

Report of the Interim Chief Executive

<b>APPLICATION NUMBER:</b>	<b>25/00858/FUL</b>
<b>LOCATION:</b>	<b>24 Watnall Road Nuthall Nottinghamshire NG16 1DU</b>
<b>PROPOSAL:</b>	<b>Construct dropped kerb and drive</b>

The application is brought to the Committee at the request of Councillor J Owen and Councillor P Bales.

1. Purpose of the Report

1.1 The application seeks planning permission for a dropped kerb and drive, with a new access from Watnall Road.

2. Recommendation

**The Committee is asked to resolve that planning permission be refused for the reasons outlined in the appendix.**

3. Detail

3.1 The application seeks permission for a dropped kerb and drive, to create a new access on to Watnall Road, which is a classified road. The proposed access would be within the Nuthall Conservation Area and would be adjacent to an existing junction, which leads to access on to New Farm Lane. The proposal would see the existing garden frontage being entirely hard surfaced, which may require planning permission in itself, if the surface is not permeable. No further information on permeability has been provided, and as such it will be assumed that planning permission would be required.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6. Data Protection Compliance Implications

6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers:

Nil.

## Appendix

**1. Details of the application**

- 1.1 The application seeks permission for a dropped kerb and drive. The proposal would see the existing garden frontage being entirely hard surfaced, which would need planning permission if not permeable.

**2. Site and surroundings**

- 2.1 The application site is a two storey detached dwelling with Watnall Road to the west and rear garden to the east, where the site is currently accessed from. North of the site is Hawthorns and number 22 to the south. The kerb and public highway are located within the Nuthall Conservation Area but the rest of the site (house and curtilage) is excluded. Watnall Road is a classified road. The property is accessed via New Farm Lane, a service road, where by all the other properties along the same stretch of road are also accessed.

**3. Relevant Planning History**

- 3.1 No relevant planning history post 1974.

**4. Relevant Policies and Guidance****4.1 Broxtowe Aligned Core Strategy 2014:**

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

- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment
- Policy 23: Proposals Affecting Designated and Non-Designated Heritage Assets

**4.2 Part 2 Local Plan 2019**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 17 - Place-making, design and amenity.
- Policy 23 - Proposals affecting Designated and Non-Designated Heritage Assets

**4.3 National Planning Policy Framework (NPPF) 2024**

- Section 4 - Decision-making.
- Section 12 - Achieving well-designed and beautiful places
- Section 16 - Conserving and enhancing the historic environment

**5. Consultations****5.1 Consultees**

- Nuthall Parish Council – no comment
- Cllr P J Bales - Watnall & Nuthall West – called in to committee
- Cllr J M Owen - Watnall & Nuthall West – called in to committee
- Highways – object to the proposal on highways safety – full comment below
- Conservation Officer – object, comments below.
  
- 2 neighbours were consulted on the application. A site notice was placed at the site and an advert put out. There were no objections/responses received in regard to the application.

## 6. **Assessment**

### 6.1 **Principle**

6.1.1 The application will be assessed having regard to its impact on neighbour amenity, the appearance of the property, the street scene and highway safety.

### 6.2 **Highway Safety**

6.2.1 Policy 17 (4e) states that development should not cause risk to pedestrians or road users by reducing visibility for drivers when entering or exiting the driveway. Section 9 Promoting Sustainable Transport of the NPPF states in paragraph 108 that in assessing specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users.

6.2.2 The proposal would see access from Watnall Road, to the front of the site, instead of at the rear of the property via the existing access off New Farm Lane. The dropped kerb would measure 4m in width and 3.5m in length and the proposed driveway would be to the front of the dwelling, having a width of 12m and length of 18m. The proposal would see the entire frontage being a hard surfaced driveway. No further details were submitted in respect of surface water run-off, or to any retaining walls that may be required. At present there is a difference in land levels, with the house and front garden being set higher than Watnall Road and currently the site has a vegetated frontage, characterised by high hedges – in keeping with the rest of the dwellings along this stretch of Watnall Road.

