

Report of the Chief Executive

**18/00432/FUL
CONSTRUCT DWELLING, DETACHED GARAGE AND FRONT
BOUNDARY WALL
LAND ADJACENT TO 26 BRAMCOTE DRIVE, BEESTON,
NOTTINGHAMSHIRE, NG9 1AS**

Councillor J C Patrick has requested this application be determined by the Committee.

1 Details of the Application

- 1.1 The application seeks planning permission to construct a new dwelling and detached garage to the south west (side) of 26 Bramcote Drive. Alterations to the existing boundary wall are also proposed. The dwelling would have three floors (the third floor being within the roof space) and a ridge height of 9.4m. It would be set 12.4m from the street frontage and would have a rear garden 15.3m in length. To the front, there would be a central glazed entrance feature. Two dormer windows are proposed to the front and three to the rear. To the rear, there would also be a roof terrace/ balcony area which includes an obscurely glazed privacy screen along the eastern side. The house would be brick although specific details regarding the materials are not provided with the application. A double garage is proposed to the front of the dwelling with a height of 3.9m which would replace an existing outbuilding. The front boundary wall would be altered to provide a single central entrance which would be shared with number 26. To the front of the garage an area of landscaping (1.5m deep by 5m wide) is also proposed.
- 1.2 During the course of the application, amended plans were submitted which provided additional details of the front boundary, moved the garage further away from the front boundary, moved the main dwelling 1.3m closer to the front boundary and added a privacy screen.
- 1.3 There is a separate planning application (reference 18/00433/FUL) for extensions and alterations to 26 Bramcote Drive.

2 Site and Surroundings

- 2.1 The site currently forms part of the garden of 26 Bramcote Drive. It is a mixture of grass, landscaping and hardstanding. There was an extension to number 26 on part of the site but this has been demolished. There is an existing outbuilding close to the front boundary. Number 26 is a three bedroom property and has a driveway to the front and a garden to the rear. There are various trees within the site, none of which are protected by Tree Preservation Orders. The site is at a raised level compared to Bramcote Drive.
- 2.2 Beyond the north west and west boundaries lies Beeston Fields Golf Course. To the east, beyond number 26, lies 24 Bramcote Drive which is a bungalow. Bramcote Drive is to the south with residential properties directly opposite the application site. The properties opposite are a mixture of detached bungalows and houses.

2.3 Beeston Fields Golf Course is identified as a Protected Open Area within the Broxtowe Local Plan (2004). Whilst not forming part of the golf course, part of the application site lies within the Protected Open Area. The Part 2 Local Plan still identifies the Golf Course as a Protected Open Area forming Local Green Space. However, the boundary has been amended so that only part of the rear garden of the application site now falls within the Protected Open Area.



3 Relevant Planning History

3.1 Planning permission was granted for a side extension to number 26 in 1977 (reference 77/00456/FUL).

3.2 Planning permission was granted to retain the garden store in 2006 (reference 06/00145/FUL).

4 Policy Context

4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) July 2018 states that at the heart of the NPPF is a presumption in favour of sustainable development. For decision making this means that development proposals that accord with an up-to-date development plan should be approved without delay.

- 4.1.2 Weight may be given to emerging plan policies according to the stage of plan preparation, the extent to which there are unresolved objections to the policies, and the degree of consistency of the emerging policies to the NPPF.
- 4.1.3 The document outlines that the government's key housing objective is to significantly boost the supply of homes and states that there should be a sufficient number and range of homes within safe and well-designed environments.
- 4.1.4 In relation to assessing the highway impacts of a proposal, the NPPF states that development should only be 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.
- 4.1.5 A fundamental aim of the planning process should be to create high quality buildings and places and section 12 includes guidance on achieving this aim. Developments should function well and add to the quality of an area for the lifetime of the development; be visually attractive; be sympathetic to local character and history whilst not discouraging change; establish or maintain a strong sense of place; make efficient use of land and create safe, inclusive and accessible places with a high standard of amenity for existing and future users.

