



COMMITTEE DATE 28/03/2019 **WARD** Ashfields

APP REF V/2019/0031

APPLICANT E & L Caswell

PROPOSAL Application For Approval of Reserved Matters Following
Outline Approval of Planning Permission V/2016/0617

WEB-LINK <https://www.google.com/maps/@53.1134103,-1.2905333,18z>

LOCATION Land to the Rear of 319-331, Alferton Road, Sutton in Ashfield,
Nottinghamshire, NG17 1JN

BACKGROUND PAPERS A, C, D, F, K

App Registered: 17/01/2019

Expiry Date: 01/04/2019

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

This application has been referred to Planning Committee by Cllr. C Baron due to the impact on the residential amenity of neighbouring residents.

The Application

This is an application for the approval of reserved following the granting of outline permission, with some matters reserved, under application reference V/2016/0617 for a maximum of 5 dwellings.

Consultations

Site Notices have been posted together with individual notification to surrounding residents and statutory consultees have been informed.

The following consultation responses have been received:

Resident Comments:

11x Letters of objection have been received from 9 local residents in respect of the following:

- Overbearing impact on neighbouring properties
- Overlooking impact on neighbouring properties
- Houses have not been 'cut in' to the land as shown by an indicative plan at outline stage

- The plot sizes have been reduced to reserve access to the land to the rear of the site for future development
- Impact on the character of the area
- Increased noise and light pollution
- No details of drainage submitted
- The proposal conflicts with policy RC2Sa of the ALPR 2002
- Impact on flora and fauna
- No details of bin storage
- Insufficient site access for proposed scale of development
- Increased traffic
- Loss of views
- Devaluation of property

ADC Landscaping:

The plans demonstrate the use of a robust plant species along the northern and eastern boundaries of the dwelling plots, however it is unlikely that the planting of the hedgerow will provide a suitable boundary in the first five years during establishment. A condition should be attached requesting details of any other temporary or permanent measures during planting establishment.

Nottinghamshire County Council Highways:

Access for the proposal was determined as part of the Outline application under V/2016/0617. No objections to the proposal on Highways Grounds, however it is noted that no bin store has been proposed which could result in bins being left on the highway. A condition is therefore recommended requesting details of a bin store.

Severn Trent Water:

No objections to the proposal, however a condition is recommended requesting drainage plans for the disposal of surface water and foul sewage.

Policy

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

National Planning Policy Framework (NPPF) 2019

- Part 5 – delivering a Sufficient Supply of Homes
- Part 9 – Promoting Sustainable Transport
- Part 11 – Making Effective Use of Land
- Part 12 – Achieving Well Designed Places
- Part 15 – Conserving and Enhancing the Natural Environment

Ashfield Local Plan Review (ALPR) 2002

- ST1 – Development
- ST2 – Main Urban Area
- HG5 – Residential Development
- RC2 – Open Areas in Main Urban Areas and Named Settlements

Supplementary Planning Document – Residential Design Guide

Supplementary Planning Document – Residential Car Parking Standards

Relevant Planning History

V/2016/0617

Details: Outline Application with some Matters Reserved for a Maximum of 5 Dwellings

Decision: Outline Conditional Consent

Date: 27/07/17

V/2019/0033

Details: Application for Approval of Details Reserved by Conditions 5 (Ground Levels and Floor Levels), Condition 6 (Historical Use, Land Contamination & Remediation Scheme), and Condition 7 (Drainage) of Planning Permission V/2016/0617

Decision: Pending

Date: -

Comment:

This application seeks approval of reserved matters relating to layout, scale, appearance and landscaping, following the approval of outline consent for a maximum of 5 dwellings on land to the rear of 319 to 331 Alfreton Road.

The principle of residential development on this site for 5 dwellings and the access details from Alfreton Road have already been established through the granting of the outline permission, and are therefore not for consideration as part of this application.

Character and Appearance:

Plans submitted as part of the application demonstrate that the five dwellings will be substantial two-storey dwellings, each comprising of a kitchen/dining area, living room and study space at ground floor level, and five bedrooms at first floor level. Garage facilities are also proposed to be provided for each dwelling.