6.2.3 Highways stated:

The access to the dwellings is served from New Farm Lane, which is the safer access to serve the dwellings, due to the nature of the road B600 being a busier Road than the existing access.

Due to the dwelling having a satisfactory safe access at present, constructing an additional banked access added to the highway network would not be advised due to road safety concerns and therefore the Highways Authority would not support the proposal.

6.2.4 Because of the risk posed by creating a new access on to a busy road, close to an adjacent junction, the proposal should be refused on highways grounds. Additionally, there is the risk that if this application is approved, the other properties along Watnall Road will also want similar new access points – setting a precedent.

### 6.3 Impact on Street Scene and Nuthall Conservation Area

6.3.1 Policy 23 of the Part 2 Local Plan 2019 states that proposals will be supported where heritage assets and their settings are conserved or enhanced in line with their significance. Policy 11 of the Aligned Core Strategy states that development will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their assets and significance.

6.3.2 The Nuthall Conservation Area covers a partial area of the proposal, as the site itself is not within the Conservation Area, but the proposed dropped kerb would be, as is Watnall Road. Therefore, Conservation should be considered when determining the impact on the street scene because of the proposed changes.

6.3.3 The Conservation Officer stated that:

I have reviewed the submitted plans. I note the precise location of the proposed works will be located on the inside fringe of the Nuthall Conservation Area. However, when looking at the Conservation Area boundary I can see the front boundaries of the properties along Watnall Road have been deliberately included within the CA because they make a positive contribution to the streetscene. They are characterised by dense and mature hedge planting, along with dry stone walling, narrow width pedestrian access stairs and further stairs with stone flank walls. Creating an opening in this line of soft boundary treatment would be harmful to the streetscene of the CA and there is no justification for this. The property can be accessed from the rear and the soft boundary treatment at the front is a deliberate intention and should remain in this manner. The harm identified would be at the moderate end of less than substantial harm to the CA streetscene, in accordance with Para 215 and 219 of the NPPF and I do not support the proposal.

6.3.4 The proposal would result in a wide frontage with no landscaping and would have a significant detrimental impact on the visual amenity of the street scene by virtue of the proposal being out of keeping with the other frontages along Watnall Road, which are characterised by high hedges and vegetated frontages. The proposal would result in a frontage that is highly visible from the street scene.

6.3.5 Therefore it is considered that there would be harm to the street scene by virtue of the proposed changes to the frontage, and additionally would fail to be in keeping with the character of the Conservation Area along Watnall Road.

6.4 Access

6.4.1 Current access into the site is via New Farm Lane and the occupants are required to park at the rear and walk up the house via a path through the rear garden. Whilst acknowledging that the access for the occupants would be improved by allowing more convenient access from the frontage, the concerns in respect of highways safety, impact on the Nuthall Conservation Area and impact on the street scene, outweigh the benefits.

**7. Planning Balance**

7.1 On balance, the access for the occupants would be improved but the scheme is likely to set a precedent and is considered to be unsafe by highways and would also constitute an incongruous feature along the Nuthall Conservation Area and as a result should be refused.

**8. Conclusion**

Recommend refusal.

<b><u>Recommendation</u></b>	
The Committee is asked to <b>RESOLVE</b> that planning permission be refused for the following reasons:	
1.	The proposed development, by virtue of the design of the carriageway and footway, proximity to a junction and location on a busy classified road, would have a detrimental impact on highway safety contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
2.	The proposed new access, by virtue of its appearance and location, would create an incongruous appearance and which would fail to reflect the pattern of development along Watnall Road. The proposal would therefore fail to conserve the setting of the Nuthall Conservation Area and would be contrary to Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014), Policies 17 and 23 of Part 2 Local Plan 2019 and section 12 of the National Planning Policy Framework.
<b>NOTES TO APPLICANT</b>	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

Map



Legend

-  Conservation Area
-  Site

Plans (not to scale)

24 Watnall Road