4.2 **Broxtowe Aligned Core Strategy (2014)**

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014 and the overall strategy of this document is "urban concentration with regeneration".
- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. It states the Council will work proactively with applicants to approve proposals wherever possible and to secure development that improves the economic, social and environmental conditions in the area. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 4.2.3 'Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6150 in the Broxtowe Borough part of GN, of which 3800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.
- 4.2.4 'Policy 8: Housing Mix and Choice' sets out the approach to ensuring that new housing development includes an appropriate mix of housing types, sizes, tenures and density.
- 4.2.5 'Policy 10: Design and Enhancing Local Identity' sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced. It states that development will be assessed in terms of its treatment of materials, architectural style and detailing.

4.3 Saved Policies of the Broxtowe Local Plan (2004)

- 4.3.1 The Part 2 Local Plan is currently awaiting Examination. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy E12 'Protected Open Areas' states that development will not be permitted which would detract from the character or function of the protected open areas which includes Beeston Fields golf course and land to the west.
- 4.3.3 Policy H7 'Land Not Allocated for Housing Purposes' states that residential development on sites within the existing built-up area will be permitted provided the amenity of existing and proposed occupiers is not adversely affected; the development would not result in an undesirable change in the character or appearance of the area; the development of a larger area is not prejudiced; satisfactory provision is made for access and parking; the site is not of significant nature conservation value and the site is not required to be retained for another purpose in the local plan.
- 4.3.4 Policy T11 and Appendix 4 require satisfactory provision of vehicle parking and servicing, in accordance with the latest standards.

4.4 Part 2 Local Plan (Draft)

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been submitted for examination, with examination hearing sessions anticipated to take place in December. Due to the current stage of the plan preparation, only limited weight can be attached to Policies 17 and 27 as representations have been received in relation to these policies.
- 4.4.2 Policy 17 'Place-making, design and amenity' states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area.
- 4.4.3 Policy 27 'Local Green Space' designates areas as Local Green Space which includes 'Beeston Fields golf course and land to west' as a Protected Open Area. Within these areas, development that would be harmful to the character or function of the Local Green Space will not be permitted except in very special circumstances.
- 4.4.4 The proposed Main Modifications (changes) to the Part 2 Local Plan retains the principle of this protection but includes Beeston Fields Golf Course as a 'Green Infrastructure Asset' within an amended Policy 28.

5 Consultations

- 5.1 The Highways Authority has no objection subject to conditions relating to the existing dropped kerb being extended, the gradient of the driveway not exceeding

1 in 20 for a distance of 5m from the highway boundary, the use of a hard bound material on the driveway and the inclusion of appropriate drainage to prevent the discharge of surface water onto the public highway.

5.2 Five neighbours were consulted and two site notices were displayed. The site notices were replaced following reports that they had been removed. In respect of the original plans, two letters of objection and two letters of observations were received. Following the submission of amended plans, a further two letters of objection were received. The following issues were raised within the consultation responses:

- The proposal is overdevelopment of the site.
- The third storey will set a precedent for further development and is out of character with existing properties on Bramcote Drive due to the height.
- The development will be overbearing, particularly the full height glass entrance.
- The trees need to be treated sympathetically.
- The height of the development and distance to properties opposite will result in a loss of privacy.
- The new house is too close to the existing house.
- No other properties have garages close to the front boundary.
- Demolition work has already commenced on the site.
- Two properties on the site would greatly increase disturbance, noise and traffic levels.
- The roof terrace will result in a loss of privacy.
- No site notices have been displayed.

6 Assessment

6.1 The main issues to assess in respect of this application relate to the principle and whether the plot is suitable for an additional dwelling, whether an acceptable standard of design has been achieved and whether a loss of amenity will occur to any neighbouring properties.

Principle

6.2 It is considered that the principle of a new dwelling on this site would be acceptable as the site is within an existing residential area. Whilst the western part of the site and part of the rear garden lies within a Protected Open Area, as designated by Policy E12 the Broxtowe Local Plan (2004), the Part 2 Local Plan removes a large part of the Protected Open Area from the application site. Although part of the designation remains within the rear garden, the new dwelling would not be within the Protected Open Area and notwithstanding this, it already forms part of the residential curtilage rather than part of the golf course. It is therefore considered that the development will not detract from the character or function of the protected open area.

