



**MAP SCALE 1:** 1250  
**CREATED DATE:** 07/01/2021

**COMMITTEE DATE**    27/01/2021                      **WARD**            Hucknall West

**APP REF**                      V/2020/0760

**APPLICANT**                G Gee

**PROPOSAL**                2 Dwellings

**LOCATION**                    Land Rear of 344 - 348, Watnall Road, Hucknall,  
Nottingham, NG15 6ER

**WEB-LINK**                    <https://www.google.co.uk/maps/@53.0244698,-1.221306,19z>

**BACKGROUND PAPERS**    A, B, D E

App Registered 06/11/2020                      Expiry Date 31/12/2020

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

*This application has been referred to Planning Committee by Councillor Phil Rostance on the grounds of the character and appearance of the area.*

### **The Application**

This is a full application for 2 bungalows with associated access, off-street parking and private amenity space. It should be noted planning permission for residential development in this location has been refused twice (V/2019/0693 and V/2020/0595).

### **Consultations**

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

### **ADC Environmental Health:**

- The new proposal has reduced the number of dwellings from four to two. The report prepared by MAS Environmental states this will reduce the transport movements from the access to around 6-8 per dwelling per day. The primary noise source will be the exhaust, the implementation of screening adjacent 346 and 348 would be sufficient mitigation to in line with the NPPF 2019.
- The report also states the noise from the access road is likely to generate no, or at most, low impact.

- Mitigation measures implemented in the form of a 1.8 – 2m close timber board fence will be installed to break the line of acoustic sight between the vehicles and the noise sensitive residential receivers including the garden areas.
- In the interest of residential properties on the access route, the Environmental Protection Team would recommend the mitigation measure are carried out as stated in Report undertaken by MAS Environmental, Dated: 18th November 2020.

### **NCC Highways:**

- The submitted layout plan, landscaping, boundary treatment and swept path analysis have been reviewed. The turning movements of a refuse vehicle have also been demonstrated, this is shown as having an overall length of 9.04m, which is less than the standard 11.6m normally considered. However, it is unlikely that a refuse vehicle would enter the site, therefore a bin collection point should be provided near to but not within, the public highway.
- The Highway Authority would not wish to raise objection subject to conditions relating to the following:
  - The shared private driveway shall be surfaced to a width of 5.8m for at least 5m behind the highway and shall be carried out in accordance with the submitted layout plan.
  - The proposed driveway shall be surfaced in a hard-bound material for a minimum of 5m behind the highway boundary.
  - The existing dropped kerb access, at the site frontage of 346 Watnall Road, is permanently closed and the access crossing reinstated as a footway.
  - The access driveway is constructed with provision to prevent the unregulated discharge of surface water from the driveway.
  - A wheelie bin collection point shall be provided near to but not within the public adopted highway.

### **ADC Drainage:**

The site lies within Flood Zone 1. There are historic surface water drainage issues on Watnall Road. The submitted drainage plan demonstrates a combined surface water system. Severn Trent Water would need to approve any connection to the main sewer which has been proposed by the applicant in the submitted drainage plan for the site.

### **Policy**

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

#### **Ashfield Local Plan Review ALPR 2002**

ST1 – Development

ST2 – Main urban area

HG5 – New residential development

RC5 – Allotments

## **National Planning Policy Framework NPPF 2019**

Part 2 – Achieving well designed places

Part 4 – Decision making

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

## **Supplementary Planning Documents 2014**

Residential Design Guide

Residential Car Parking Standards

## **Relevant Planning History**

### **340 Watnall Road, Hucknall:**

**V2018/0802** – Bungalow with associated access (refused 01.02.2019).

### **Land to the rear of 344-348 Watnall Road, Hucknall:**

**V/2019/0693** - Application for Outline Planning Permission With All Matters Reserved For Residential Development (refused 11.12.2019)

- Appeal Ref. APP/W3005/W/20/3247673 – Dismissed 19.06.2020.

### **Land to the rear of 344-348 Watnall Road, Hucknall:**

**V/2020/0595** – Application for full planning permission for 4 dwellings (refused 13.10.2020).

## **Comment :**

The applicant seeks full planning consent for 2 bungalows on garden land to the rear of 344-348 Watnall Road.

The site is located within the main urban area of Hucknall. The application site forms garden land to the rear of 344, 346 and 348 Watnall Road, with a new access road that runs from the highway between 346 and 344.

