

## Planning Report for 2006/0240

Location :	92 Plains Road Mapperley Nottinghamshire
	
	
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**APPLICATION NO:** 2006/0240

**LOCATION:** 92 Plains Road Mapperley Nottinghamshire NG3 5RH

**PROPOSAL:** Erect 20 apartments and two bin stores

**APPLICANT:** Heart Homes Ltd

**AGENT:** Robert Doughty Consultancy Ltd

### **Site Description**

92 Plains Road is a detached house set back from the road within a relatively large plot of land, which has an area of approximately 2,200 square metres.

Also included within the application are smaller sections of land within the ongoing development site to the north east, with the forwardmost section of land abutting the road to be utilised for parking and two separate vehicle accesses with land to the rear of this shown to be used for 6 extra parking spaces. The apartment buildings under construction are shown within blue land within the ownership of the applicant.

The site is adjoined to the south west and south east by residential properties and to the north east are three storey apartment buildings which are now nearing completion.

The three mature trees on the site frontage are covered by a TPO which are shown to be retained.

### **Relevant Planning History**

In 2004 Outline Planning Permission was refused for 10 retirement bungalows on the site due to the inadequate access to serve the development and the loss of protected trees along the site frontage.

### **Proposed Development**

Full Planning Permission is sought to erect two separate apartment buildings on the site both of which would have hipped roofs sloping away from neighbours boundaries. The forwardmost building would be sited some 19m back from the site frontage and would be three stories high with an 'L' shaped footprint. This building would provide 12 apartments within a building with a depth of some 24m and a maximum height to ridge of 11.8m.

The building to the rear of the site would be two stories high on a rectangular footprint. This building would provide 8 apartments within a building with a depth of some 25m and a maximum height to ridge of 9.1m.

Within the boundary of the current application site two access points are shown onto Plains Road, which would serve the 20 apartments currently proposed in addition to the 36 apartments granted permission on the adjacent site which are under construction. The development as a whole including that within the blue land would have 70 parking spaces provided to serve the 56 apartments of which 35 are shown to be within the current application site.

### **Consultations**

Environment Agency – no objections subject to a drainage condition.

Nottinghamshire County Council (Highways) – no objections in principle.

Severn Trent – no objections subject to a drainage condition.

Environmental Protection – no objections.

Nottinghamshire Wildlife Trust – conditionally object to the application in the absence of a protected species report.

Neighbours have been notified and the application has been advertised on site and in the local press. I have received 11 individual letters of objection from local residents the majority of which are from residents on Plains Road with one letter

from a neighbour adjacent to the now demolished squash club on the corner of Gedling Road with Plains Road. I have also received a petition opposing the application signed by 23 people. The main points contained in the objection letters are summarised below-

1. Concern regarding highway safety with no turning land to be provided on Plains Road, which is considered to be inconsistent with other developments in the area such as the Treetops Public House. Considers the current proposal of having 20 additional properties accessing onto Plains Road will be much worse than the previously refused scheme for 10 retirement bungalows. This will result in an increase in traffic on an already very busy road with insufficient parking. Pointed out that turning manoeuvres into properties on Plains Road are already difficult. Also pointed out that there is no public transport close to the site operating after 6pm or at the weekend and as such heavy vehicle traffic will be generated from the development.
2. Concern regarding the impact on neighbouring residents including domineering impact, overlooking windows and removal of shrubbery. Pointed out that the proposed front apartment block is over three times the area of the house at No.90 Plains Road and nearly twice the height with no effort made to erect a fence along this common boundary.
3. Considers the proposed development to be out of character and scale with adjoining properties and the density of the development is too great.
4. Refers to other development in the area including the adjacent Canons gym, which has stood empty for some time.
5. If permission is granted it is requested that the development be limited to two stories only and restricted to existing building lines with no overlooking windows.
6. Neighbours request a Council Tax reduction.
7. Considers that the application may be unlawful in that it 'overlaps' the site already granted permission for the four apartment blocks. On the basis of the site area of 3,520 square metres the development comprises a density of 57 units per hectare, which is considered to be in excess of the government guidelines for this location and more appropriate to a city centre location.
8. If this application is granted together with the others in the area and the allocated site on the corner of Plains Road and Arnold lane this will result in 190 dwelling units along the short stretch of Mapperley Plains between Gedling Road and Somersby Road, which is a huge number in an area which was previously an area of individual dwellings of character within their own curtilages. Considers a line has to be drawn somewhere to stop this practice of dwellings being demolished to be replaced by apartments continuing.
9. Concern regarding the 'domino effect' of making other similar developments more difficult to resist.
10. Concern regarding advertisements in the area.

11. Concern regarding problems with construction vehicles blocking neighbours drives.
12. Concern regarding loss of trees.
13. Loss of view.
14. There is nothing wrong with the existing dwelling on the site.
15. Concern that not all affected neighbours have been notified of the application.

### **Planning Considerations**

The main planning considerations in the determination of this application are whether the proposed development accords with national and local planning policy and its impact on residential amenity and highway safety.

The relevant national planning policy guidance in respect of these matters is set out in Planning Policy Statement 1: Delivering Sustainable Development (PPS1) and Planning Policy Guidance Note 3: Housing (PPG3).

