 of the LPP2, and being acceptable in terms of the impact on the character and appearance of the Conservation Area, in accordance with policy 28 of the LPP2. These matters are discussed in more detail below.

Design principles of the scheme and the impact on the character and appearance of the site and the Ruddington Conservation Area.

53. LPP1 policy 10, Design and Enhancing Local Identity, states that development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce valued local characteristics. This is reinforced under policy 1 of the LPP2, which also states that development should be sympathetic to the character and appearance of neighbouring buildings and the surrounding area.
54. Policy 28 of the Local Plan part 2, Conserving and Enhancing Heritage Assets, states that proposals should also preserve and enhance the character and appearance of the heritage asset (in this case the Conservation Area).
55. The building lies on a prominent road junction within the centre of the village and Conservation Area. As noted by the Conservation Officer, the existing, original buildings on the site are identified as positive buildings of special architectural or historic character within the Conservation Area Townscape Appraisal.
56. The application proposes to convert the existing buildings into five residential units. The building fronting High Street would provide two apartments, one on the ground floor and one on the first floor. The plans indicate that there would be no external alterations to the original building, aside from possibly the installation of new windows and doors. The attractive corner frontage of this building would therefore remain.
57. The buildings within the central part of the site and the extensions to the rear of the building fronting Kirk Street are to be removed. These are later additions, constructed with a mixture of flat and pitched roofs and different brick types. They are quite disjointed in appearance and do not complement the existing buildings or make any positive contribution to the character and appearance of the area. There are, therefore, no objections in principle to the removal of these elements.
58. In their place, a new flat roofed two storey extension would be constructed to connect the original buildings on High Street and Kirk Lane. This would have an open undercroft at ground floor level to provide an amenity courtyard for the ground floor flat fronting High Street, as well as a parking space and area for cycle storage and refuse storage. The first floor would provide a further two bedroom apartment. Part of the first floor of the original building fronting Kirk Lane would also form part of this unit. A small flat roofed extension would be added to the eastern side of the building fronting High Street to provide a new staircase up to the first floor, providing access to both this unit and the first floor flat fronting High Street.
59. The flat roofed extension would have two open voids within it where courtyards are to be provided for 2 of the flats. The walls are to be either timber clad or constructed from matching brick, precise details of the materials would be requested for prior approval through a recommended condition. A condition is also recommended requiring submission of details of the new windows and

doors for prior approval, in line with the recommendation of the Conservation Officer.

60. The building fronting Kirk Lane would be converted to provide a further 2 two bedroom, two storey units. Some fairly significant alterations would be made to this building. The ground floor western side elevation wall would be removed to again allow parking spaces under the first floor. The existing flat roofed rear extensions are also to be removed. The new two storey flat roofed extension in the centre of the site would be continued along the rear of the Kirk Lane building, extending this building back by around 1.5 metres. To the rear of this would be two further, small lean-to extensions either side of two courtyards. A new 1.8 metre high brick boundary wall would be built to separate the courtyards from the neighbouring Conservative Club site.
61. It is acknowledged that the Conservation Officer has raised concerns in relation to the design of the scheme, in particular the flat roof design of the extensions and the removal of the side wall of the building fronting Kirk Lane. However, it is also considered that the existing modern extensions in the middle of the site currently detract from the character and appearance of the site and the Conservation Area to a significant extent. The contemporary style of the new extensions would clearly distinguish them as later additions to the original buildings, which could otherwise be difficult to replicate to a satisfactory extent. The proposed scheme should ensure a more coherent appearance to the overall site. When viewed from Kempson Street, the two storey extension would be largely screened by the Conservative Club buildings with limited visibility through a gap between the buildings fronting the street, which is a private road.
62. The loss of part of the side wall of the original building fronting Kirk Lane is regrettable but it is required to provide some parking provision for the development and turning space to allow vehicles to exit the site in a forward gear close to the busy junction. The main elevation of this building fronting Kirk Lane would be retained with minimal alterations to the fenestration of the building.
63. The loss of part of this side wall of the original building fronting Kirk Lane would result in a degree of harm to the character and appearance of the building and the wider Conservation Area, however, this would be deemed to be less than substantial. Paragraph 196 of the NPPF states that, where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.
64. As advised above, it is unlikely that the original buildings would be suitable for modern working practices and therefore a residential use is considered to be the most optimal viable use to preserve the buildings for the future. The proposal would also provide 5, smaller and more affordable dwellings within a highly sustainable location. Therefore, there would be significant public benefits of the proposal. In this case, these benefits are considered to outweigh any harm to the character and appearance of the buildings and the Conservation Area. It is not considered that the development would cause any harm to the setting of nearby Listed Buildings.

65. The proposal is therefore deemed to accord with LPP1 policies 10 and 11 and policies 1 and 18 of the LPP2. The Council also has a statutory duty under section 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving the setting of listed buildings and to the preservation or enhancement of the surrounding Conservation Area respectively. As discussed above, it is considered that the assessment undertaken is compliant with these duties and the proposal is, therefore, considered positively in relation to the duty under the 1990 Act.