In 2019, outline planning consent for 3 dwellings (v/2019/0693) to the rear of 344-348 Watnall Road was refused and in 2020 was dismissed at appeal (APP/W3005/W/20/3247673). The Inspector found that the site was remote and represented piecemeal development and could set a precedent for further back land

development within the neighbourhood. The Inspector also noted that the proposed access that runs between 344 and 346 Watnall Road will result in noise and be intrusive to the rear garden areas for existing occupiers.

In 2020, full planning consent for 4 dwellings was refused (V/2020/0595) on the above grounds that the Inspector had found.

It should also be noted that in 2018 planning permission was refused for one bungalow and associated access on land to the rear of 340 Watnall Road (V2018/0802).

The main issues to consider in this application are the:

- Principle of development;
- Character and appearance of the area;
- Residential Amenity; and
- Highway safety.

### **Principle of development**

The application site is located in the Main Urban Area as defined by Ashfield Local Plan Review 2002 (ALPR), Policy ST2 and the Proposals Map. The Policy identifies that development will be concentrated within the Main Urban Areas. The proposal would comply with this policy.

### **Character and Appearance**

Saved policy HG5 (g) of the ALPR 2002 states residential development will be permitted where its design is acceptable in terms of appearance, scale and siting. Paragraph 122 of the NPPF 2019, states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting (including residential gardens). Paragraph 127 of the NPPF, also sets out that planning decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

The site adjoins neighbouring rear gardens and the rear of the site adjoins designated allotment land. In the vicinity of the site there are rows of long gardens to the north and south. In this location the surrounded land is characterised by spacious green areas of private gardens.

The proposed dwellings are set back from the highway by approximately 86m and are sited side by side facing the rear gardens of 344 – 348 Watnall Road. Both dwellings feature a dual pitched roof and a front facing gable.

The existing street scene along this section of Watnall Road is spacious in terms of its layout, with the provision of dwellings situated within large plots with long linear

private gardens situated to the rear. The development would constitute back land development due to the positioning of the proposed dwelling within the rear garden of the existing property. The erection of 2 dwellings to the rear of garden areas of existing dwellings is considered not in keeping with the plot formations within the vicinity, which are typified by two storey dwellings located on large plots with long linear gardens to the rear. The development would fragment this pattern and create unacceptable residential development leaving reduced plot sizes for the existing properties.

It is also considered that the granting of this application would be a material consideration for future applications of adjacent garden lands in the locality. Further to this, refusing planning permission for residential development in this location would demonstrate a consistent approach by the local planning authority, in line with V/2018/0802, V/2019/0693 and V/2020/0595, in consideration for the wider visual amenity and character and appearance of the street scene. Planning application V/2019/0693 was dismissed at appeal and it was noted by the Inspector that not only had the Council followed a consistent approach but also raised significant concerns with residential development in this location.

The proposal is considered to be detached and unrelated to the underlying building pattern of Watnall Road and therefore represents inappropriate development of residential gardens. Therefore, the proposal would not conform with saved policy HG5 (g) of the ALPR 2002 and Part 12 – Achieving Well Designed Places of the NPPF 2019, which seeks to ensure that developments add to the overall quality of an area, and are sympathetic to local character and history, including the surrounding built environment.

### **Residential Amenity**

The application has been considered against the requirements of paragraph 127 of the Framework, which seeks to create places which promote health and well-being, with a high standard of amenity for existing and future users. Consideration has also been given to the requirements of policy HG5 of the ALPR 2002, which states that residential development will be permitted where the amenity of neighbouring properties is protected.

In support of the application, given the proposed overall size, scale and siting of the dwellings within the plot, approximately 56m from the nearest residential property 346 Watnall Road, the proposal would not give rise to any detrimental massing, overshadowing or overlooking impacts on nearby residential occupiers.

Furthermore, the proposed dwellings would provide any future occupier with an acceptable standard of amenity, through the provision of adequate internal standards, and a generous area of private amenity space to the rear.

The application has been considered in accordance with paragraph 170 (e), which seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Paragraph 180 of the NPPF also seeks to ensure that new development is appropriate for its location taking into account the likely effects (including the cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

In respect of previous planning applications for residential development in this location, concerns have been raised in respect of the noise from the comings and goings of vehicles on neighbouring properties 344 and 346. Outline planning consent for 3 dwellings (v/2019/0693) to the rear of 344-348 Watnall Road was refused and dismissed at appeal (APP/W3005/W/20/3247673). The Inspector found the proposed access that runs between 344 and 346 Watnall Road will result in noise and be intrusive to the rear garden areas for existing occupiers. In 2020, full planning consent for 4 dwellings was refused (V/2020/0595) on the above grounds that the Inspector had found. It should be noted that planning application V/2018/0802 for one bungalow, on land to the rear of 340 Watnall Road, was not refused on the grounds of the impact on the living conditions of neighbouring properties.

