

Report of the Chief Executive

APPLICATION NUMBER:	21/00772/FUL
LOCATION:	Land to the rear of 55 Church Street, Eastwood, Nottinghamshire, NG16 3HR
PROPOSAL:	Construct two bungalows

This application has been called to Planning Committee by Councillor M Radulovic.

1 Executive Summary

- 1.1 The application seeks full planning permission for the construction of a pair of semi-detached dwellings accessed via a private track between 8 and 10 Midland Road. To the boundaries is to be a mixture of 1.8m – 2.1m boundary fencing and mature hedgerows. The dwellings will be one and half storey high with flat roof dormers to the rear and principal elevation. Forward of the principal elevation is off road parking. The land is currently fenced off and is overgrown/scrub land.
- 1.2 The recommendation has been put forwarded using the amended plan demonstrating a pair of semi-detached dwellings approximately 2.6m to the eaves height, 6.7m to the ridge height with a flat roof dormer to the principal and rear first floor and a flat roof projection to the ground floor with a roof lantern. The dwellings will have a living room, bathroom bedroom and kitchen/diner to the ground floor and one bedroom within the loft space with an en suite.
- 1.3 It is considered that the main issues relate to whether the design, scale and appearance of the proposed dwellings is appropriate, and whether there would be any impact on neighbour amenity or on highway safety.
- 1.4 The benefits of the proposal are that it would add to the Council's housing supply, and would not have a detrimental impact on the street scene or impact on highway safety. However, the siting of the proposed pair of dwellings along with the bulk and mass would result in an unacceptable impact on the residential amenity of the occupiers of 6 and 8 Midland Road. The proposal is considered an over intensive form of development and it is therefore considered that the proposal is unacceptable and that the application should be refused. The negative impacts are considered to carry sufficient weight to outweigh the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reason outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks to construct a pair of two storey dwellings with flat roof dormers set into the roof slope, forming the second storey, to the principal and rear elevations. To the rear is a flat roof projection with a roof lantern and one roof light in each side roof plane. The roof height, from eaves to ridge, is almost double the height of the ground floor, 2.6m to the eaves and 6.7m to the ridge height. The application forms states materials to be agreed.

2 Site and surroundings

- 2.1 The site is currently overgrown/scrub land with some boundary treatments and a high wooden gate that provides security.
- 2.2 To the north lies a pair of bungalows with a 1.8m boundary fence. To the east is the access track serving the site and giving access to neighbouring plots, and beyond this is 10 Midland Road, a two storey redbrick semi-detached dwelling. To the south lies semi-detached dwellings on Malthouse Close, with one property having vehicular access to the rear of their property from the access track. To the west lies a mixture of terrace, semi-detached and detached dwellings constructed of red brick and concrete tiles.

3 Relevant Planning History

- 3.1 There have been several applications submitted for this site for the construction of a dwelling, the history for the site follows:
- 86/00191/OUT Erect one bungalow (approx 0.05ha) Granted conditional permission
 - 89/00444/OUT Renew permission to construct one bungalow Granted conditional permission
 - 92/00345/OUT Renew permission to construct one bungalow Granted conditional permission
 - 95/00267/OUT Renew permission to construct bungalow Granted conditional permission
 - 98/00268/OUT Renew permission to construct bungalow on land to rear Granted conditional permission
 - 01/00329/OUT Renew permission to construct bungalow on land to rear Granted conditional permission
 - 04/00622/OUT Renew permission to construct bungalow Granted conditional permission

- 07/00955/OUT Construct 2 N° semi-detached bungalows conditional permission Granted

4 Relevant Policies and Guidance

4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 8: Housing Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

- Policy 15 – Housing size, mix and choice
- Policy 17 – Place-making, Design and Amenity

4.3 **National Planning Policy Framework (NPPF) 2021:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places.

5 Consultations

5.1 **Nottingham County Council Highways:** The Highways Officer has stated the proposed dwellings are served from an existing driveway on Midland Road and as such the Highways Authority would not have any concerns with the proposal.

5.2 **Coal Authority:** The Coal Authority at first raised an objection due to the lack of Coal Mining Risk Assessment (CMRA) being submitted with the application. Once a CMRA was submitted the Coal Authority removed their objection and concurs with the recommendations within the report. They have recommended assessment for mine gas and SUDS along with other conditions.

