



Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 12/11/2020

COMMITTEE DATE 25/11/2020 **WARD** Central and New Cross

APP REF V/2020/0669

APPLICANT Ashfield District Council

PROPOSAL 2no. Two Storey Dwellings and 3no. Two and a Half Storey Dwellings

LOCATION Car Park, Stoney Street, Sutton in Ashfield, Nottinghamshire, NG17 4GH

WEB-LINK <https://www.google.co.uk/maps/@53.1287804,-1.2539079,18z>

BACKGROUND PAPERS A, C

App Registered: 05/10/2020

Expiry Date: 04/12/2020

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

This application has been referred to Planning Committee because the Council is the applicant.

The Application

This is an application that seeks full planning consent for the construction of two no. two storey dwellings, and three no. two and a half storey dwellings on land presently utilised as a Council car park off Stoney Street, Sutton in Ashfield. The proposed dwellings will comprise of two and three bedroom properties. Each dwelling will benefit from associated off-street parking and private amenity space.

Consultations

A site notice has been posted together with individual notification to surrounding residents.

The following responses have been received:

Resident Comments:

2x Letters of objection/concern have been received from neighbouring residents and businesses in respect of the following:

- Reduced access to neighbouring properties – both residential and commercial
- Increased traffic and obstructions along Stoney Street
- Loss of a car park – nowhere else for people to park
- Impact on business on Outram Street
- Noise and disruption during construction works

- No requirement for further housing in this location

Nottinghamshire Highways Authority:

The site is currently used as a car park with two vehicular accesses. The access to the east of the site is to serve this proposal. The access to the west will be required to be reinstated as footway with full height kerbs. There are a number of dwellings on Chatsworth Street which currently gain access to their rear driveways using the existing accesses for the car park. There is also a parking area at the rear of no's. 29-45 Stoney Street.

In accordance with the current Nottinghamshire Highway Design Guide, the required access width for the proposed number of dwellings, in addition to the number of dwellings currently gaining access from Stoney Street, is 4.8m. A further 0.5m should be added if the access is bounded by a wall, fence, hedge etc. Pedestrian visibility splays of 2m x 2m are required at the access point, and the access should benefit from suitable drainage measures to prevent the unregulated discharge of surface water from the driveway to the public highway.

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

Ashfield Local Plan Review (ALPR) 2002:

- ST1 – Development
- ST2 – Main Urban Area
- HG5 – New Residential Development

SPD Residential Design Guide

SPD Residential Car Parking Standards

Relevant Planning History

None.

Comment:

The application site consist of an existing Council owned car park on Stoney Street, Sutton in Ashfield, which comprises of 37 car parking spaces for members of the public. The car park benefits from two accesses, and provides vehicular access to the rears of properties to the north of the site on Chatsworth Street, and properties to the east of the site on Stoney Street.

Existing residential development surrounds the application site to the north, east and west on Stoney Street and Chatsworth Street, whilst commercial development is sited directly opposite the site to the south.

The main issues to consider as part of this proposal is the principle of the development, the impact of the proposal on visual and residential amenity, as well as highway safety.

Principle of Development:

The development site is located within the main urban area of Sutton in Ashfield, where the principle of development is considered acceptable, providing no other material planning considerations indicate otherwise.

The site comprises of an existing pay and display public car park which is understood to be utilised by members of the public visiting shops and services on Outram Street and Sutton town centre, as well as by local residents who reside in nearby properties as additional parking space.

Information received as part of the application does however indicate that the car park is heavily underused by members of the public. Last year the car park generated circa £2,500 in income, but incurred a cost of £3,000 in non-domestic rates. This loss incurred does not include ongoing costs associated with the upkeep and maintenance of the car park. The losses incurred to the Council is also likely to increase given that the period of free parking was increased from one hour, to two hours in September. As such, the retention of the car park is unviable due to its lack of use and the costs associated with business rates and ongoing upkeep and maintenance.

Concerns have been raised by local residents in regards to the loss of the car park and its subsequent impact upon local businesses, particularly within the Outram Street area. As observed, Outram Street itself benefits from ample on-street parking provision, whilst a further public car park on New Cross Street, approximately 130m to the north-west of the site, offers free parking for around 70 vehicles. Given that the car park on Stoney Street is heavily underutilised, the displacement of the vehicles utilising the site could be accommodated at alternative car parks within the Sutton area.