The impact of the proposal on the residential amenity of neighbouring properties

66. LPP1 policy 10 states that development should be assessed in terms of its impact on the amenity of nearby residents. This is reinforced under policy 1 of the LPP2, which states that development should not be granted where there is a significant adverse effect upon the amenity of adjoining properties.
67. Due to the siting of the new extensions and the fact that these largely replace existing sections of the buildings, the proposal should generally have little additional impact on the amenity of occupiers of neighbouring properties, however, concerns have been raised by the owners of the neighbouring residential property to the site on Kirk Lane. The concerns relate to additional overlooking and overshadowing.
68. The conversion of the building fronting Kirk Lane into 2 two bedroom dwellings would specifically affect this property. The single storey flat roofed section at the rear of the main building would be replaced with a new two storey flat roofed extension, around 1.5 metres deep. The new rear elevation wall would contain new openings at ground and first floor level. At first floor there would be doors and Juliet balconies.
69. The rear elevation wall of the two storey building currently has no openings and, therefore, it is appreciated that the proposal could result in a degree of additional overlooking above that which currently exists. However, overlooking onto rear garden areas between properties is generally considered to be reasonable within a built-up urban area. As such it is considered that there would be insufficient grounds upon which to refuse this element of the application.
70. The plans indicate that the new rear extension on the building would project back for around a metre beyond the rear elevation of the neighbouring dwelling. However, this limited projection and the separation distance between the buildings ensures compliance with the 45 degree principle, as set out within the Residential Design SPD and used as a guide to assess the potential impact of an extension on the light and outlook of a neighbouring building. Therefore, whilst the concerns of the owners of the neighbouring property are acknowledged, in practice the extension should not result in significant adverse harm to this property.
71. There are windows within the rear elevation of the Conservative Club building which face the application site at very close proximity, in particular the first floor apartment in the new extension in the central part of the site. The higher roof

height of the extension may impact on the outlook and light to these windows, however, this building does not appear to be in any residential use and these windows are already fairly compromised by the location of the building. The plans indicate that the boundary wall would be raised in height to prevent overlooking between these windows and the bedroom and courtyard amenity space to be created for this dwelling.

72. The proposal is, therefore, deemed to accord with LPP1 policy 10 and policy 1 of the LPP1 in terms of its impact on the residential amenity of neighbouring occupiers.

Parking and Highway Matters

73. Concerns have been raised by the Ward Councillor, Parish Council and local residents in relation to a lack of parking provision for the proposed scheme. Four spaces in total would be provided, in addition to a cycle storage area. It is acknowledged that this would be likely to represent an under provision, compared with the number of dwellings being provided, however, the County Council Highway Officer has advised that there would be no objection to this, given that street parking around the area surrounding the site is already restricted. It is also noted that the site is located in a highly sustainable location and close to public transport provision. Consideration should also be given to the likely traffic generation when this site was used for commercial purposes.
74. The site is located close to a busy road junction, but the design of the scheme allows vehicles to leave the site in a forward gear. The Highway Officer is satisfied that the proposal would not compromise highway safety. The recommended conditions would be added to the permission and, with these provisions, it is concluded that the proposal would accord with policy 1 of the LPP1.
75. A condition is also recommended to request details for approval of electric vehicle charging points within the development, in order to reduce carbon emissions and improve air quality in accordance with the aims of LPP1 policy 2 and policies 1 and 41 of the LPP2.

Ecology Matters

76. No ecological survey was submitted with the application, although the Council's Environmental Sustainability Officer has confirmed that the site is unlikely to support protected or priority species. No additional surveys are therefore deemed to be necessary.
77. In accordance with policy 38 of the Local Plan Part 2, all new development is expected to achieve net gains in biodiversity. A condition is therefore recommended for proposals to be submitted for approval.
78. The proposed development is, therefore, deemed to comply with policy 38. It is reasonably considered that the proposal would not result in any harm to protected species or habitats and has the potential to achieve net gains in biodiversity.

Environmental Health Matters

79. A pre-commencement condition has been recommended by Environmental Health in relation to the provision of a construction method statement. This has been agreed by the Agent and added to the permission due to the location of the site close to a busy road junction, the proximity of neighbouring residential properties and the limited space within the site.
80. A condition is also recommended for the provision of a sound insulation scheme for prior approval in line with the recommendations of Environmental Health.

Conclusion

81. The application site is located within a sustainable settlement, identified for new residential development under the Local Plan and the proposal would provide 5 new residential units and a long term viable use for existing buildings which are identified as positive buildings within the Conservation Area. These factors are considered to outweigh the limited harm to the form and appearance of the original buildings. The proposal therefore complies with the relevant planning policies and is recommended for approval
82. The application was the subject of pre-application discussions and the submitted scheme is in line with these discussions, resulting in a recommendation to grant planning permission.

