

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 MBE.

1 Executive Summary

- 1.1 This application was first brought before Planning Committee on 30 March 2022 with a recommendation of refusal. Members deferred making a decision on the application to allow the agent to amend the ridge height following concerns in respect to the potential impact on residential amenity of 6 and 8 Midland Road.
- 1.2 The agent has responded and has provided an amended plan lowering the ridge height of the pair of semi-detached dwellings by approximately 1m to 5.7m with no rooms within the roof space. Each dwelling will have two double bedrooms, bathroom, a kitchen/dining/living room with two off road parking to the principal elevation.
- 1.3 The Committee is therefore asked to resolve that planning permission be granted subject to the conditions outlined in appendix 1. The original report is included at appendix 2.
- 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, residential amenity or impact on highway safety.

APPENDIX 1

1 Details of the Application

- 1.1 The application seeks to construct a pair of two storey dwellings with an eaves height of approximately 2.6 and 5.7m to the ridge with a rear projection with a roof lantern. 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 Granted conditional permission

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 Re consultations

5.1 A re consultation was undertaken for seven days to all neighbours and anyone who has made representation on the application. Any comments received will be reported in the late papers.

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 amended scheme seeks to construct a pair of semi-detached bungalows and are to be sited on the west side of the plot with off road parking forward of the principal elevation, 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 amended design of the pair of semi-detached bungalows have a hipped roof arrangement with a maximum height of 5.7m and 2.6m to the eaves giving a more

proportioned and balanced appearance and in keeping with the dwellings within close proximity to the site.

6.2.4 Given the amended design, reduced overall height of the pair of semi-detached dwellings, along with the neighbouring properties to the north of the site will mean the proposal will not be viewed from the north.

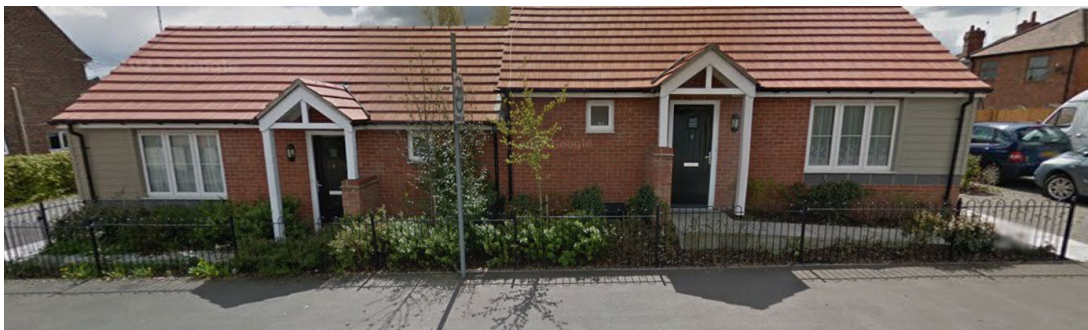
6.2.5 The amended scheme is now considered acceptable is considered an acceptable design and will not appear out of keeping with the area or have any impact on the street scene.

6.3 **Amenity**

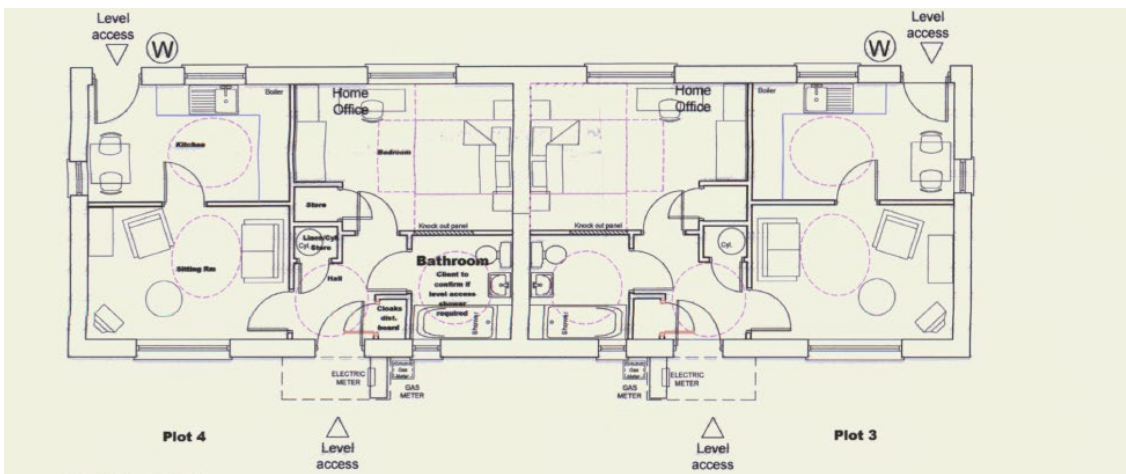
6.3.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

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 amended plan demonstrates the ridge height being reduced by approximately 1m from the previous proposal and this reduction will have a positive impact on the amount of light to the habitable rooms and private amenity space of 6 and 8 Midland Road. It is now considered there would not be any significant impact on residential amenity of these dwellings.

