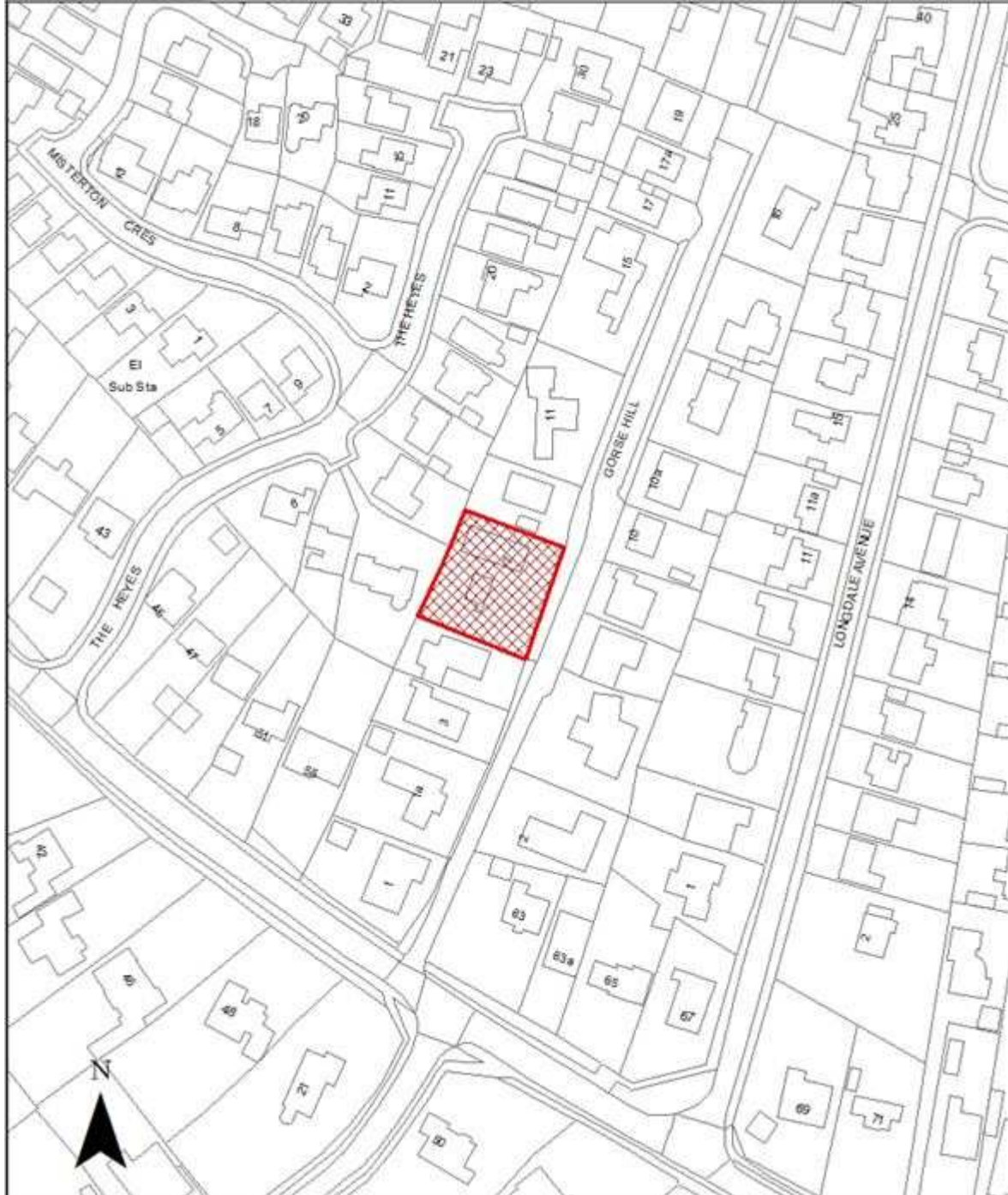




Application Number: 2014/0319

Location: 7 Gorse Hill, Ravenshead, Nottinghamshire, NG15 9AF



NOTE:

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Report to Planning Committee

Application Number:	2014/0319
Location:	7 Gorse Hill, Ravenshead, Nottinghamshire, NG15 9AF
Proposal:	Demolition of bungalow and garage and construction of two chalet format houses with integral garage and access.
Applicant:	Mr Craig Smith
Agent:	Mr Martin Tucker

Site Description

This application relates to 7 Gorse Hill, Ravenshead, which is a wide plot with an existing bungalow to one side located on a private road characterised by bungalows and chalet bungalows. The property has an existing driveway and detached double garage to the side.