5.3 Eleven properties were consulted and a site notice was displayed. Two responses were received with observations relating to the need for no obstruction to an existing access, and no surface water run-off outside the site.

5.4 Eastwood Town Council has not commented on the application.

6 Assessment

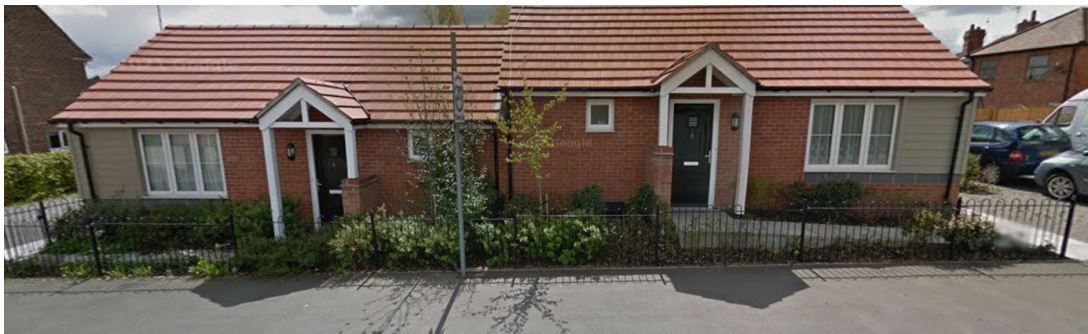
6.1 The application site is not covered by any specific planning policy. The main issues for consideration for this proposal are therefore the design and appearance of the pair of dwellings, its impact on neighbour amenity and highway safety.

6.2 Design and visual amenity

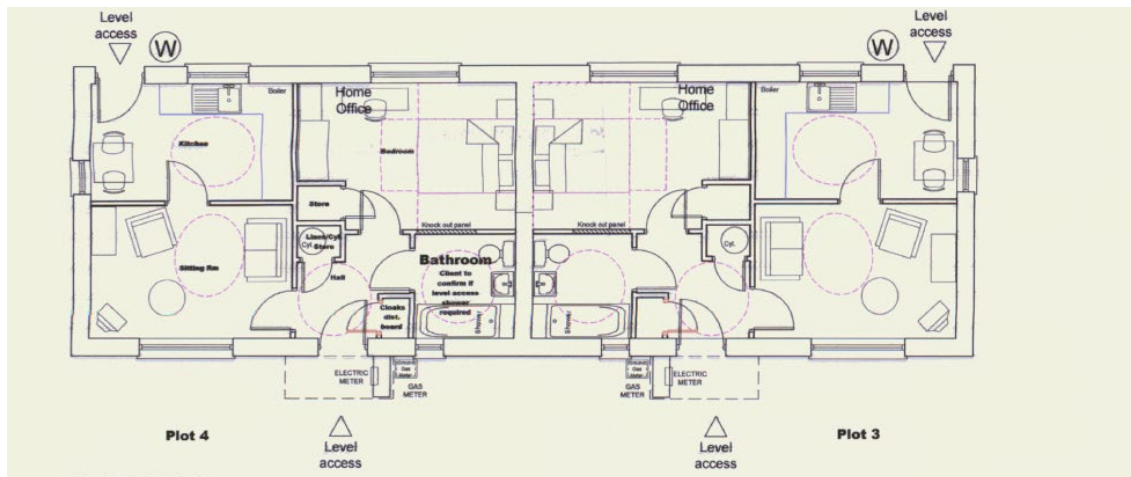
- 6.2.1 Policy 10 of the ACS section 2 states that developments will be assessed in terms of d) massing, scale and proportion and e) materials and style. Policy 17 of the Part 2 Local Plan part 4 a) states that development should be of a size and design that makes a positive contribution to the appearance of the area and does not dominate the existing building.
- 6.2.2 The proposed two storey dwellings (the second storey being in the roof) are to be sited on the west side of the plot with off road parking forward of the principal elevation, for two vehicles per dwelling. Down each side of the pair of dwellings is a pathway that leads to a private garden approximately 8.45m in length. No materials have been annotated on the plans or the application forms.
- 6.2.3 The design of the pair of semi-detached dwellings, including two flat roof dormer windows within the large hipped roof, are very top heavy due to the eaves height being only 2.6m with the ridge height being 6.7m. The massing, scale and proportion of the first floor unbalances the appearance of the pair of semi-detached properties and there are no similarly designed dwellings within close proximity to the site.
- 6.2.4 The position of the neighbouring properties north of the site will provide some screening, but due to the height of the ridge the roof will be visible when viewed from the north, over the top of the ridge height of 6 and 8 Midland Road.
- 6.2.5 The proposal is considered to be an over intensive form of development, creating a pair of semi-detached that are two storeys high, on a parcel of land which has historically received planning permission for one or two bungalows which are all single storey.

