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Report to Planning Committee

Application Number: 2016/0990

Location: 9 Rosegrove Avenue, Arnold , Nottinghamshire, NG5 8DU.

Proposal: Construction of a detached bungalow and associated alterations to existing boundary and parking arrangement.

Applicant: Mr D Storer

Agent: Mr Ryan Johnson

Case Officer: Elizabeth Campbell

This application is referred to the Planning Committee because the owner of the property is a Freeman of the Gedling Borough.

Site Description

No 9 Rosegrove Avenue is a detached modern bungalow on the north side of the junction of Grenville Rise with Rosegrove Avenue. Vehicular access to the dwelling is from Rosegrove Avenue, between Nos 9 and 11 Rosegrove Avenue, where there is a hard standing and dilapidated detached garage. The bungalow stands back from Rosegrove Avenue by 5m, and with the gable end from Grenville Rise by 6 metres. The rear (side) of the property stands 2m from the boundary with 9 Grenville Rise. There is lawn along the frontage and between the bungalow and garage. The front boundaries of the bungalow are defined by mature hedges. The land slopes down, from Rosegrove Avenue, to the detached garage. The adjacent property to the west, No 9 Grenville Rise, stands at a lower level of 1 metre.

The site is within the built up area of Arnold.

Relevant Planning History

This is re-submission of 2016/0068 which was refused at the Planning Committee on 27th April 2016 for the following reasons:

- 1 The proposed development, by reason of its scale and design, would result in an over intensive development of the site that would be detrimental to the visual appearance of the area and incongruous on the street scene, (and therefore not in accordance with Policy 10 of the Aligned Core Strategy, Saved Policies H7 ENV1 of the Gedling Borough Council Replacement Local Plan (certain policies saved 2014) and the National Planning Policy Framework (para 63)).

- 2 In the opinion of the Borough Council, by reason of the scale and bulk of the proposed bungalow on elevated land and the proximity to neighbouring residential amenity, the proposed development would result in an undue overbearing and overshadowing impact on no.9 Grenville Rise (and therefore contrary to the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014)).

Proposed Development

Full Planning Permission is sought for the construction of a detached bungalow and associated alterations to the existing parking arrangement.

The application site measures the same size as the previous application -12m wide x 14m deep. The application differs from the previous proposal, in that the bungalow would be L shaped rather than rectangular, and would have only one bedroom. The footprint of the building has been reduced from 67.416sqm to 56.43sqm. The height of the bungalow is the same as previously – 4.7m although the projecting wing at the front has a lower ridge line. The bungalow would be sited, on the latest revised plans 3.0m from the rear boundary, rather than 2.1m as previously refused and 2.6m on the original plans submitted with this application. The different footprint results in more amenity area between No 9 and No 11 Rosegrove Avenue, and a deeper off street parking space – for one vehicle, rather than two previously.

The frontage hedge would be partially removed, two parking spaces to serve the existing property would be created off Grenville Rise and 1.8m close boarded fences erected along the side and rear boundaries.

The proposed bungalow would be built, in brick and render, with a concrete tile roof to match the existing and UPVC fenestration.

A supporting planning statement has been submitted. Of relevance are the following comments:

- ☐ The application proposes the construction of a modest detached bungalow

Impact on Street Scene

- ☐ The dwelling has been reduced in size with a feature gable introduced to improve its appearance, scale and bulk.
- ☐ The proposed bungalow now stands further away from the rear boundary adjacent to 9 Grenville Rise and with more distance between it and No 11 Rosegrove Avenue, providing better punctuation within the street scene and a larger amenity space.
- ☐ Given the size of the dwelling parking for only one car is now proposed
- ☐ The dwelling will be constructed in materials to match those of the neighbouring properties

In view of these amendments the applicant considers that the development is of an appropriate scale and bulk and no longer over intensive, detrimental to the visual appearance of the area or incongruous in the street scene.

