



Produced 15/04/2013 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2013

Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

299a Watnall Road  
Hucknall  
Notts  
NG15 6EX



Scale 1:1250

Supplied By: John E Wright

Serial number: 001095644

Plot Centre Coordinates: 452896, 348294

**COMMITTEE DATE**    20/09/2018                      **WARD**            Hucknall West

**APP REF**                      V/2018/0355

**APPLICANT**                Linby Homes Ltd

**PROPOSAL**                Two Detached Dwellings with Integral Garages

**LOCATION**                    Land to the Rear of  
283 - 287  
Watnall Road  
Hucknall  
Nottingham  
NG15 6EX

**BACKGROUND PAPERS**    A B C D E

App Registered 06/06/2018

Expiry Date 31/07/2018

*Consideration has been given to the Equalities Act 2010 in processing this application.*

*This application has been referred to Planning Committee by Cllr Phil Rostance based on highways safety issues and the buildings being out of keeping with others in the area.*

### **The Application**

This is an application for two detached dwellings with integral garages.

### **Consultations**

Site Notices have been posted together with individual notification of surrounding residents.

Four households have written a total of five letters objecting to the application. A further objection has also been received Ambleside Management Company, which was set up by the residents for maintenance of the road. Their concerns have been summarized below.

- The road is unsuitable for additional traffic - road width insufficient, no footpaths, lighting, lack of turning for larger and emergency vehicles.
- Limited visibility and trouble exiting on Watnall Road.
- The proposals may cause damage to the private drive at the resident's expense.
- Lack of parking and trouble manoeuvring from the driveways.
- The large houses are out of keeping with others on the road.

- Overdevelopment of the site.
- Disruption during construction.
- Failure to transfer rights to the access road to the management company.
- Block plan incorrect.
- Loss of light to a kitchen window.
- Loss of a view.
- The previous design and access statement noting the proposal was for up to five dwellings, this would increase the number on an un-adopted road.

**A.D.C Drainage** - No known drainage issues with this site. Percolation test are required to determine if the ground conditions are suitable of the use of soakaways to dispose of surface water, Severn Trent will need to be consulted on the foul water connection to the mains sewer from the development.

**A.D.C Planning Policy** – No comments

**Highways Authority** - As the road is a shared private drive, it does not need dedicated footways. Street lighting would be for residents, or the builder to provide and maintain. For public street lights to be justified the highway has to be adopted and meet the appropriate standards. This site is not designed to these standards, hence it being private.

The development would need to provide sufficient parking to accord with Ashfield District Councils standards and a facility at the end for turning/manoeuvring should be provided. It therefore maybe better to reduce the proposal to one large property. There is also very little room for visitor parking and it should also be considered how refuse/wheelie bins will be collected. Visibility splays should be provided at the junction with Watnall Road.

If the above issues can be agreed/accommodated, there is very little in terms of highway you could refuse this on as overall the highways impact is indiscernible.

### **Policy**

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

#### **The National Planning Policy Framework (NPPF) 2018**

Part 4 – Decision-making

Part 5 – Delivering a sufficient supply of homes

Part 8 – Promoting healthy and safe communities

Part 9 – Promoting sustainable transport

Part 12 – Achieving well-designed places

#### **The Ashfield Local Plan Review 2002 (ALPR)**

ST1 – Development

ST2 – Main Urban Area

HG5 – New residential development

## **Supplementary Planning Document – Residential Design Guide**

## **Supplementary Planning Document – Residential Car Parking Standards**

### **Relevant Planning History**

**V/2013/0609** – Demolition of existing bungalow. Erection of five detached bungalows. Consent. 08/01/2014

**CD/2013/0609** – Conditional discharge application for demolition of existing bungalow. Erection of five detached bungalows. Condition Discharge.

### **Comment:**

The main considerations in determining this application relate to visual amenity, residential amenity and highways safety. These are discussed in turn below:

### **Visual Amenity**

Concerns have been raised from local residents regarding the proposals representing overdevelopment and their size being out of keeping with others on Ambleside. The proposals are however very similar in terms of layout and appearance to the existing properties on Ambleside. The dwellings would each be single storey with hipped roofs, featuring a driveway and garage to the frontage. The use of materials and finishes would also mirror the adjacent dwellings. The Councils standards for parking and garden sizes are each met and the proposals are therefore considered not to represent an overdevelopment of the site. It is accepted these would be larger four bedroom dwellings, however given that the design, layout and appearance of the dwellings mirrors those directly adjacent - the development would have no adverse impact upon the character and appearance of the area.