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.

6.5 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 benefits of the proposal are that it would provide two modern family homes on a parcel of land which is overgrown, the dwellings would have now have an acceptable design and provide an appropriate density for this residential area, and would be in accordance with the policies contained within the development plan

8 Conclusion

8.1 Recommend that planning permission for the development is Granted.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**

Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

- 2. The development hereby permitted shall be carried out in accordance with the site location plan and proposed block plan CF/DH/21/36/01 Rev C and proposed ground floor plan and elevations CF/DH/21/6/02 Rev C received by the Local Planning Authority 11 October 2021.**

Reason: For the avoidance of doubt.

- 3. No above ground works shall be carried out until details of the manufacturer, type and colour of the brick and tiles to be used have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.**

Reason: To ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

- 4. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**
 - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**
 - (b) numbers, types, sizes and positions of proposed trees and shrubs**
 - (c) proposed boundary treatments**
 - (d) proposed hard surfacing treatment**
 - (e) proposed lighting details**
 - (f) planting, seeding/turfing of other soft landscape areas**

The approved scheme shall be carried out strictly in accordance with the agreed details.

Reason: No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014)

- 5. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**

Reason: No such details were submitted and in accordance with the aims of Policy 17 of the Broxtowe Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014)

- 6. No development shall commence until a scheme of intrusive investigations has been carried out on site to establish the risk proposed to the development by past shallow coal mining activity and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable from the development proposed. The intrusive site**

investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interest of public health and safety in accordance with Policy 21 of the Broxtowe Local Plan (2019)

- 7. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitable competent person confirming that the site is, or has been made, safe and stable from the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and finding of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address to the risk proposed by past coal mining activity.**

Reason: In the interest of public health and safety in accordance with Policy 21 of the Broxtowe Local Plan (2019)

- 8. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.**

Reason: To protect nearby occupants from excessive construction noise and vibration and in accordance with Policy 17 and 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

NOTES TO APPLICANT

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.**
- 2. Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.**
- 3. As this permission relates to the creation of a new unit, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address is created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.**
- 4. Notice will be served on the developer to purchase the first time provision of bins. The resident will need to place bins at the curtilage of the property for collection. For more information please email recycling@broxtowe.gov.uk**

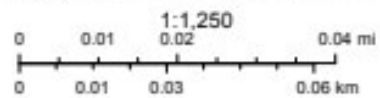
Site location plan

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



3/3/2022, 1:57:46 PM

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



© Crown copyright and database rights 2021. Ordnance Survey 100019453. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

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



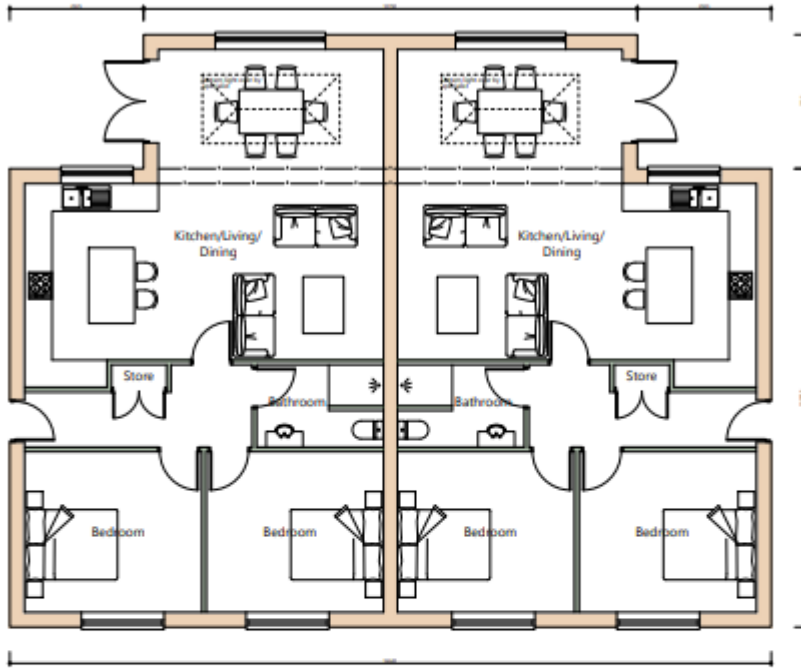
Northern boundary and the roofs of 6 and 8 Midland Road can just be seen over the boundary treatment.

Plans (not to scale)



Block plan

PROPOSED LAYOUT
SCALE 1:50



PROPOSED ELEVATIONS
SCALE 1:100



Proposed elevations and floor plans