Impact on Neighbouring Amenity

- ☐ The dwelling now stands further off the boundary with 9 Grenville Rise and it is a smaller building
- ☐ It would be possible to build a garage of a similar size under permitted development rights
- ☐ The applicant could enclose the garden with a 2m high fence under permitted development rights. A 1.8m high fence is proposed to prevent overlooking and to provide privacy. It is considered that the smaller building will be hidden behind the fence and not have an overbearing relationship with No 9 Grenville Rise. The site is also on the eastern side of this property and any shading from the dwelling will be mitigated by the fence and, based on the natural sweep of the sun, limited to the morning.

Other Material Considerations

The proposed dwelling would provide an additional home providing a modest social benefit, contribution to the local economy and neutral environmental impact.

Conclusion – that the proposed development satisfies relevant planning policies and in the absence of any adverse impacts which outweigh the benefits the development should be approved under the presumption in favour of sustainable development.

Revised plans and an amended planning statement have been submitted, on 10th November 2016. The plan shows the proposed bungalow sited a further 0.4m away from the boundary with the side boundary with 9 Grenville Rise. This means that the rear garden would be 3.0m deep rather than 2.6m (as noted in the first para of this section above)

In the amended supporting planning statement a case is quoted in respect of the argument supporting the building of a large garage in the same position as the proposed bungalow – where planning permission is not required. In this case it is stated that “the prospect of this fall –back position does not have to be probable or even have a high chance of occurring; it only has to be more than a theoretical prospect”

Consultations

Nottinghamshire County Council (Highway Authority – It is not envisaged that the proposal will compromise highway safety. No concerns subject to conditions in respect of surfacing of access driveways for the first 5.0m and no occupation prior to the construction of a dropped kerb.

A Site notice has been posted and neighbouring properties have been notified. Two letters of objection have been received on the following grounds:

- ☐ Still consider that the dwelling would be incongruous within the street scene as this would be a one bed unit among 2 and 3 bedroom bungalows and houses. This bungalow is squeezed into the back garden and not in keeping with the area.
- ☐ The footprint has hardly changed and neither has the amenity space to the rear and side of the property
- ☐ The total height of the enclosure in the garden to 9 Grenville Rise will be 2.4

m because of the difference in levels. This is considered overbearing as is the proximity of the new building to No 9 Grenville Rise, particularly the garden and conservatory

- ☐ A large garage would not need amenity space round it
- ☐ The modest social benefit need to be balanced against the loss of 40% of the amenity space to the existing bungalow
- ☐ On the rear elevation, in place of two opaque windows, there is one clear glass window, to the bedroom and French doors to the lounge. This could impact amenity by reason of noise and activity.

A seven day consultation has been made on the revised plans, received on 10th November. Any representations received will be made verbally at the committee meeting.

Planning Considerations

In my opinion the main planning considerations in the determination of this application are whether the proposal has an undue impact on the character and appearance of the site and the wider area, any impact upon the residential amenity of the occupiers of neighbouring properties, and any highway safety implications that may arise.

At the national level the National Planning Policy Framework (NPPF) (March 2012) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The following sections are relevant:

- ☐ 6. Delivering a wide choice of high quality homes (paragraphs 47-55); and
- ☐ 7. Requiring good design (paragraphs 56-68);

The Government attaches great importance to the design of the built environment. Section 7 of NPPF states inter alia that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping.

Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September 2014 and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan referred to in Appendix E of the GBACS. The following local policies are relevant: -

- ☐ Policy 8 Housing size, Mix and Choice; and
- ☐ Policy 10 –Design and Enhancing Local Identity

Policy 10 reflects the guidance contained in the NPPF and Replacement Local Plan policies (see below)

Appendix E of the GBACS refers to the following saved relevant policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies

Saved) 2014:-

- ☐ ENV1 (Development Criteria);
- ☐ H7 (Residential Development on Unidentified Sites Within the Urban area and Defined Village Envelopes);
- ☐ T10 (Highway Design and Parking Guides).

Criterion a, c and d of Policy ENV1 state that planning permission will be granted for development provided that 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.

Design and layout are considered in criterion a, and b. of Policy H7. This policy states that permission will be granted for residential development, within the urban area provided 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.

In respect to car parking, regards should be had to the Borough Council's Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

Design and Layout

The site is located within the urban residential area of Arnold where, in principle, a new dwelling would be acceptable. I note that the area is characterised by 2 and 3 bed bungalows and semi-detached two-storey dwellings. I would accept that there are examples of modern bungalows of similar style to the proposed dwelling in the immediate area; however, these tend to be on larger plots of greater depth. Given the character and appearance of the surrounding properties and the size of the plots I am of the opinion that the erection of a detached bungalow over the majority of the amenity area serving the existing dwelling would be over intensive development and would result in a design, layout and massing that would not reflect the pattern of development in the area. Whilst the dwelling has been reduced in footprint by 9sq m to a one bed dwelling, it is my opinion that the resultant development would appear cramped and would result in an incongruous appearance within the existing street scene.

The proposed dwelling would therefore not accord with either Policy H7 or ENV1 as these policies require development to be of a high standard of design which does not have an adverse impact on the appearance of the area. Neither would the proposal accord with Policy 10 which requires development to have regard to its local context and make a positive contribution to the public realm and sense of place. Paragraph 64 of the NPPF advises that development of poor design should be refused, in this instance I consider that the proposed development is of poor design.

Residential Amenity

Policy 10 of the ACS requires consideration to be given to the impact on the amenity of neighbouring properties and occupiers of development.

It is my opinion, that whilst the depth of the back garden has been increased by 0.9m it is still only 3.0m deep and on the rear elevation, in place of two obscure glazed windows (lighting a bathroom and second window to the kitchen) there would be a clear glass window to the bedroom and French doors to the lounge. It is considered that by reason of the proposal being in a higher position to no.9 Grenville Rise, the distance to the rear boundary, and that the bungalow would occupy a large part of the shared boundary, that the development would result in an unacceptable overbearing and overshadowing impact on the residential amenity of the neighbouring property.

It is my opinion that the revised plans, which show an increase in the depth of the back garden to 3.0metres is not sufficient to overcome these objections.

Highway Safety

I note that the Highway Authority has no concerns subject to conditions and that the proposed parking arrangements for both the existing and proposed dwellings are acceptable.

With respect to the parking provision the Gedling Parking Provision for residential development requires one parking space for the proposed dwelling. This is satisfied in the proposal.

Conclusion

Having regards to the above considerations it is my opinion that this revised submission would still result in an over intensive development of the site resulting in an incongruous feature in the street scene and having undue impact on the amenities of the adjacent dwelling by reason of overlooking, overshadowing, and overbearing. The proposal would therefore be contrary to Policies 10 of the Aligned Core Strategy and Saved Policies H7 and ENV1 of the Gedling Borough Replacement Local Plan. The proposed development would also fail to accord with paragraph 63 of the NPPF which seeks to ensure that new development is of good design.

Recommendation:

REFUSE PLANNING PERMISSION:

Reasons

1. The proposed development by reason of its scale, position and design would result in an over intensive development of the site that would be detrimental to the visual appearance of the area and incongruous on the streetscene. The proposal would therefore not accord with the following local policies:- Policy 10 'Design and Enhancing Local Identity' of the Gedling Borough Aligned Core Strategy 2014 and Saved Policies H7 'Residential Development on unidentified sites within the Urban Area and the Defined Village Boundaries' and ENV1 'Development Criteria' of the Gedling Borough Council

Replacement Local Plan. The proposed development would also fail to accord with paragraph 63 of the National Planning Policy Framework which seeks to ensure that new development is of good design.

2. In the opinion of the Borough Council, by reason of the position, scale and bulk of the proposed bungalow on elevated land and the proximity to neighbouring residential amenity, the proposed development would result in an undue overbearing and overshadowing impact on no.9 Grenville Rise. The proposal would therefore be contrary to the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).