### **Residential Amenity**

A concern has been raised regarding a loss of light to a kitchen window, which faces onto the site at No. 3 Ambleside. The applicant, has amended the plan to take the property at plot 2 farther away from No.3 and there would now be a separation distance of approximately 2m to the mutual shared boundary. The proposed dwelling would be single storey, with a roof pitching away from the boundary and is also set at a lower level (approx. 300mm) than No.3, accordingly any overbearing impact to the kitchen window is reduced considerably. The kitchen is also served by other windows and therefore the room would still receive an adequate amount of light and a reasonable outlook.

The dwellings are single storey with a separation distance well in excess of the Councils minimum required standard (12m) to the adjacent properties on Shortwood Avenue, consequently there would be no harm to the living conditions of these neighbouring occupiers. In terms of loss of privacy, as the proposals are bungalows, a standard rear garden fence of up to 2m in height would be sufficient to ensure there would be no overlooking to adjacent gardens. Overall, it considered the proposed dwellings due to their size, design and layout would result in no overbearing, overshadowing or loss of light to adjacent dwellings.

It is acknowledged that the proposal would increase the comings and goings along the access drive serving the development. The property at 299 Watnall Road has a rear garden running along the drive, however the existing boundary treatment is considered sufficient to protect their existing levels of amenity. It is also considered that the increase in comings and goings from an additional two residential properties would not materially harm the living conditions of neighbouring occupiers.

A concern has also been raised regarding disruption during construction and due to the level of concern, it is recommended that the applicant submits a construction management plan, which takes into account working hours, wheel washing, dust control, vehicular movements - before starting work. This construction management plan would assist in mitigating any disturbance to residents during construction phase.

### **Highways safety**

A number of residents have raised significant concerns regarding the proposal adversely impacting upon highways safety. The existing access road measures a minimum of approximately 5m and acts a shared surface between pedestrians and vehicles accessing the dwellings it serves. The quality of the surface is very good and from the Officers site visit, it appeared that the road was quiet, due to it serving only the residents along the drive.

The road entering the site is of sufficient width for two vehicles to pass and also features a turning head at the end, allowing a car to enter and exit the road in forward gear. This road is straight with good visibility along its length and it is considered that the occasion(s) when larger vehicles would meet and there would be insufficient room to pass would be fairly infrequent, and in any case a vehicle having pull into an appropriate position, whilst another passes, would not adversely impact on highways safety. A number of residents have raised concerns regarding larger vehicles, including emergency service vehicles accessing the site. It is understood, these presently access the site and utilize the turning facility provided adjacent to No. 5 Ambleside. In addition, the increased vehicular movements associated with additional two dwellings along the private road are considered not to be so significant.

The Highways Authority have advised the proposal would need to meet the Councils parking standards and a turning facility provided. The proposed dwellings would have a width of 10m to the frontage, potentially allowing space for up to four vehicles to park. There would also be an integral garage. The proposals would therefore exceed of the Councils minimum required standard of three spaces for a four-bedroom dwelling and have sufficient parking for visitors. The amount of spaces being provided would negate any requirements to park on the highway and significantly reduce the likelihood of any conflict between neighbours over parking. There is an existing turning facility on the road and the distance of 6m between the off street-parking spaces to the front would be sufficient to allow a vehicle to enter and exit the front driveways in forward gear.

A concern has been raised regarding visibility at the access onto Watnall Road. This is an existing access onto Watnall Road used by the five properties along Ambleside. The Highways Authority have asked for additional information to be submitted showing visibility at the access. The applicant has submitted a plan showing visibility onto Watnall road is well in excess of the minimum required. The visibility at the access has previously found to be acceptable as part of application V/2013/0609 and there are no highways safety concerns, due to a lack of visibility at the junction.

The Highways Authority have requested additional information showing how refuse bins are to be collected. The Councils refuse vehicle presently reverses down the drive and collects bins from directly outside the existing properties. This method of collection will be the same for the two dwellings being proposed.