RECOMMENDATION

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following plans:

Site Plan, drawing number SP01
Site Plan, drawing number SP02
Proposed Ground Floor Plan, drawing number 03, revision B
Proposed First Floor Plan, drawing number 04, revision B
Proposed Elevations, drawing number 06, revision B
Proposed Rear Elevations, drawing number 07, revision C
Roof Plan, existing and proposal, drawing number 08
Courtyard Sectional Elevation, drawing number 09
Sectional Elevations (proposed), drawing number 10, revision A
Sectional Elevations (proposed), drawing number 11, revision A
Block Plan, drawing number 12
Sectional Elevations (proposed), drawing number 14
Schematic Explanation of proposal, drawing number 15, revision A

Proposed Rear Elevations, drawing number 15, revision C

[For the avoidance of doubt and to comply with policy 10 of the Core Strategy and policy 1 of the Local Plan Part 2.]

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to the Local Planning Authority for approval. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. measures to control noise, dust and vibration during construction.

[To prevent any adverse impact on the highway network and protect the amenities of neighbouring residential properties, in accordance with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. This is a pre-commencement condition to ensure that adequate measures are in place prior to work commencing on site].

4. No construction of the external walls of any new extensions to the existing buildings shall commence or roof covering added until specific details of the facing and roofing materials to be used on all external elevations are submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

5. Prior to their installation, detailed plans of any new doors, windows and any other openings to be installed within the buildings, together with details of proposed finishes, shall be submitted to and approved in writing by the Local Planning Authority. All new windows and doors on the Kirk Lane and High Street frontages of the building shall be installed to open inwards only. The development shall be carried out in accordance with the approved details.

[In the interest of pedestrian safety and to ensure the appearance of the development is satisfactory and to, to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

6. Prior to occupation of any of the dwellings hereby approved, a sound insulation scheme to effectively reduce the transmission of noise from external sources shall be submitted to and approved by the Local Planning Authority. It shall

have regard to both BS 8233:2014 Sound Insulation and Noise Reduction for Buildings stating all assumptions made.

If required a complementary ventilation scheme shall also be submitted to and approved by the Local Planning Authority. This scheme shall be designed to ensure that the windows can remain closed. This will retain the integrity of the noise insulation scheme, whilst ensuring the provision of the ventilation required by the Building Regulations.

The upper limit for living rooms shall be an LAeq, 16h of 35dB, and for bedrooms an internal LAeq,8h of 30dB and an LMax of 45dB. Furthermore, the Noise Rating Curve of 30 shall not be exceeded in any octave band.

The agreed details shall be fully implemented prior to occupation of any of the dwellings.

[To protect the amenities of future occupiers of the development, in accordance with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. Prior to occupation of any of the dwellings hereby approved details of a scheme to achieve a net gain in biodiversity, for example the provision of bird and/or bat boxes, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to any part of the development being brought into use and shall be retained for the lifetime of the development.

[To achieve a net gain in biodiversity, in accordance with Policy 17 (Biodiversity) of the Local Plan Part 1: Core Strategy and Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. Prior to occupation of any of the dwellings hereby approved details of a refuse collection point shall be submitted to and approved in writing by the Local Planning Authority. The development shall then take place in accordance with the approved details and the refuse collection point shall be provided prior to occupation of any of the flats and thereafter retained for the lifetime of the development.

[To prevent bins from being stored on the highway on collection days, to comply with policy 1 of the (Development Requirements) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies.]

9. No part of the development hereby permitted shall be brought into use until the existing site access that has been made redundant and as shown on plan reference Proposed Ground Floor Plan, drawing number 03, revision B, dated 12/2018 is permanently closed and the access crossing reinstated as footway in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority

[To protect the structural integrity of the highway and to allow for future maintenance, to comply with policy 1 of the (Development Requirements) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

10. No part of the development hereby permitted shall be brought into use until the details of the provision of Electric Vehicle Charging Points has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to occupation of any of the dwellings hereby approved and the charging points shall be retained thereafter for the lifetime of the development.

[To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change, in accordance with policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1 : Core Strategy and policy 41 (Air Quality) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies]

11. No part of the development hereby permitted shall be brought into use until the parking/turning areas are provided in accordance with the submitted plan reference Proposed Ground Floor Plan, drawing number 03, revision B, dated 12/2018. The parking/turning areas shall be maintained in a bound material for the life of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.

[To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area, to comply with policy 1 of the (Development Requirements) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

12. No part of the development hereby permitted shall be brought into use until the cycle parking provision, as indicated on drawing reference Proposed Ground Floor Plan, drawing number 03, revision B, dated 12/2018 has been provided. The cycle stands shall be covered and lockable for security and that area shall not be used thereafter for any purpose other than the parking of cycles.

[To promote sustainable travel, in accordance with policy 2 (Climate Change) of the Rushcliffe Borough Local Plan Part 1: Core Strategy and policy 1 of the (Development Requirements) of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies].

13. The approved flats shall be constructed to meet the higher Optional Technical Housing Standard for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

Notes to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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

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.

Condition 13 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission. Guidance of this process and the associated requirements can be found in Approved Document G under requirement G2, with the requirements laid out under regulations 36 and 37 of the Building regulations 2010.

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

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

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.

It is possible that the roofspace, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are

protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.