Locally, the Gedling Borough Replacement Local Plan, adopted July 2005, (the Local Plan) comprises the relevant part of the development plan for the area.

PPS1 recognises that good design ensures attractive, useable, durable and adaptable places and is a key element in achieving sustainable development. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character or quality of an area and the way it functions, should not be accepted.

Both PPS1 and PPG3 advise that efficient use should be made of land, in a way that respects the needs of future generations. The broad aim should be ensure that outputs are maximised whilst resources used are minimised, for example by building housing at higher densities on previously developed land, rather than at lower densities on greenfield sites.

In seeking to achieve these objectives, local planning authorities and developers are encouraged by PPG3 to think imaginatively about designs and layouts which make more efficient use of land without compromising the quality of the environment.

PPG3 also makes clear that new housing development of whatever scale should not be viewed in isolation and that considerations of design and layout must be informed by the wider context. Existing design and parking standards should therefore be treated flexibly.

With regard to the suitability of the site for residential development, Policy H7 of the Local Plan states that planning permission will be granted for residential development within the urban area and the defined village envelopes provided:

"a. it is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials;

- b. it would not result in the loss of buildings or other features including open space which make an important contribution to the appearance of the area, and
- c. it is not contrary to other policies contained in this Local Plan."

As the site is within the urban area and is not subject to any policy specifically precluding residential use, there are no objections in principle to its redevelopment for residential purposes, nor to some form of high density development which would accord with national policy guidance by making efficient use of previously developed land.

With regard to the design of new housing development in the Borough, Policy H16 of the Local Plan states that:

"Planning permission will be granted for new residential development if the following design criteria are met:

- a. dwellings should be sited and designed to relate to each other and to the roads, footpaths and open spaces in the surrounding layout;
- b. residential development should be laid out and designed in such a way as to reduce the risk of crime;
- c. the proposals are of a high standard of design which has regard to the surroundings and does not adversely affect the area by reason of their scale, bulk, form, layout or materials; and
- d. dwellings should conserve energy and use it efficiently."

In addition, any proposal is required to meet general amenity and design criteria and, in this respect, Policy ENV1 of the Local Plan states that:

"Planning permission will be granted for development provided it is in accordance with other Local Plan policies and the proposals meet the following criteria:-

- a. it is of a high standard of design which has regard to the appearance of the area and does not adversely affect the area by reason of its scale, bulk, form, layout or materials;
- b. it would not have a significant adverse effect on the amenities of adjoining development or the locality in general, by reason of the level of activities on the site or the level of traffic generated;
- c. development proposals are to include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles. In this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children;
- d. it incorporates crime prevention measures in the design and layout in terms of good lighting levels, natural surveillance, defensible space and well considered layouts and landscaping;
- e. it does not prejudice the comprehensive development of a development site; and

- f. it incorporates best practice in the protection and management of water resources."

In terms of the design of the proposed development I consider that some form of high density development will be acceptable on this site and I would not object in principle to a three storey high building on the frontage of the site. I do however share neighbours concerns that the overall impact of the development would be excessively intrusive on the amenities of neighbours immediately adjacent to the site.

I note the three storey height of building proposed on the site frontage would extend some 12 metres beyond the main rear elevation of the neighbouring property at No.90 Plains Road with an inset of some 7m from the side boundary of the site, and main habitable room windows at three storey height. Although some additional planting is proposed along this boundary this will in no way mitigate what I consider to be an imposing overlooking and overbearing impact on this property from the development as currently proposed.

In addition to this the two storey building proposed at the rear of the site would be within 4 metres of the boundary of the site with properties on Plains Road at Nos.84 and 86 Plains Road which I consider would have an intrusive overlooking impact on both of these properties.

I have noted the road safety concerns of neighbours although I am mindful that the highway authority have no objection to this scheme and as such I do not consider a refusal of permission is justified on road safety grounds. I am mindful that the highway authority are of the view that the access and parking provision are adequate and I would not contradict this view. The access for 10 retirement bungalows off a private drive was an entirely different scheme with the issue in this previous case being the inadequacy of the access to serve these 10 dwellings.

There is nothing procedurally wrong in the applicant including part of the previously approved site within the current application site and neighbours Council Tax, advertisements in the area, loss of view, and problems during construction are not material planning considerations. Since the existing dwelling on site is not a listed building or within a Conservation Area, there is no reason in principle to resist its removal. The Borough Council has also carried out more than the minimum publicity required for this application and all neighbours sharing a boundary with the application site have been notified of the application. I have no evidence that any protected species will be affected by this development. Members will also be aware that each application needs to be determined on its own individual merits.

No protected trees are to be lost as part of this application and I do not consider that the applicants proposed landscaping, which does include replacement planting, will in itself be visually unacceptable.

However the adverse impact on neighbours adjacent to the site means that this application results in a visually imposing overintensive development of the site and permission should be refused for this reason.

**Recommendation: REFUSE PLANNING PERMISSION**

1. In the opinion of the Borough Council the proposed apartment buildings would amount to an overintensive development of the site and would have an intrusive overlooking impact on properties at Nos.84 and 86 Plains Road and an intrusive overlooking and overbearing impact on No.90 Plains Road. The application is therefore contrary to Policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (July 2005).