6.3 The development would also provide one more additional dwelling within an existing built-up area to contribute to the Council's housing supply.

- 6.4 Whether there is sufficient space for a dwelling of this size and the impact it could have on the surrounding neighbouring properties will be addressed below.

Design

- 6.5 The proposal is for a large detached three storey house with a glazed front entrance feature. The house would have a ridge height of 9.4m which would be higher than number 26 (6.9m) which is a dormer bungalow. It is noted that there are a range of house types and styles along Bramcote Drive. This includes modest bungalows, semi-detached houses with mock Tudor detailing and large detached houses, some with dormer windows within the roof space. Due to this variety there is no particular distinctive character of property. The building line along the northern side of Bramcote Drive also varies and the proposed house would be set 12.4m from the front boundary.
- 6.6 Whilst the house would differ in appearance to number 26, it is considered that it achieves an acceptable standard of design which reflects the variety of house types and styles described above. The chimneys reflect features evident on a number of other properties on Bramcote Drive. The glazed entrance provides a distinctive feature and breaks up the frontage. Whilst it would be a large property, due to the set back from the street, it is considered that it would not be overbearing or too dominant when viewed from Bramcote Drive. It is also considered that the proposal does not constitute overdevelopment as the plot size would be similar to surrounding properties and there would be a large paved area to the front and a reasonable sized garden to the rear which also reflects the size of other gardens in the vicinity. Details of the materials proposed would need to be provided prior to above ground works commencing.
- 6.7 The garage would be positioned to the front of the dwelling and would replace an existing outbuilding. The garage has been set in 1.5m from the front boundary to allow for space for landscaping which will allow for an element of greenery to be retained. The new dwelling would also still be visible from Bramcote Drive due to the extensive frontage which would be shared with number 26 and it is noted that there are existing examples of garages to the front of dwellings along Bramcote Drive (e.g. numbers 4 and 20). The bricks would be the same as those used on the dwelling (which would be subject to a condition). The existing front boundary wall would also be altered to reposition the entrance but the overall appearance would be similar to the existing boundary wall which is along the frontage of the property. It is therefore considered that the garage and boundary wall would not be harmful to the overall character of the street scene and would be acceptable in respect of design.
- 6.8 Overall, it is considered that an acceptable standard of design has been achieved which accords with Policy 10 of the Aligned Core Strategy (2014) and with Policy 17 of the draft Part 2 Local Plan.

Amenity

- 6.9 Beyond the north west and west boundaries of the application site lies Beeston Fields Golf Course. There are no residential properties within close vicinity of these boundaries which would be adversely affected by the proposed dwelling.

- 6.10 Immediately to the north east of the site lies 26 Bramcote Drive. This is within the same ownership as the application site. The new house would be positioned 3.8m further forwards than number 26. However, as there is a 2m gap proposed between the new house and number 26, it is considered that it would not result in unacceptable overshadowing to the front rooms within number 26. The new dwelling is not proposed to project beyond the rear elevation of number 26. The roof terrace would provide some views towards the garden of number 26. To prevent a loss of privacy to number 26, it is considered that a privacy screen is required along the eastern side of the roof terrace and that this needs to be in place prior to the roof terrace being brought into use.
- 6.11 Beyond number 26 lies 24 Bramcote Drive which is a bungalow. The new dwelling would be a minimum distance of 15m from the boundary with number 24. Due to this distance, as number 26 acts as a buffer and as the new dwelling sits further forwards than number 26, it is considered that the new dwelling will not be overbearing or cause unacceptable overshadowing to the occupiers of number 24. It is also considered that there is a sufficient distance from the roof terrace (23.2m) to prevent an unacceptable loss of privacy occurring.
- 6.12 The new dwelling would be set 12.4m from the front boundary. Beyond this there is Bramcote Drive with existing houses beyond this. Whilst it should be noted the site is at a raised level compared to Bramcote Drive and that there would be views from the first floor and dormer windows towards properties opposite, due to the distance and as the frontages are already publically visible from the street, it is considered that a loss of privacy will not occur. Due to the distance, it is also considered that the new dwelling would not be overbearing or cause overshadowing to properties opposite. The proposed garage would be single storey with the road acting as a buffer to properties directly opposite. Due to this relationship, it is considered that this element would also not result in a loss of amenity occurring.

