



Planning Report for 2020/0235



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number:	2020/0235
Location:	14 Tennyson Avenue Gedling Nottinghamshire
Proposal:	Demolition of existing building and construction of new replacement dwelling
Applicant:	Mr and Mrs K Lock
Agent:	Nick Hutchings Architect Ltd
Case Officer:	Claire Turton

The applicant is related to a Member of Gedling Borough Council and therefore, in accordance with the Council's Constitution, this application has been referred to Planning Committee for determination.

1.0 Site Description

- 1.1. This application relates to 14 Tennyson Avenue, a detached bungalow and associated curtilage, located within the built-up area of Gedling.
- 1.2. The host property is located on the south side of Tennyson Avenue and is set back from the highway by approx. 6 metres. An area of hardstanding to the front provides off-street parking for 3 no. vehicles.
- 1.3. Land levels across the site are relatively uniform. The existing dwelling is finished in rough white render and has been previously extended to the rear.
- 1.4. Neighbouring properties are residential and are predominantly two-storey, with some examples of three-storey development on the road.

2.0 Relevant Planning History

- 2.1 **2019/0561** Planning permission was granted on 04.09.2019 for extensions and alterations to the existing bungalow to form a two storey dwelling.

The current proposal being presented to Planning Committee is almost identical to the proposal granted planning permission under application reference 2019/0561. There are two differences. The key difference is the method of achieving the development. Planning permission 2019/0561 proposed extensions to form a two storey dwelling. However, the current application proposes to demolish the existing bungalow and re-build a new

two-storey dwelling which is almost identical in design to the dwelling with the extensions proposed in application 2019/0561.

The only difference to the end development would be the insertion of a window to the front elevation serving a W.C.

2.2 **2011/1197** Planning permission was granted on 16.12.11 for the erection of a conservatory.

2.3 **99/1611** Planning permission was granted on 06.03.2000 for a single storey extension.

3.0 Proposed Development

3.1. This application seeks full planning permission for the demolition of the existing bungalow and the construction of a new replacement dwelling.

3.2 The proposed development would have split level eaves giving the appearance of a dormer bungalow to the front and a two storey dwelling to the rear. The new dwelling would have a maximum ridge height of approx. 8 metres and eaves heights between approx. 3.3 metres (to the front) and approx. 5.5 metres (to the rear). The existing dwelling at the site has an eaves height of approx. 2.4 metres and a ridge height of approx. 4.5 metres.

3.3 The proposed new dwelling will be located on roughly the same footprint as the existing dwelling. The key differences in terms of footprint are as follows;-

Parts of the front elevation will sit further forward within the plot by approx. 0.5 metres to give a predominantly flush elevation (at present the front elevation is slightly stepped).

The proposal would incorporate a new two-storey projection on the rear elevation measuring approx. 3.6 metres in width and approx. 2.6 metres in depth. The two storey projection would be set in approx. 0.7 metres from the western side elevation and would include two rooflights.

A new single storey projection would also be constructed on the rear elevation finishing flush with the eastern side elevation. This element of the development would extend approx. 4.2 metres in width and would have a depth of approx. 2.6 metres. This single storey projection would be constructed with a monopitch roof with a single dormer window serving a first floor bedroom.

3.4 Access and parking at the site are to remain the same. There are currently 2 no. vehicular access to the front of the site (one to either side of the front boundary) with a "U" shape in / out system for cars to the front of the property. The new dwelling will be set approx. 6 metres away from the back edge of the footpath.

3.5 Materials proposed are render walls and smooth grey concrete tiles for the roof.

4.0 Consultations

- 4.1. Neighbour Consultation – Adjoining neighbours have been consulted and a site notice has been posted. No letters of representation have been received as a result.
- 4.2. Gedling Borough Council Scientific Officer – Suggests conditions regarding electric vehicle charging and a construction emission management plan.
- 4.3. Nottinghamshire County Council Highway Officer – No objection.

5.0 Planning Considerations

5.1. Assessment of Planning Considerations

- 5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.3. The following national and local policies are relevant to the application.
- 5.4. At the national level the National Planning Policy Framework (2019) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. The following parts are relevant in considering this application:
 - Part 2 – Achieving sustainable development
 - Part 5 – Delivering a sufficient supply of homes
 - Part 11 – Making effective use of land
 - Part 12 – Achieving well-designed places
- 5.5. Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant:
 - Policy A: Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals.
 - Policy 1: Climate Change – all development will be expected to mitigate against and adapt to climate change including with respect to flood risk.
 - Policy 8 – Housing Size, Mix and Choice sets out the objectives for delivering new housing.
 - Policy 10 – Design and Enhancing Local Identity states that development will be assessed in terms of its structure, texture and grain including street patterns, plot sizes, orientation and positioning of buildings and the layout of space.

- 5.6. The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:
- LPD 11 – Air Quality states that planning permission will not be granted for development that has the potential to adversely impact upon air quality unless measures to mitigate or offset have been incorporated.
 - LPD 32: Amenity states that planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.
 - LPD 40 Housing Development on Unallocated Sites lists criteria for which housing development on unallocated sites will be assessed against.
 - LPD 57 Parking Standards sets out the requirements for parking.
 - LPD 61 Highway Safety states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.
 - Appendix D – Requirement for Parking Provision in Residential and Non-Residential Development.
- 5.7. I consider that the main planning considerations in the determination of this application are design of the proposal and its impact on the visual amenity of the area, the impact of the proposal on the residential amenity of neighbouring occupiers and highway safety.

