

# 18/02286/FUL

**Applicant** Mr Bill Nunn

**Location** Whitegates 9 Thelda Avenue Keyworth Nottinghamshire NG12 5HU

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

**Ward** Keyworth And Wolds

## THE SITE AND SURROUNDINGS

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

## DETAILS OF THE PROPOSAL

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

## SITE HISTORY

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 An application to demolish the bungalow and erect 4 detached dwellings (app no 18/01325/FUL) was withdrawn in August 2018.

## REPRESENTATIONS

### Ward Councillor(s)

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

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

### **Town/Parish Council**

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

### **Statutory and Other Consultees**

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

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

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

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

## **PLANNING POLICY**

11. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as 'Core Strategy') and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Keyworth also has a Neighbourhood Plan which forms part of the Development Plan when considering applications in the Keyworth area. Other material planning considerations include the National Planning Policy Framework (NPPF) and the Rushcliffe Borough Non Statutory Replacement Local Plan (2006).

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

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

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

13. Policy 1 of the Core Strategy sets out the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
14. The proposal is considered under Core Strategy Policy 10 (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should be assessed in terms of the criteria listed under section 2 of Policy 10, and of particular relevance to this application are 2(b) whereby development should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.
15. Policy 3 (Spatial Strategy) promotes sustainable residential development through a policy of urban concentration. A settlement hierarchy for the District has been identified in order to achieve this. Keyworth is a Key settlement identified for growth.
16. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory are a material consideration. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) specifically GP2d, whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development.
17. Policy HOU2 (Development of Unallocated Sites) states that planning permission on unallocated sites will be granted provided that; there is no harm to the character or pattern of development; it would not extend the built

up area; it would not have an adverse visual impact; it would not result in the loss of buildings capable of conversation and worthy of retention; it is not in the open countryside; the site is in an accessible location.

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

## **APPRAISAL**

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

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

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

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

## **RECOMMENDATION**

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

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
  
[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].
2. This approval relates only to the application as amended by the revised plans 18055-A-3001-P05 and 18055-A-4002-P05 received on 30/11/2018.  
  
[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].
3. The materials specified in the amended application shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.  
  
[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].
4. The window in the first floor side elevation of the proposed dwellings shall be permanently fixed shut with top light opening only and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the window shall be retained to this specification unless otherwise agreed in writing by the Borough Council. No additional windows shall be inserted in this elevation without the prior written approval of the Borough Council

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

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

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

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

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

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

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

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

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

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

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



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

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

### **Notes to Applicant**

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

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

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