Other Issues

- 6.13 There would be parking to the front of the property and a garage with space for two cars. The Highways Authority has no objection to the development subject to conditions relating to widening the dropped kerb, incorporating drainage, not exceeding the maximum gradient and using hardstanding. It is considered necessary to include a condition covering these elements in the interest of highway safety.
- 6.14 Whilst there would be additional traffic movements resulting from an additional dwelling, it is considered that these would not be to an extent which would result in an unacceptable disturbance or nuisance to neighbours as there would only be one additional dwelling within an existing residential area.
- 6.15 There are no protected trees within the site.
- 6.16 With regards to consultation, two site notices were displayed on each side of Bramcote Drive and adjoining neighbours and those opposite the site were consulted. This is in accordance with the Council's consultation policy.

6.17 A note to applicant can be included to state that best practicable measures should be followed to reduce potential noise and dust impacts on neighbours.

7 Conclusion

7.1 It is considered that the principle of the new dwelling would be acceptable and that it would not detract from the character or function of the protected open area. Whilst the new dwelling would be large, due to the variety of house types and styles along Bramcote Drive, it is considered that it would not be harmful to the character of the street and that it achieves an acceptable standard of design. It is considered that, due to the positioning of the new property, that existing neighbours will not be unacceptably affected by the proposed development.

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 the permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 19 July 2018; Proposed Plans and Elevations received on 28 September 2018 and the amended Block Plan and Gate Front Façade received by the Local Planning Authority on 28 August 2018.**
- 3. No above ground works shall commence until details of the external materials to be used on the new dwelling and garage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. The boundary wall shall be constructed in materials which match those used on the existing boundary wall.**
- 4. No above ground works shall commence until a landscaping scheme for the area to the front of garage has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**
 - a) numbers, types, sizes and positions of proposed shrubs; and**
 - b) planting, seeding/turfing of other soft landscape areas**

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

- 5. The dwelling shall not be first occupied until:**
 - i. The parking area has been surfaced in a suitable hard bound material (not loose aggregate), is appropriately drained within the site such that surface water does not drain onto the public highway and is available for use. The gradient of the driveway shall not exceed 1 in 20 for a distance of 5m from the highway boundary and 1:12 thereafter. This area shall be maintained accordingly for the life of the development.**

- ii. The dropped vehicular crossing has been extended in accordance with the Highway Authority specification.
6. The roof terrace shall not be first brought into use until the balcony screen along the north east side of the roof terrace has been erected and is obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority). It shall remain in place for the lifetime of the development.

Reasons

1. 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. For the avoidance of doubt.
3. No such details were submitted and to ensure the details are satisfactory, in the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the draft Part 2 Local Plan.
4. To ensure the development presents a satisfactory standard of external appearance of the area and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
5. In the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
6. In the interests of privacy and amenity for nearby residents and in accordance with the aims of 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 communicating with the applicant throughout the application.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see:
<https://www.broxtowe.gov.uk/for-you/planning/development-in-former-coal-mining-areas/>
3. In order to carry out off-site works, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact the Nottinghamshire County

Council Highways team for details on Tel: 0115 9772210 or
hdc.south@nottsc.gov.uk

4. **Best practicable means should be used during construction to ensure that noise and dust is kept to a minimum. It is advised that contractors limit noisy works to between 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and no noisy works on Sundays and bank holidays. There should also be no bonfires on site at any time to prevent nuisance to neighbours.**

Background papers

Application case file