The dwellings are proposed to be built across the site in a linear fashion, with the front elevations facing towards the rear elevations of properties along Alfreton Road, and the rear elevations of the proposed dwellings facing towards the open countryside to the north-west of the site.

The layout of the site is similar to that depicted by indicative plans and sketches submitted as part of the outline application provided for illustrative purposes.

A parcel of existing grassland is proposed to be retained to the east of the site to allow access to the field to the rear, which remains within the applicants ownership.

Properties within the vicinity of the application site vary significantly in terms of design and appearance, with a variety of construction materials used.

The proposed dwellings will draw upon a number of characteristic design features found within the vicinity of the site including stone window cills, brick soldier courses above fenestration and casement style windows. A number of the dwellings will also exhibit dormer windows and roof lights, which are visible on other dwellings within the locality of the site. The inclusion of such design features will result in the dwellings appearing relatively in keeping with those found within the surrounding area.

The proposed dwellings are considered to be modern in appearance, and are to be constructed using a mix of red multi facing brick and 'off white' coloured render. Roof tiles are proposed to be plain clay roof tiles in blue. The proposed materials are similar to those used in the construction of neighbouring properties, and as such, the proposed dwellings will not appear of character with properties found within the vicinity of the site.

Landscaping:

Land to the north of the application site is characterised by open fields and boundary hedgerows. The landscaping details submitted for the proposal demonstrate that an expansive area to the rear of the dwellings will be turfed to create areas of private amenity space, and bounded by newly planted hedgerows. Such landscaping to the rear will help to assimilate the development into the surrounding area, and will result in the open nature of the area being largely retained. The ADC Landscaping team have however advised that a temporary boundary treatment may be required whilst the hedgerow is established, and details of this should be submitted where required.

The dwelling frontages will comprise of a mix of hard and soft landscaping. This will include turfed landscaping, low level planting and a variety of trees, in addition to brick retaining walls, hard bound private driveways, and a tarmac access road. Such landscaped details are typical of a residential area. The inclusion of a variety of soft landscaping will soften the appearance of the development, allowing the development to integrate well into the surrounding area, resulting in no significant detrimental impact upon the appearance of the wider area.

The existing boundary treatments to all neighbouring residential properties are to be retained, and a new hedgerow is proposed to be planted along the southern boundary of the site, adjacent to the rear boundary of properties on Alfreton Road.

Residential Amenity:

A number of concerns have been raised by local residents in respect of the overbearing and overlooking impact resulting from the proposed dwellings.

Whilst it is acknowledged that the front of the proposed dwellings will face the rear of properties along Alfreton Road, the nearest residential property will be sited approximately 40m from the proposed dwellings. When considered against the Council's Residential Design Guide 2014, which stipulates that a separation distance

of 21m is sufficient to protect privacy, it is considered that a separation distance of 40m is more than appropriate to prevent any significant overlooking.

Furthermore, a separation distance of 40m is also considered to result in a limited overbearing impact on neighbouring properties.

In addition to the proposed separation distance, the ground level at the site slopes downwards in a northerly direction, away from properties along Alfreton Road. The submitted cross sections demonstrate that this ground level change has been taken into consideration, and the proposed dwellings are to be 'cut in' to the natural slope of the site. This subsequent design will mean that when residents of Alfreton Road are stood in the ground floor rooms, only the first floor and roof of the proposed dwellings will be visible, essentially making the dwellings appear as single storey properties from Alfreton Road. This is consistent with the indicative sketches provided at outline stage.

This design further reduces any potential overbearing and overlooking impact from the scheme on neighbouring properties. This design is also consistent with the indicative sketches provided at outline stage.

In terms of the residential amenity of future occupiers, each of the proposed dwellings will provide an internal floorspace of in excess of 200sqm, which far exceeds the Council's minimum internal space standards for a 5-bedroom property.

As stipulated in the Council's Residential Design Guide SPD, properties with 4 bedrooms or more are required to provide 90sqm or private amenity space. The proposed dwellings will benefit from a minimum of 300sqm of private amenity space, which again far exceeds the local requirement.

