



**Application Number:** 2015/0636  
**Location:** Site Of Former Garages, Bagnall Avenue, Arnold,  
Nottinghamshire.



**NOTE:**

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## **Report to Planning Committee**

**Application Number:** 2015/0636

**Location:** Site Of Former Garages, Bagnall Avenue, Arnold,  
Nottinghamshire.

**Proposal:** Outline planning application for new residential development of  
land off Bagnall Avenue, Arnold to provide a pair of semi-  
detached houses

**Applicant:**

**Agent:** Mr George Machin

**Case Officer:** Cristina Dinescu

### **Background**

This application is referred to the Planning Committee because the land is owned by Gedling Borough Council.

### **Site Description**

The application site lies on the west side of Bagnall Avenue and it is located within the established urban residential area of Arnold.

Access to the application site is made off Bagnall Avenue, close to Cornwall Road junction, through an approximately 22 metres long driveway. The access point is 4.9 metres wide.

The site covers an area of 622sqm and has not been used for garage purposes for a while, leaving the site to be overtaken by vegetation.

The site is adjoined by residential properties on all sides.

A small part of the application site falls within the Nottingham City boundary and a similar application has been submitted to Nottingham City Council.

### **Proposed Development**

Outline Planning Permission is sought for residential development with all matters reserved except access.

An indicative plan and elevations have been submitted with the application showing two semi-detached two-storey residential dwellings with three bedrooms.

The submitted plans show two off street parking spaces to serve each dwelling.

A Design and Access Statement has also been submitted with the application.

### **Consultations**

NCC (Highway Authority) – Although the access width of only 4.9 metres is substandard to allow two cars to pass, the land was used for 14 garages which would generate a far greater number of movements than two dwellings; therefore the established access would be considered acceptable from a highway perspective, subject to conditions.

Nottingham City Council – No comments received.

Public Protection – Since the site has had a long history as private garages (circa 1950) there is a risk that excavations may reveal material which may be contaminated by past practices. The applicant/developer then will need to have a contingency plan should the construction phase reveal any contamination; as such a contamination condition would be attached to the planning permission.

Local residents have been notified and a Site Notice posted – 1 email of representation was received as a result raising concerns about the existing hedge that is on the boundary limit with several adjoining properties. The city neighbours have been consulted through the application submitted to the City Council and the consultation period ends on 28<sup>th</sup> August 2015. No letters of representation have been received and any further representations received from city neighbours will be reported verbally to the Committee.

### **Planning Considerations**

The main considerations in the determination of this planning application are whether the proposals accord with relevant policies within the local plan, the impact of the proposals on neighbouring residential properties and on the streetscene and whether there are any highway safety implications.

The most relevant planning policy guidance at the national level comes from the National Planning Policy Framework (March 2012). In particular the following chapters are relevant in considering this application: -

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

Gedling Borough Council at its meeting on 10th September approved the Aligned Core Strategy (ACS) for Gedling Borough (September 2014) which is now part of the development plan for the area. The following policies are relevant: -

- Policy 10 - Design and Enhancing Local Identity.
- Policy 8 – Housing Size, Mix and Choice.

Appendix E of the ACS refers to the Saved Policies from Adopted Local Plans. The following policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2014 are relevant: -

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

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.

Policy 10 – 1 of the ACS states inter-alia that development should be designed to:

- a) make a positive contribution to the public realm and the sense of place;
- b) create attractive, safe, inclusive and healthy environment;
- c) reinforce valued local characteristics;
- d) be adaptable to meet changing needs of occupiers and the effects of climate change; and
- e) reflect the need to reduce the dominance of motor vehicles.

Policy 10 – 2 of the ACS sets out the criteria that development will be assessed including: - plot sizes, orientation, positioning, massing, scale, and proportion. Criterion f) of the ACS refers to the impact on the amenity of nearby residents.

Criterion a., c. and d. of Policy ENV1 of the Replacement Local Plan are also relevant in this instance. These state that planning permission will be granted for development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and incorporate crime prevention measures in the design and layout.

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

### Visual Impact

The site is located within the urban area of Arnold where, in principle, there are no objections to its redevelopment for residential purposes.

I consider that the site is of adequate size to accommodate the proposed dwellings. I am mindful that there are a variety of styles of dwellings within the Arnold area and I

consider that suitably designed dwellings could be achieved that reflect the local characteristics.