6.3 Amenity

- 6.3.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.3.2 The dwellings located to the south and west are a significant distance away from the joint boundaries with the site, and due to the length of their own gardens and the orientation, the proposal enables no impact on loss of light to the dwelling or their private amenity space.
- 6.3.3 The pair of bungalows to the north, 6 and 8 Midland Road, have small rear garden areas with a 1.8-2m boundary treatment on the joint boundary. These two modest bungalows are a recent addition to the street following the demolition of garages to enable the two dwellings to be constructed under 12/00683/REG3 for 6 dwellings.



6 and 8 Midland Road



Internal layout of the dwellings at 6 and 8 Midland Road

6.3.4 The overall ridge height of 6 and 8 Midland Road are 4.6m with the habitable room windows on the rear elevation facing the site. The position of the proposed pair of semi-detached dwellings will have a negative impact on the light to the habitable rooms and private amenity space of 6 and 8 Midland Road due to the overall height being 6.7m and being as close as 7.8m from the habitable rooms on the rear elevations of 6 and 8 Midland Road. It is acknowledged the roof design is hipped but the sheer size and position of the proposal still will have a negative impact on these dwellings in terms of loss of light and outlook.

6.4 Access

6.4.1 The proposal has been assessed by Nottinghamshire County Council Highway Authority and they have not raised any objection to the application on highway grounds.

6.4.2 The points raised within the representations have been considered and obstruction to the neighbour's garage is not a material planning consideration and cannot be conditioned to remain free from obstruction as this would be a civil matter.

6.5 Coal

6.5.1 The site lies within a coal referral area and the agent did submit a Coal Mining Risk Assessment following the Coal Authorities objection to the application. The Coal Authority did remove their objection and agreed with the recommendations within the report, subject to conditions and informative.

7 Planning Balance

- 7.1 The proposed pair of dwellings would add to the Councils housing supply, and would not have a detrimental impact on the street scene or impact on highway safety. However, the siting of the proposed pair of dwellings along with the bulk and mass would result in an unacceptable impact on the residential amenity of 6 and 8 Midland Road. The proposal is considered an over intensive form of development and it is therefore considered that the proposal is unacceptable and that the application should be refused.
- 7.2 On balance, the negative impacts are considered to carry sufficient weight to outweigh the benefits of the proposal.

8 Conclusion

- 8.1 Recommend that planning permission for the development is refused.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following reasons.	
1.	The proposed development of two semi-detached dwellings, by virtue of their massing, scale and siting close to the north boundary, would have an overbearing and oppressive impact on the neighbouring properties of 6 and 8 Midland Road, resulting in an unacceptable loss of amenity for the occupiers of these dwellings, contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of Aligned Core Strategies Part 1 Local Plan (2014).
2.	The proposed pair of semi-detached dwellings are of a massing, scale and proportion that would result in an over-intensive and cramped form of development and would be detrimental to the character and appearance of the area. The development is therefore contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of Aligned Core Strategies Part 1 Local Plan (2014).
	NOTES TO APPLICANT
1.	Whilst it has not been possible to achieve a positive outcome, due to the fundamental concern regarding neighbour amenity and the design and scale of the dwellings, the Council has acted positively and proactively in the determination of this application by working to determine it within the agreed timescale.