It is therefore considered that the proposal satisfactorily protects the amenity of existing and future occupiers, whilst providing future occupiers of the dwellings with an excellent standard of living.

Highway Safety:

Whilst concerns have been received from local residents regarding the access, as previously mentioned, the access to the proposed dwellings has already been approved, following the granting of outline planning permission for the site, under reference V/2016/0617, and therefore is not for consideration as part of this application.

The layout plan submitted demonstrates that each property will benefit from the provision of 4 off-street parking spaces, which exceeds the Council's requirement for 3 off-street parking spaces for a 5 bedroom property.

The Highways Authority have stated that they have no objections to the proposal, subject to a bin store being satisfactorily located to prevent the accumulation of

refuse bins on the adjacent highway. This requirement can be secured by way of condition.

Drainage:

Concerns have also been raised by local residents in respect of the lack of drainage details submitted as part of this application.

Severn Trent Water have confirmed that they have no objections to the proposal, subject to a condition requesting drainage plans, for the drainage of surface water and foul sewage.

As part of the outline consent however, a condition was attached stating that drainage plans for the disposal of surface water and foul sewage should be submitted to the Local Planning Authority prior to the commencement of the development (Condition 7).

The Council currently have a pending application for the discharge of the drainage condition, and are awaiting comments from Severn Trent Water, as to the suitability of the proposed drainage scheme.

A further drainage condition requesting the same details is therefore unnecessary.

Conclusion:

The principle of the proposed development has already been established through the granting of outline permission, and the details of the site access have also been approved.

The five dwellings have been designed to be in keeping with residential properties found within the vicinity of the site. In addition to this, the overall siting and scale of the dwellings will result in a limited impact upon the residential amenity of neighbouring residential occupiers by way of overbearing or overlooking impacts. As such, it is considered that the proposed dwellings would have no significant adverse impact upon the character and appearance of the area, the residential amenity of existing and future neighbouring residents, nor on highway safety. The application would therefore be compliant with policy ST1, ST2 and HG5 of the Ashfield Local Plan Review (2002) and guidance contained within the NPPF (2019)

Recommendation: Reserved Matters – Conditional Consent

CONDITIONS

- 1. The development to which this approval relates shall be begun not later than whichever is the later of the following dates:**
 - a) The expiration of 5 years from the date of the outline planning permission;**

b) The expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

2. This permission shall be read in accordance with the following plans:

- Proposed Site Layout, Drawing No. 1404-103-Rev A, Received 16/01/19;
- Proposed Boundary Plan, Drawing No. 1404-109-Rev A, Received 16/01/19;
- Plot 1 - Layouts & Elevations, Drawing No. 1404-104, Received 16/01/19;
- Plot 2 - Layouts & Elevations, Drawing No. 1404-105-Rev A, Received 16/01/19;
- Plot 3 - Layouts & Elevations, Drawing No. 1404-106-Rev A, Received 16/01/19;
- Plot 4 - Layouts & Elevations, Drawing No. 1404-107-Rev A, Received 16/01/19;
- Plot 5 - Layouts & Elevations, Drawing No. 1404-108-Rev A, Received 16/01/19;
- Proposed Site Sections, Drawing No. 1404-110-Rev B, Received 05/03/19.

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 – Birtley Olde English
Render – Through Coloured Render (Off White)
Tiles – Plain Clay Roof Tile (Blue Smooth)

The development shall be carried out with these materials, unless the Local Planning Authority gives written approval to any variation.

4. The development hereby approved shall not be occupied until a bin store has been provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority.

5. Details of any temporary or permanent boundary treatment measure during boundary plant establishment shall be submitted to and agreed in writing by the Local Planning Authority. The boundary treatment shall then be undertaken in accordance with the agreed details.

REASONS

- 1. To comply with Section 92 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. To ensure the satisfactory appearance of the development.**
- 4. In the interests of pedestrian safety.**
- 5. To protect and safeguard the visual amenity of the area.**

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. The development makes it necessary to improve a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>**