As such the principle of the proposed development for five new dwellings on the existing public car park is considered to be acceptable in this instance.

Visual Amenity:

Residential properties within the vicinity of the site vary in terms of size, type and design, with examples of two and two and a half storey dwellings, in both terraced, semi-detached and detached form.

The proposed development will comprise of five terraced dwellings, which will be set back from the highway edge by approximately 2.5m, with areas of private amenity space and parking provision sited to the rear of the dwellings. This proposed site layout is reflective of the layout of the dwellings to the east of the site. As such, it is considered that the proposal would not appear out of keeping with the surrounding pattern of development.

The dwellings are to be constructed from red facing brick and grey roof tiles, and will incorporate stone cills and brick headers in to the design. Dwellings directly to the east of the site have been constructed from comparable materials, whilst the design features proposed to be incorporated into the scheme are visible on properties sited directly east and west of the site. In this respect, it is considered that the proposed development would assimilate well into the street scene.

Areas of private amenity space to the rear of the dwellings are proposed to be enclosed through the installation of 1.8m high timber fencing panels, gravel boards and concrete posts. Such boundary treatments are typical of the area. The area forward of the dwellings is proposed to consist of low level planting to further improve the appearance of the development.

Residential Amenity:

The proposed dwellings are to be sited approximately 2m off the boundary with 5a Stoney Street, 10m off the boundary with 29 Stoney Street, and 35m to the south of properties on Chatsworth Street.

The properties at 5a or 29 Stoney Street do not have windows in the side elevations facing the application site. The proposed development will be sited approximately 0.5m further forward than the property at 5a Stoney Street, but will not extend beyond the rear elevation of this property. Although the development will project approximately 3.5m further to the rear than properties to the east of the site on Stoney Street, the BRE 45 degree code is not breached in plan or elevation when assessing the impact on 29 Stoney Street, given the distance between this property and the proposal. It is as such considered that the proposal will not give rise to any significant detrimental massing or overshadowing impact on neighbouring residents.

In regards to the potential overlooking impact, the minimum separation distance of 21m is achieved between all main aspect windows to be installed in the proposed development, and those at properties to the north of the site on Chatsworth Street. Subsequently the proposal will not result in any undue loss of privacy or obtrusive overlooking on nearby residents.

In respect of future occupiers, each of the dwellings provide an acceptable level of internal space to adequately accommodate the family of household which is likely to occupy it. Whilst each of the dwellings is proposed to benefit from an area of outdoor amenity space to the rear, the provision provided for plots 2, 3 and 4 marginally falls below the requirement for two and three bedroom properties. Having said this, the

site is located just over 100m from a large area of public open space, known as Sutton Lawn, the site provides parking for the properties and access is maintained for the properties on Chatsworth Street, thus on balance, the under provision of amenity space is considered acceptable in this instance.

Highway Safety:

Concerns have been raised by local residents in respect of the proposed development and its subsequent impact upon access to the rears of properties on Chatsworth Street and Stoney Street, as well as an obstruction to local businesses. In addition to this, concerns are also raised in regards to increase on-street parking within the locality, as well as increased vehicular traffic.

The application site is presently used as a car park which is served by two vehicular accesses off Stoney Street. The access to the east is proposed to be retained to serve the proposed development, and the rears of surrounding residential properties, whilst the access to the west is to be closed off. The Highways Authority have confirmed that the existing dropped kerb serving this access will be required to be reinstated into a full height kerb. A condition to this affect would be attached to any approval of the application.

The proposed access driveway will measure 5m in width, and will include the provision of a 2m wide pedestrian footway, as well as a verge between the access driveway and 29 Stoney Street. The verge is to be planted with shrub planting and will allow for the maintenance of the neighbouring properties boundary. The Highways Authority have confirmed that the access is required to be a minimum of 4.8m in width. A further 0.5m in width is required if the driveway is to be bound by a wall, fence, hedgerow etc., however this is not the case. As such, the proposed access driveway is of sufficient width to serve the proposed development and surrounding properties, and therefore the proposal would not impact on local residents being able to access their private driveways and parking areas.