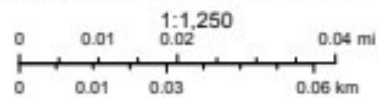
Site location plan

27/00772/FUL - Land to the rear of 55 Church Street



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-  Coal Referral Area
-  Coal Standing Advice
-  Coal Surface Mining Risk Plan
-  Site



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Photographs



Site notice



Access to the site between 8 and 10 Midland road



Principal elevation of 8 Midland Road



Principal elevation of 10 Midland Road



Southern boundary with 1-4 Malthouse Cl

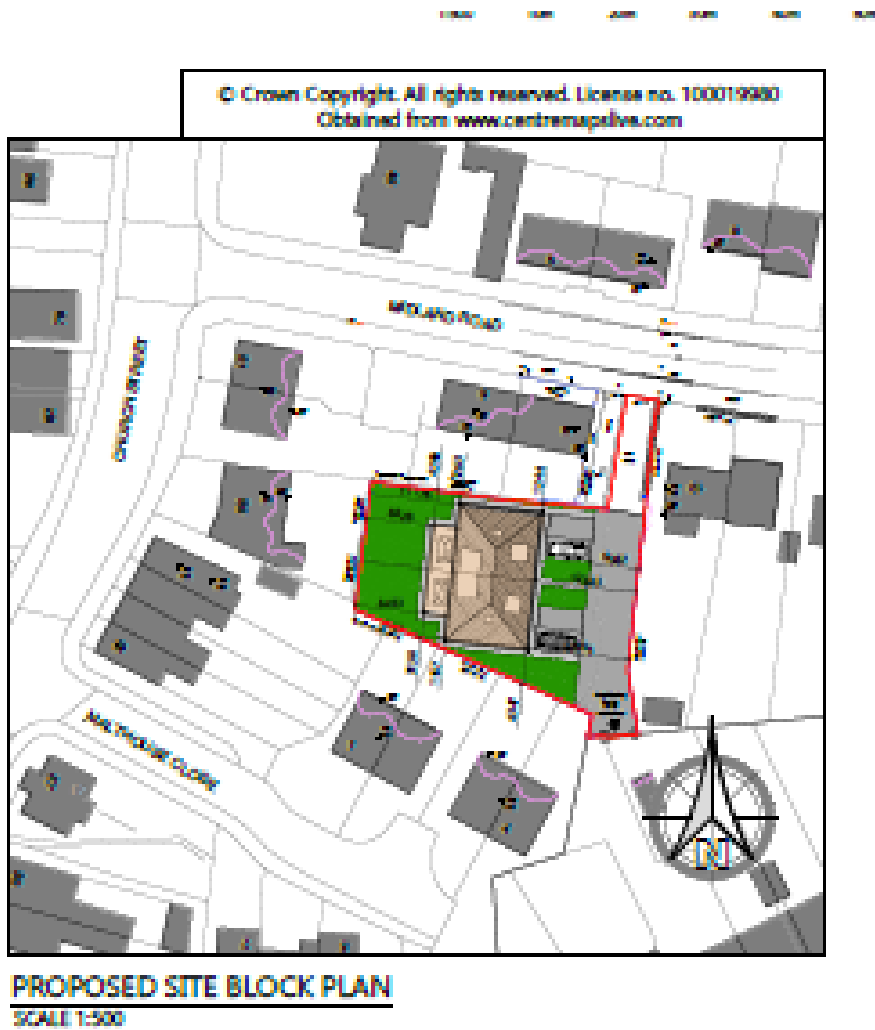


Southern/western boundary of site – rear of 55 Church Street



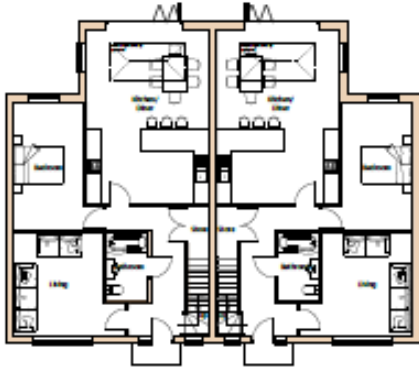
Northern boundary and the roofs of 6 and 8 Midland Road can just be seen over the boundary treatment.

Plans (not to scale)

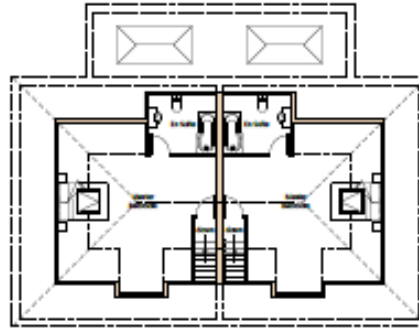


Proposed block plan

PROPOSED LAYOUTS
SCALE 1:50



GROUND FLOOR



FIRST FLOOR

PROPOSED ELEVATIONS
SCALE 1:100



FRONT



SIDE



REAR



SIDE

Proposed elevations and floor plans