6.0 Design and Impact on Visual Amenity

- 6.1 I consider the design of the dwelling to be acceptable and that the proposal will not have an adverse impact on the visual amenity of the area.
- 6.2 Tennyson Avenue is extremely diverse in terms of the designs of the dwellings along this street. There are examples of dwellings with hipped roof, dual pitch roofs and dormer windows all within the locality which, along with a mix of external materials, ensure there is no prevailing character within the streetscene.
- 6.3 The existing dwelling at the site is the only bungalow within the immediate surrounding area and as such I do not have any concerns regarding the increase in mass to a two-storey dwelling.
- 6.4 The external materials proposed are similar to those used on the existing dwelling at the site and would be in keeping with the materials used on other dwellings immediate opposite and adjacent to the site.
- 6.5 As such, I consider that the proposed development would be visually appropriate given the context of the surrounding area and would not result in an incongruous feature within the streetscene. Taking all of the above into

consideration it is my opinion that the proposal would accord with Part 12 of the NPPF, Policy 10 of the ACS and Policy 40 of the Local Plan.

7.0 The impact of the proposal on the residential amenity of neighbouring occupiers

7.1 I consider that the proposal does not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties.

7.2 With regards to issues of overlooking, many of the windows are in the same position as the windows on the existing property. However, there are some additional windows proposed that are not in similar locations to windows at the existing property. I am satisfied that the proposed additional dormer windows to the front elevation would result in no undue overlooking impact given the separation distance between the host property and the neighbouring dwellings on the opposite side of Tennyson Avenue. In addition I consider that the proposed additional windows to be inserted in the rear elevation of the dwelling would look out onto the property's own rear amenity area and given their orientation would not cause unacceptable direct overlooking issues onto neighbouring property windows or private amenity space.

7.3 With regards to issues of massing / overshadowing and overbearing, much of the new dwelling is on the same footprint as the existing. However, as described in detail in the "Proposed Development" section of this report, the proposed new dwelling is larger than the existing in that there is an additional first floor, parts of the elevation will sit further forward in the plot by approx. 0.5 metres, there is a new two-storey rear projection and there is a new single-storey rear projection. This impact of this additional built form on neighbouring amenity require assessing.

7.4 I am satisfied that the proposed projections to the rear of the dwelling, the small increase to the footprint to the front of the dwelling and the increase in the bulk form at first floor level would not have any unduly detrimental impact in terms of overbearing or massing / overshadowing. The proposed two storey rear projection is set in from the main side elevation away from the neighbouring boundary and extends a relatively modest distance beyond the previous rear elevation. I am mindful that the neighbouring dwelling to the west, no. 12 Tennyson Avenue, does have two first floor windows and one ground floor window inserted into the side elevation fronting the proposed development, however, given that these serve bathrooms (secondary rooms) I do not have any concerns regarding any potential overbearing or overshadowing impact created from the development. The neighbouring dwelling to the east, no. 16 Tennyson Avenue, has a blank elevation fronting the application site and an existing single storey rear extension which would mitigate any potential overbearing or overshadowing impact generated by the proposed single storey projection at the property. The proposed development has, in my opinion been designed sympathetically and would not result in any undue impact on the amenity of surrounding properties. In light of the above I consider the development would accord with Policies 32 and 40 of the LPD.

8.0 Highway Safety

- 8.1 Parking and access at the site are to remain as existing.
- 8.2 The new dwelling will be set approx. 6 metres away from the back edge of the footpath. There are currently 2 no. vehicular accesses to the front of the site (one to either side of the front boundary) with a “U” shape in / out system for cars to the front of the property. This “U” shape system allows for 3 no. cars to park outside the front of the property. This is all proposed to remain as part of the current proposal.
- 8.3 The Highways Authority has raised “no concerns in principle” to the application.
- 8.4 The proposal allows for 3 no. off-street car parking spaces. This is over and above the parking requirements for a new residential dwelling in a built-up area, as set out in Appendix D of the Local Plan. Appendix D only requires such new dwellings to accommodate 2 no. off-street car parking spaces.
- 8.5 For the reasons stated above, I consider that the proposal complies with LPD57, LPD61 and Appendix D of the Local Plan.

9.0 Other Issues

- 9.1 I agree with the comments of Gedling Borough Council’s Scientific Officer and recommend that a condition regarding electric vehicle charging is attached to the grant of any planning permission to meet the requirements of LPD 11 and the NPPF.
- 9.2 The site is located in a former coal mining area and as such standard informatives regarding building in a former coal mining area should also be attached to the grant of any planning permission.

10.0 Conclusion

- 10.1 The proposed development is consistent with Gedling Borough planning policies. The design of the proposal is considered to be acceptable and does not have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of overlooking or massing / overshadowing. Parking and access at the site are unaffected by the proposal. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Parts 2, 5, 11 and 12), Policies A, 1, 8 and 10 of the ACS and Policies LPD 11, 32, 40, 57,61 and Appendix D of the LPD.

11.0 Recommendation: Grant Planning Permission subject to conditions:-

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

- 2 This permission shall be read in accordance with the following plans;- Application forms, received 10th March 2020 Drawing no. 351 Ex01 showing site location plan and existing bungalow, received 10th March 2020 Drawing no. 351 P05B showing proposed new dwelling, received 10th March 2020
- 3 The development hereby permitted shall be constructed in accordance with the materials identified on the approved drawings and application form.
- 4 From the date of first occupation the property built on the site shall be provided with access to an electric vehicle (EV) charge point. The charge point must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and to define the terms of this permission.
- 3 To ensure the character of the area is respected and to comply with policy ASC10.
- 4 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.

Reasons for Decision

The proposed development is consistent with Gedling Borough planning policies. The design of the proposal is considered to be acceptable and does not have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of overlooking or massing / overshadowing. Parking and access at the site are unaffected by the proposal. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Parts 2, 5, 11 and 12), Policies A, 1, 8 and 10 of the ACS and Policies LPD 11, 32, 40, 57, 61 and Appendix D of the LPD.

Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential

extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.