

18/00823/FUL

Applicant Mr Paul Moram

Location 27 Flaxendale Cotgrave Nottinghamshire NG12 3NR

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

Ward Cotgrave

THE SITE AND SURROUNDINGS

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

DETAILS OF THE PROPOSAL

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

SITE HISTORY

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

REPRESENTATIONS

Ward Councillor(s)

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

Town/Parish Council

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

Statutory and Other Consultees

12. None

Local Residents and the General Public

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

PLANNING POLICY

15. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014).
16. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) and the Rushcliffe Residential Design Guide (2009).
17. Any decision should therefore be taken in accordance with the Core Strategy, the NPPF and NPPG, policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Framework, together with any other material planning consideration.

Relevant National Planning Policies and Guidance

18. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development and look for solutions rather than problems, seeking to approve applications where possible. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. There are three dimensions to sustainable development, economic, social and environmental. One of the core planning principles of the NPPF state that planning should, *'Always seek to secure high quality design and a good standard amenity for all existing and future occupants of land and buildings.'*

Relevant Local Planning Policies and Guidance

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

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

APPRAISAL

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

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

31. In terms of garden areas, the existing semi-detached property would retain a side/rear garden area of 38sqm, which is well below the 90sqm recommended in the Residential Design Guide. Similarly, the proposed detached property would have a rear garden area measuring 7m in depth and 56sqm which is below the 10m and 110sqm as recommended by the Residential Design Guide. It is considered that such small garden areas for both the existing and proposed dwelling would not provide sufficient outdoor private amenity space which would be harmful to the living conditions of occupiers.
32. Concerns have been raised by local residents regarding the impacts of the proposal on highway safety. Both the existing and proposed dwelling would benefit from two off street car parking spaces, therefore, the proposal is unlikely to increase current levels of on-street car parking. The existing 1.2m high privet hedge would be retained and its height could be limited by condition, therefore, protecting visibility on the corner of Flaxendale. As a result, it is not considered that the proposal would be harmful to highway or pedestrian safety.
33. The application was not the subject of pre-application consultation and there are fundamental objections to the proposed development. Negotiations have not been initiated with the agent in this instance in order to allow the decision to be issued in a timely manner.

RECOMMENDATION

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

1. The proposed two storey dwelling to the side garden area of 27 Flaxendale would result in a cramped, over intensive form of development which would be harmful to the character, layout and appearance of the surrounding area. The proposal would therefore be contrary to policy 10 of the the Rushcliffe Local Plan Part 1: Core Strategy; Policies GP2 and HOU2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework.
2. The proposed two storey dwelling would appear overbearing and intrusive, and result in unacceptable levels of overlooking which would be harmful to the living conditions of 26 and 28 Flaxendale. Furthermore the proposed development would not provide adequate outdoor amenity space for occupiers of the proposed dwelling or the existing dwelling 27 Flaxendale. The proposal would therefore be contrary to Policies GP2 and HOU2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within the Rushcliffe Residential Design Guide and National Planning Policy Framework.