Subject to precise design details to be dealt with under reserved matters I am of the opinion that the dwellings would be visually acceptable.

I therefore consider the proposed dwellings would accord with Policy 10 of the ACS and Saved Policies H7 and ENV1.

#### Impact on 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.

I note that the application is in outline with all other matters reserved for subsequent approval except access and as such I am satisfied that subject to precise details, the proposed dwellings will have an acceptable relationship with existing neighbouring properties.

#### Car parking and Highway Safety

A three bedroom dwelling in an urban area requires the provision of at least two car parking spaces in order to accord with the Council's Residential Car Parking Supplementary Planning Guidance. The development as now proposed does make provision for sufficient parking to serve the dwellings. I am mindful that the County Highways Officer has raised no objections, provided the access driveway to be cleared on both sides from hedging, and subject to conditions relating to the vehicular footway crossing to be widened and the hard surfacing of the access drive.

Subject to conditions recommended by the Highways Officer I consider that there would be no adverse impact on highway safety in allowing this application.

#### Trees and Vegetation

The redevelopment of the site for residential purposes will require the introduction of planting areas around the dwellings. Although the submitted plans show a timber fencing to be erected on the boundary limits, I am mindful that the raised concern from the neighbour that objected is referring to the existing hedge on site, therefore I would suggest a condition to be attached to any permission requiring a Tree and Hedge Survey together with precise details of a landscape scheme for approval.

#### Contamination

I note the comments from the Scientific Officer regarding contamination of land, as such I would recommend a condition to be attached to any planning permission.

#### Conclusion

Having regard to all the above I consider that the proposals are in accordance with the policies 8 and 10 of the Aligned Core Strategy and Saved Policies H7 and ENV1

of the Gedling Borough Replacement Local Plan and would recommend that Planning Permission be granted.

**Recommendation:**

**GRANT PLANNING PERMISSION** subject to the following conditions:-

**Conditions**

1. An application for approval of all the reserved matters (design, layout, scale, landscaping) shall be made to the local planning authority before the expiration of three years from the date of this permission.
2. The development hereby approved shall be begun within two years from the date of the approval of the last reserved matter to be approved.
3. Before development is commenced there shall be submitted to and approved by the Borough Council detailed plans, sections and elevations of all buildings.
4. The proposed dwellings shall not be brought into use until the details approved as part of the plans and particulars to be submitted for the application for the approval of reserved matters referred to in condition 1, 2, 3 and 4 above have been implemented, unless other timescales are prior agreed in writing by the Borough Council.
5. Before development (including site preparation) is commenced a Tree and Hedge Survey and a protection plan and method plan, incorporating details of a no dig methodology, to protect the existing hedging, shall be submitted to and approved in writing by the Borough Council as Local Planning Authority. Once these details are approved the development shall be carried out in accordance with the approved details and the tree and hedges protected at all times during site preparation and development.
6. Before development is commenced there shall be submitted to and approved by the Borough Council details a plan of the site showing the details of any proposed planting as well as details of the existing planting to be removed or retained. The approved details 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 precise details of the materials to be used in the external elevations of the development. Once approved the development shall be carried out in accordance with these details.
8. Before development is commenced there shall be submitted to and approved

by the Borough Council details of the means of enclosure of the site. The approved means of enclosure shall be erected before the dwellings are first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council.

9. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. The approved means of surfacing shall be erected before the dwellings are first occupied.
10. No works permitted under Class A, B, C, D or 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.
11. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing has been widened and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
12. No part of the development hereby permitted shall be brought into use until the driveway access has been cleared of the hedging on both sides and the driveway to be surfaced in a hard bound material (not loose gravel). The surfaced drive shall then be maintained in such hard bound material for the life of the development.
13. In the event that contamination is found at any time when carrying out the approved development it must be reported immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

## **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
3. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
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the aims of Policy 10 of the Aligned Core Strategy (September 2014).

5. In the interests of good arboricultural practice and to ensure that the details of the development are acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
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11. In the interests of Highway safety.
12. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
13. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development will result in no undue impact on the amenities of neighbours, the character and appearance of the area or on highway safety. The application is therefore in accordance with Policies 8 and 10 of the Aligned Core Strategy (September 2014) and Policies ENV1, H7 and T10 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) 2014.

### **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.

The proposal makes it necessary to widen the vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80.to



arrange for these works to be carried out.

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.

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](http://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](http://www.groundstability.com).