Bungalows adjoin the application site to either side and a two-storey property adjoins the site to the rear on The Heyes (10 The Heyes) with its blank side gable facing the boundary with the application site. To the rear is also a detached bungalow at 12 The Heyes which has a rear elevation that faces the application site.

The adjoining bungalow at 5 Gorse Hill has a kitchen window facing the application site and some secondary glazing also on this side elevation. On the other side the site is adjoined by 9 Gorse Hill, which is also a detached bungalow, however there is a gap of approx 7m between the dwelling and the side boundary, part of which is occupied by a detached garage.

Boundary treatments on the application site include a 1.5m hedge and mesh fence to the front boundary, a 3.0m high hedge to the rear boundary with the neighbouring property on The Heyes and a 1.0m high hedge to the boundary with 5 Gorse Hill. A hedgerow sits on the boundary with 9 Gorse Hill.

Levels in Gorse Hill slope down towards the junction with Longdale Lane. Therefore, 9 Gorse Hill lies at a slightly higher level than 7 Gorse Hill whilst 5 Gorse Hill is slightly lower.

There are a number of trees around the site, including a silver birch to the front of the site, however these are not the subject of a Tree Preservation Order.

Relevant Planning History

Conditional planning permission was granted in January 2013 for the demolition of existing garage and erection of a new dwelling – application ref. 2012/1420.

Proposed Development

The application seeks planning permission for the erection of 2 chalet bungalows with attached double garages to replace the existing bungalow and detached double garage on the site.

Each dwelling is to be set back 14.5m from the front of the property with Gorse Hill. Driveways with turning space are proposed to serve each dwelling, with a double flat roofed garage is proposed in front of each dwelling. Each proposed dwelling will have parking space for a minimum 2 vehicles for each property. A door is inserted in the side of each garage providing pedestrian access to the side.

Both dwellings will largely mirror each other, with 1 Bedroom on the ground floor and 3 Bedrooms on the 1st floor. Whilst the original plans as submitted indicated a ridged roof of 8m in height this has been reduced in the plans deposited on 17th April so that the dwellings appear more as chalet bungalows, with a reduction in roof height of 1.5m.

The dwellings have been designed to have a depth of roof span of 8m. However each also has a rear 2-storey element that projects back a further 3m.

The property at 7 Gorse Hill will have a garden depth of 11.4m reducing to 8.5m behind the protruding rear 2-storey element, and at 7a Gorse Hill a garden depth of 12.1m reducing to 9.2m. Each plot has a width of 15.5m.

There are no windows in the main side south-west facing elevations that face 5, Gorse Hill. However the rear protruding elements have full length windows in the side elevations that face that way, providing patio doors to the ground floor and full length window to the 4th bedroom at first floor level.

There are 2 doors and 1 window in the side elevations facing 9 Gorse Hill (the north-east elevation). The doors are to the garage and utility room. There is also a window to the kitchen.

Rear windows at ground floor level include a set of 3 full length glazed lights to the dining room, 3 full length glazed lights to the sitting room, double patio doors to the sitting room, and an obscurely glazed window to the ensuite. At first floor level each dwelling will have an obscurely glazed full length window to the 4th bedroom (which extends back from the main rear elevation), a full length window to the 3rd bedroom, and a rooflight.

Materials are proposed to be slate roof tiles and larch board render walls with an ivory finish. Windows will be grey in colour. Barge boards and fascias are timber painted with natural cedar soffits. The applicant has described the proposal thus: "These proposals are contemporary with reasonable levels of glazing to the garden elevations, with predominantly render finishes and larch cladding".

A Design and Access Statement has been submitted as part of the application. The applicant has also submitted a Tree Survey which is identical to that submitted as part of the 2012 application.

Revised plans were submitted 15th April 2014 showing a reduction in the height of the roof from 8m to 6.5m. However as a consequence the footprint of the dwellings has increased from approx. 103 sq m (7 Gorse Hill) and 105 sq m (7a Gorse Hill) to 128 sq m (7 Gorse Hill) and 138 sq m (7a Gorse Hill). Further plans were deposited on 25th April 2014 which indicate the rear and side windows at first floor level in the rear gable end being obscurely glazed. An email was also received from the applicant confirming this.

Consultations

Ravenshead Parish Council – The Parish Council objects to infill and over development of the site.

Nottinghamshire County Council (Highways) – Have advised that Gorse Hill is a private unadopted street that serves approx. 20 existing dwellings. Its access point with the public highways has good visibility in both directions and is wide enough to allow two vehicles to pass one another.

The demolition of the existing dwelling and the construction of two new units will result in a net increase of 1 unit, which would be insignificant in terms of traffic generation from the site; therefore no highway objections to offer.

Nottinghamshire Wildlife Trust – As no ecological information appears to have been submitted with the application, would request that a protected species survey be carried out for all buildings before a planning decision is made, as the possible presence of bats within the buildings being demolished should be a material planning consideration when deciding this application. A protected species survey should be provided.

Neighbours notified by letter dated 19th March 2014 – 1 letter of objection received. Re-consultation sent on revised plans 17th April 2014 – 4 letters of objection received.

Comments received on original plans:

- Proposal does not conform with the general format of properties in the immediate vicinity which are predominantly single storey detached bungalows
- Misleading statements and errors in the Planning Statement
- Surface water drainage issues – concern that having surface water from the new dwellings drain into 2 soakaways in the rear gardens will increase the risk of water damage to properties in The Heyes, which already suffer drainage problems
- Concern about lack of screening on the rear boundary and therefore lack of privacy to property behind
- No indication given of new trees proposed on the rear boundary to provide screening
- Original consent included condition that no windows should overlook

properties on The Heyes. Other conditions relate to means of enclosure being erected before the dwellings are first occupied; all landscaping to be completed in first planting season; no development to begin until drainage plans for disposal of surface water and foul sewage has been approved by Borough Council.

Comments received on revised plans:

Description refers to reduction in size of proposed dwellings but revised plans show larger dwellings – they are now houses with 4 double bedrooms with a vast expanse of roof;

Dwellings will have 4 double bedrooms which will result in increase in residents with resultant car parking and congestion on Longdale Lane;

Whilst the height of the roof has been reduced the height of the first floor windows remains the same which will result in loss of privacy and overlooking; Redesign of dwellings significantly changes their format which is inappropriate for the area;

Properties have ignored previous concerns with regards to space and privacy between dwellings

Reducing the height of the dwellings has resulted in significant alteration to their massing, making them wider and deeper with a vast expanse of roofing – floor area has increased by approx. 35%

New dwellings closer to the properties on both sides, closer to the surrounding properties resulting in overlooking, loss of light and loss of privacy;

Substantial increase in glazing in rear elevations with full height glazing, causing direct overlooking especially as dwellings at The Heyes are at a lower level than Gorse Hill;

Concerned that new positions of dwellings will overlook habitable rooms in properties on The Heyes and reduce their privacy;

Gorse Hill is a private unmade road in very poor condition with poor visibility at the junction with Longdale Lane which will be exacerbated by the increase in occupancy from the 2 dwellings;

Surface water drainage will be collected and taken into soakaways 3m from the boundary with properties in The Heyes which will increase existing drainage problems;

Screening details on the application appear incorrect and need to be considered and addresses prior to any approval being given;

The plans show 4 new trees planted inside the Western boundary to provide screening but no indication given of their proposed height. These should be conditioned to provide permanent screening;

Original consent included condition that no windows should overlook properties on The Heyes. Other conditions relate to means of enclosure being erected before the dwellings are first occupied; all landscaping to be completed in first planting season; no development to begin until drainage plans for disposal of surface water and foul sewage has been approved by Borough Council.

Concerned that the conservatory to the rear of 9 Gorse Hill is not shown on the plans, and that the proposed dwellings will take away the privacy currently enjoyed within this.

Planning Considerations

The main planning issues involved in the determination of this application are whether the proposed development would have a material impact on the character and appearance of the site and wider street scene, whether the proposal would have an adverse impact on the amenities of neighbouring properties and any highway safety issues.

The relevant national Planning Policy Guidance in respect of these matters is set out in the National Planning Policy Framework (March 2012). The core planning principles set out in the guidance is a presumption in favour of sustainable development. In particular the following chapters are relevant in considering this application:

6. Delivering a wide choice of quality homes
7. Requiring good design

Section 6 of the NPPF states inter alia that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Section 7 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings...decisions should aim to ensure developments, amongst other things, respond to local character and history, and reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

At local level the following Policies within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008) are relevant:

- Policy ENV1 (Development Criteria)
- Policy H7 (Residential Development On Unidentified Sites Within the Urban Area and the Defined Village Envelopes)
- Policy H16 (Design of Residential Development)

Policy ENV1 requires development to be 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. Proposals should not have a significant adverse effect on the amenity of neighbouring occupiers by reason of the level of activities on the site or the level of traffic generated. In addition appropriate parking and provision for the safe and convenient access and circulation of pedestrians and vehicles should be made.

Policy H7 states planning 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. This

Policy also sets out that proposals should not result in the loss of buildings or other features including open space which make an important contribution to the appearance of the area.

Similarly Policy H16 requires dwellings, inter-alia, to be of a high standard of design which have regard to the surroundings, and sited and designed to relate to each other and to the roads, footpaths and open spaces in the surrounding layout and not adversely affect the area by reason of their scale, bulk, form, layout or materials.

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

Impact on the character and appearance of the area.

Given that the site is within an urban residential area there would be no objections in principle to residential development on this site. Planning permission was granted in 2013 for the erection of an additional bungalow following demolition of the existing garage and retention of the host dwelling. The principle of development of this plot to house 2 dwellings side by side has therefore already been established. Whilst a modern design is proposed this is of a high quality and will sit comfortably within the street scene within Gorse Hill.

Impact on the amenities of nearby properties

The planning decision for this earlier proposal included a condition that no windows shall be inserted in the first floor gable of the proposed new dwelling or existing dwelling at 7, Gorse Hill facing properties on The Heyes at any time. In addition, rooflights were to be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room which the rooflight serves. However the dwellings to which this condition referred had a far greater depth on the site, extending back to match the existing dwelling at 7 Gorse Hill so that there was a gap of just 3m between the rear boundary of the site and the dwelling. The insertion of windows at first floor level on this rear elevation would therefore have resulted in overlooking and loss of privacy.

In determining this application, I am therefore of the view that given that the planning permission granted in January 2013 remains extant at this time, consideration should take into account of the fall back position for the demolition of the existing garage and the erection of one new dwelling on the undeveloped site.

The current proposal has been designed to take into account the impact on neighbouring dwellings in terms of residential amenity. The main rear elevation of each proposed dwelling is set a minimum of 11m from the rear boundary. To the rear of the site lie 2 dwellings in The Heyes – a 2-storey detached dwelling at 10, The Heyes which has its side elevation facing the application site, and a bungalow at 12, The Heyes which has a rear elevation facing the application site. There is a minimum gap of 23.5m between the main rear elevations of 12, The Heyes and 7, Gorse Hill. It is noted that the design includes a rear protrusion to the dwelling that will come within this distance, however it is suggested that a condition be imposed in any forthcoming approval to ensure that windows at first floor level (ie.

to Bedroom 4) are obscurely glazed so that there will be no resulting loss of privacy or overlooking.

A group of 4 trees is indicated on the boundary between these 2 properties, and so a condition is also recommended requiring screening of at least 2m in height to reduce any further loss of amenity to that property. It is noted that there is a difference of levels with dwellings on The Heyes being set down 1.5m from the dwellings in Gorse Hill.

The side elevation of the dwelling at 7 Gorse Hill will be set 1.8m from the side boundary with 9, Gorse Hill, and given that there is a gap of 8.7m between the side elevation of that property and the proposed dwelling with a detached garage between loss of amenity to that existing property is considered unlikely. However again a condition is recommended that will ensure adequate screening from that property. The only window in the side elevation of the new dwelling is a kitchen window which will be level with the garage so that overlooking or other loss of amenity would be unlikely to result.

The dwelling at 5 Gorse Hill extends to some depth, and is 1m from the side boundary. Due to the levels in Gorse Hill this property is at a slightly lower level than the application site. The only window facing in that direction are windows in the side elevation of the rear projection, which is some 9.5m from the mutual side boundary. However the applicant has submitted plans showing that the rear and side windows in the first floor of the rear gable end to be obscurely glazed.

There is natural planting that provides screening to this boundary. Whilst there are windows in the existing side elevation of 5 Gorse Hill including a lounge window it is considered that the provision of screening up to 2m in height will prevent any loss of privacy. The proposed dwelling at 7a Gorse Hill has a depth that is 8m, and just part of the depth of the neighbour at 5 Gorse Hill so that loss of light or overshadowing is considered unlikely.

The scale and massing of the proposed dwellings are considered to be appropriate for this site, providing a smaller depth to the dwellings than the 2 bungalows previously approved which had a wider roof span and took more of the plot. The dwellings are set behind flat-roofed double garages, and each will have a good sized garden area to the rear.

With regards to the proposed materials, there is a mix of property styles and materials on Gorse Hill (including brickwork, stonework, timber panelling and white render to walls and differing roof tiles) and within Ravenshead as a whole. It is therefore considered that the proposed cream render and slate roof will result in dwellings that will fit comfortably into the street scene.

Highway Safety and other issues

The proposed parking meets the minimum requirements of the Borough Council's 'Parking Provision for Residential Developments' SPD which requires 2 parking spaces for a four-bedroomed property in this location. The Highways Authority has advised that they have no objections to the proposal, pointing out that Gorse Hill is a

private unadopted street that serves approx. 20 existing dwellings. Its access point with the public highway has good visibility in both directions and is wide enough to allow two vehicles to pass one another. The demolition of the existing dwelling and the construction of two new units will result in a net increase of 1 unit, which would be insignificant in terms of traffic generation from the site. There are therefore no highway objections to the proposal.

The Wildlife Trust have commented that no protected species survey has been submitted with the application. However the applicant has confirmed that the garage has been in use until only recently. It is therefore unlikely that protected species would be found. Whilst ideally all matters relating to protected species should be dealt with prior to any application being determined, it is considered that this can be dealt with through the imposition of a planning condition. No condition was suggested at the time of the 2012 application but the Wildlife Trust advised that the applicant should be made aware of their legal obligations regarding any bats that might be found during works. There is also separate legislation that exists to protect bats should they be found and planning permission does not override this. It is recommended that a condition be imposed requesting submission of a Protected Species Survey prior to demolition of the garage, and also that the applicant be made aware of the duties in respect of Bats and other Protected Species.

The concerns about drainage are noted, however these are issues that are beyond the scope of planning since drainage is properly a matter covered under Building Regulations Approval.

Conclusion

For the above reasons, it is considered that the proposed chalet bungalows are of an acceptable size, design and layout and would have no undue impacts on neighbouring amenity or the character of the area. There are no highway implications. The proposal therefore complies with the National Planning Policy Framework (2012) Policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Recommendation:

To GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the approved plans (drawing no. 11044/12 and 11044/13 deposited 15th April 2014 and 11044/10A and 11044/11A deposited 25th April 2014).
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a sample of the materials to be used in the

external elevations of the proposed development. The development shall be constructed in accordance with the approved details.

4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the position of the means of enclosure of the site. The means of enclosure shall be erected in accordance with the approved details prior to the dwelling being first occupied.
5. Prior to the demolition of the existing garage a protected species survey shall be undertaken and submitted to the Borough Council. No development shall commence until the applicant has secured the implementation of a programme of mitigation for protected species using the site in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
6. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted. The landscape scheme hereby approved shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.
7. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt portions of the site. The means of surfacing shall be erected in accordance with the approved details prior to the dwelling being first occupied.
8. The development hereby permitted shall not commence until the drainage plans the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
9. The development hereby approved shall be carried out in accordance with the findings and recommendations of the White Peak Tree Consultancy Ltd. tree survey 'A predevelopment appraisal of the trees at and adjacent to 7 Gorse Hill, Ravenshead' January 2013.
10. No part of the development hereby approved shall be brought into use until all drives and parking areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and parking areas shall then be maintained in such hard bound material for the life of the development.
11. No works permitted under Class A, B, C and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be

undertaken without the prior written permission of the Borough Council as local planning authority.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
4. To ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
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7. To ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
9. In the interests of good arboricultural practice and to ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
10. In the interests of highway safety and to reduce the possibility of deleterious material being deposited on the highway (loose stones etc).
11. To protect the character of the area and the amenity of adjoining and nearby dwellings, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).

Reasons for Decision

In the opinion of the Borough Council the proposed dwellings are of an acceptable size, design and layout and would have no undue impacts on neighbouring amenity or the character of the area. There are no highway implications. The proposal

therefore complies with the National Planning Policy Framework (2012) and Policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. It has done this by undertaking negotiations during the consideration of the application to address concerns in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation.

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.

Your attention is drawn to the attached comments of Nottinghamshire Wildlife Trust drawing your attention to your legal obligations should any bats be found during development.

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.