The Highways Authority have also requested details of the location of a bin storage collection point in association with the proposed development. Information received as part of the consultation process does however confirm that the Council's refuse lorries collect bins from the rear of properties on Chatsworth Street and Stoney Street. This arrangement would still be possible should the development be permitted, and as such, bins associated with the proposed development could also be collected from the rear of the proposed dwellings. As such, a bin collection point for future occupiers of the dwellings would not be required.

In regards to parking arrangements, each dwelling will be provided with two off-street parking spaces, in accordance with the Council's Residential Car Parking Standards SPD 2014. It is subsequently considered that the proposal would be unlikely to exacerbate on-street parking within the vicinity of the site, and therefore the obstruction to nearby business premises would also be unlikely.

Concerns have also been raised regarding disruption during construction works. Whilst it is acknowledged that there is the potential for disruption during construction works, this would be for a temporary period only, rather than long term.

It is therefore considered that the proposal will not result in any detrimental impact on highway safety in this location, nor would it give rise to any substantial impact on highway capacity.

Conclusion:

The Council are presently unable to demonstrate a five year housing land supply, and as such, the presumption in favour of sustainable development applies unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The application site is located within a predominantly residential area, within close proximity to Sutton in Ashfield's town centre. The proposed development site offers the opportunity for the construction of five new dwellings in a sustainable, main urban area location, which will contribute to the districts housing stock as well as economic benefits during the construction of the dwellings and occupation thereafter.

The proposed development scheme does not raise any significant concerns with regards to the impact upon the visual amenity of the locality or upon the residential amenity of existing and future occupiers. Furthermore, each dwelling is afforded appropriate off-street parking provision, whilst access is shown to be maintained to the surrounding properties and the cumulative impact of an additional five dwellings on the highway network is deemed to be insignificant.

It is therefore recommended this application be granted planning permission, subject to the below conditions:

Recommendation: Grant Conditional Consent

CONDITIONS

- 1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.**
- 2. The materials and finishes to be used for the external elevations and roof of the hereby approved dwellings shall be 'Wienerberger Titan' red/multi facing bricks and 'Sandtoft Calderdale' roof tiles in slate grey as per the submitted information, unless otherwise agreed in writing by the Local Planning Authority.**
- 3. The area shown for car parking on the approved site layout plan shall be hard surfaced and the car parking spaces delineated, as shown on**

Drawing No. 31468 493 02 (proposed site layout plan), before the development hereby permitted is first occupied. The area shall not thereafter be used for any purpose other than the parking of vehicles.

4. No part of the development hereby permitted shall be brought into use until the access driveway/parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
5. Pedestrian visibility splays of 2m by 2m shall be provided on each side of the vehicle access. These measurements are taken from and along the highway boundary. The areas of land forward of these splays shall be maintained free of all obstructions over 0.6m above the carriageway level at all times.
6. No part of the development hereby permitted shall be brought into use until the kerbstones on the redundant dropped vehicular access are reinstated to full height, to the specification and standard of the Highway Authority.
7. This permission shall be read in accordance with the following plans: Proposed Site Layout Plan, Drawing No. 31468 493 02, Received 02/10/20; Proposed Elevations, Drawing No. 31468 493 04 Rev B, Received 21/10/20; Proposed Floor Plans, Drawing No. 31468 493 03, received 02/10/20; Proposed Drainage Layout, Drawing No. 31468 493 05, Received 02/10/20. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. To ensure the satisfactory appearance of the development.
3. To ensure adequate off-street car parking, in the interests of highway safety.
4. In the interests of highway safety.

5. To ensure that there is satisfactory visibility at the access point, in the interest of highway safety.
6. In the interests of highway safety.
7. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.

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 contractor must ensure compliance with current legislation on noise and dust control including the Environmental Protection Act 1990 and the Control of Pollution Act 1974. Relevant Codes of Practice set out procedures for dealing with the control of noise on construction and demolition sites are contained in BS5228: 2009 Noise and Vibration Control on Construction and Open Sites.
3. The development makes it necessary to reinstate a pedestrian footway/verge within the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact VIA, in partnership with NCC, telephone: 0300 500 8080 to arrange for these works to be carried out.