Both dwellings 346 and 348 Watnall Road have primary windows on the front and rear elevations and although there are small windows on the side elevation these are non-habitable rooms. The rear gardens of both neighbouring properties would run alongside the access road.

Planning Practice Guidance paragraph 005 (Reference ID: 30-005-20190722) includes a noise exposure hierarchy which should be used as a guide in consideration for the significance of a noise impact. It was considered that the noise related to the comings and goings of previous applications for 3 and 4 dwellings would be present and intrusive to neighbouring properties resulting in an unacceptable impact. This application has been supported with a noise statement and noise mitigation. Whilst there are concerns, it is acknowledged that the proposal will result in noise being present to the rear of neighbouring properties, however as the proposal is for 2 bungalows, this lessens the overall number of comings and goings. Furthermore, the parking area for future occupiers is set 40m away from the nearest property 346 Watnall Road

The applicant has submitted a noise report undertaken by MAS Environmental, which states the proposal is likely to create transport movements from the access to around 6-8 per dwelling per day. The primary noise source will be the exhaust resulting from the comings and goings of vehicles. Mitigation measures implemented in the form of 1.8 – 2m close boarded timber fencing will be installed alongside the rear gardens of 344 and 346, to break the line of acoustic sight between the vehicles and the noise sensitive residential receivers within the garden areas.

ADC Environmental Health have reviewed the submitted noise report and have provided no objections subject to the recommended fencing to be installed in the interests of protecting the amenity of neighbouring properties.

It is noted that noise can slightly affect the acoustic character of the area but not such that there is a change in the quality of life. Given the layout, siting, design and scale of the proposal, the comings and goings in respect of 2 bungalows is considered not intrusive to the surrounding garden areas and therefore not significantly detrimental to the amenity of neighbouring properties.

### **Highway Safety**

The application has been considered against Part 9 – Promoting Sustainable Transport of the NPPF 2019, which seeks to ensure that safe and suitable access to the site can be achieved for all users, whilst minimising significant impacts on the transport network or highway safety.

The application proposes a shared access to serve existing dwellings 344 and 346 Watnall Road and the proposed 2 dwellings. The off-street parking for 344 and 346 is shown to be accessed from this private drive, with a new 0.9m high boundary wall proposed at the site frontage of both properties.

The proposed access width meets the requirements of 5.8m in accordance with the Nottinghamshire Highway Design Guide which states that a new access that serves up to 6 dwellings is required to have a minimum width of 5.8m (minimum 4.8m 1m added as the access is bounded by a wall each side). The submitted details demonstrate that the proposal can meet the requirements for highway visibility splays to ensure safe access and egress.

The site access can accommodate a two-way flow traffic to limit any potential congestion on Watnall Road, whilst providing turning space for visiting vehicles. The site can also accommodate the minimum off-street car parking spaces, in accordance with the Councils adopted Supplementary Planning Document: Residential Car Parking Standards 2014.

As the development is situated greater than 45m from the rear of the highway boundary, suitable access and turning within the site for emergency vehicles has been demonstrated. Swept path analyses for a fire tender and a refuse lorry has been provided.

### **Conclusion :**

The NPPF states that proposals should be considered in the context of the presumption of sustainable development, which is defined by economic, social and environmental dimensions.



The Council cannot currently demonstrate a five year housing land supply, which sits at 2.53 years. The titled balance is therefore engaged, and planning permission should be granted unless the adverse impacts demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

It is acknowledged that the proposal would provide a number of benefits, including support for a small house builder and other economic benefits that would be generated during the construction of the dwellings and occupation thereafter. The proposal would also assist in providing a contribution towards the Districts housing supply, albeit modest.

Fundamentally, the proposal is back land development and would be detrimental to the established pattern of development in this location, which is characterized by long linear gardens. It is also considered that the granting of this application would be a material consideration for future applications of adjacent garden lands in the locality. The application is therefore recommended for refusal.

**Recommendation: - Refusal**

**REASON**

- 1. The proposal would result in the sub-division of the rear gardens and would fragment and disrupt this linear pattern of development, representing an unsatisfactory form of piecemeal back land development, which is out of keeping with the established pattern of development along Watnall Road, which is characterised by long rear gardens and properties fronting on to the highway. The proposal results in significant harm to the character and appearance of the area and is therefore considered contrary to saved policy ST1 (a and b) and HG5 (g) of the Ashfield Local Plan Review 2002, as well as Part 11 and 12 of the National Planning Policy Framework 2019.**