A number of residents have raised an issue with the maintenance of the private drive and them setting up a management company. This is not an adopted highway and any future maintenance would be a private matter between the residents. Observations from a site visit showed that the road is currently in an excellent state of repair. Concerns have also been raised regarding ownership of the road and rights of way. The applicant has provided evidence from the land registry showing that the private drive roadway remains within the ownership of the applicant. The red-line boundary of site has also been amended to include the access and the applicant has signed certificate A to declare that they are the owners.

Overall, it is considered that the addition of two dwellings on Ambleside would not result in any material risk to safety of users of the highway. Accordingly, the development would comply with Saved Policy ST1 of the Ashfield Local Plan Review (2002), which seeks to approve development where it will not adversely affect highway safety.

### **Other Issues**

*Trees, Hedges and Wildlife*

There are trees located on the eastern boundary of the site, and a hedgerow, which separates the gardens of 287 – 285 Watnall Road. The vegetation is located in a rear garden with an urban area, does not hold any statutory protection and could be removed without the consent of the Local Planning Authority.

Notwithstanding, the applicant has submitted an updated plan showing the two trees to be retained on site. This would ensure the character and appearance of the area is protected from the footpath and also any wildlife living in the trees would remain largely undisturbed.

### *Public Footpath*

A Public Right of Way runs along the eastern boundary of the site. The line of the footpath will not be affected by the development and the Rights of Way Team have raised no objections. A number of informatives are however recommended to ensure the footpath remains unobstructed.

### **Conclusion:**

The proposed application would provide two bungalows within the main urban area of Hucknall. It is considered there would be no significant adverse impact upon the character and appearance of the area, highways safety, or residential amenity. The application would therefore be compliant with policy ST1 of the Ashfield Local Plan Review (2002) and guidance contained within the NPPF (2018)

### **Recommendation: - Conditional Consent**

### **CONDITIONS**

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the following plans: Elevations, Floor Plan (23/05/2018), Elevations Unit 2, Floor Plans Unit 2 (05/06/2018), Site Location (Received 01/08/2018) Site Plan Proposed Rev C (Received 10/09/2018) The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
3. The development hereby permitted shall use the following materials:  
Brick - Hanson Hampton Rural Blend  
Tile - Marley Eternit Ashmore Smooth Grey
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 20155 (or any Order revoking and re-enacting that Order with or without modification) no development relating to Classes A, B, C, D and E of Part 1 of Schedule 2 (Erection of Extensions) shall be undertaken without the prior written approval of the Local Planning Authority.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development relating to class A of Part 2 of Schedule 2 (Erection of walls, fences or other means of enclosure) shall be undertaken without the prior written approval of the Local Planning Authority.
6. Prior to the development being started, the applicant shall submit a construction management plan. This shall take into account working hours, wheel washing, dust control and the numbers/types of vehicular movements.

## **REASONS**

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
3. In the interests of visual amenity.
4. In the interests of residential amenity.
5. In the interests of highways safety.
6. In the interests of residential amenity.

## **INFORMATIVE**

1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions, then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).
2. Landowners, individual property owners and users are responsible for managing the drainage of their own land. The applicant must satisfy themselves that drainage is managed in such a way as to prevent adverse impacts of neighbouring land. The council take no responsibility for incorrect information or interpretations made by the applicant or their representatives. The responsibility for the checking of the design, calculations and details remain with the developer, or agent acting on their behalf.
3. In order to avoid impacts to nesting birds we also request that all tree/shrub/hedgerow/scrub and rough grassland removal work be undertaken outside of the bird-breeding season (March-September inclusive). If works are to be carried out during this time then a suitably qualified ecologist should be on site to survey for nesting birds prior to any vegetation clearance. As you will be aware all nesting birds', birds' nests, young and eggs (except pest



species) are protected by the Wildlife and Countryside Act 1981 (and as amended). Nesting is taken to be from the point at which birds start to build a nest, to the point at which the last chick of the last brood of the season has fully fledged and left the nesting area.

4. 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 0345 762 6848.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

5. The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path.
6. There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team.
7. The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible.
8. If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.
9. If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.
10. Structures cannot be constructed on the line of the right of way with the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.
11. The existing boundary hedge/tree line directly bordering the development/boundary etc. is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuring that it is cut back so as not to interfere with right of way.

12. Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption.

<http://www.nottinghamshire.gov.uk/transport/licences-and-permits/scaffolding-hoarding-and-advertising-boards>

13. If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email

[countryside.access@nottscc.gov.uk](mailto:countryside.access@nottscc.gov.uk)

14. If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit.

<http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit>