



Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 04/03/2021

COMMITTEE DATE 17/03/2021 **WARD** Hucknall Central

APP REF V/2020/0867

APPLICANT Ashfield District Council

PROPOSAL 2 Dwellings

LOCATION Land Off Hawthorne Avenue, Hucknall, NG15 6LN.

WEB LINK <https://www.google.com/maps/place/Hawthorne+Ave,+Hucknall,+Nottingham/@53.0360811,-1.2137528,88m/data=!3m1!1e3!4m5!3m4!1s0x4879eaadbab4e5b9:0x8f9f7dad0c2c6a25!8m2!3d53.0360541!4d-1.214355>

BACKGROUND PAPERS A, B, C, D & F.

App Registered 18/12/2020

Expiry Date 11/02/2021

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

This application has been referred to Planning Committee in the interest of transparency since Ashfield District Council are the applicant, and also owners of the application site.

The Application:

This is an application for two, three bedroom dwellings on a former Council owned garage site. The two dwellings are semi-detached, and will include areas of hard surfacing for vehicle parking and manoeuvring, and the provision of turfed private outdoor amenity space.

Consultations:

A site notice has been posted together with individual notifications to surrounding residents. A reconsultation was also undertaken with residents and other consultees following receipt of revised plans/additional information.

The following responses have been received:

Resident comments:

4x objections/comments (one objection was joint between two neighbours), raising the following points:

- Access lane is not suitable – two vehicles cannot pass.
- No visitor parking.
- Loss of privacy.
- Will any trees be removed.
- Concerns over the stream being closed/impacted.
- Who would maintain the stream.
- Existing drains too shallow to be connected into.
- What are the proposed dwellings going to be.
- The site is too small to be built on.
- Would have a view of a brick wall if built.
- Loss of light to house and garden.
- Increased noise and disturbance.
- May stop emergency vehicles accessing my property from the rear.
- Loss of wildlife/damage to the environment.
- Possible increase in security risks.

Nottinghamshire County Council Highways:

Original comments:

- Road is substandard in width and should allow two vehicles to pass one another.
- It would appear that manoeuvring space for some spaces is limited.

Revised comments:

- Plan provided shows vehicle turning and manoeuvrability to leave the site in forward gear.
- Only one existing property fully utilises the access road to reach their property, therefore the narrow access can be accepted.
- There is waiting space available.

Severn Trent Water:

- Foul is proposed to connect into the public sewer, which will be subject to a formal section 106 sewer connection approval.
- Surface water is proposed to discharge to a watercourse, which we have no comment.

Ashfield District Council Environmental Health:

No objection in principle, but request conditions relating to working hours and noise & dust in the interest of amenity.

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):

Part 5 – Delivering a sufficient supply of homes.

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.

EV8 – Trees and Woodland.

HG5 – New Residential Development.

Supplementary Planning Documents:

Residential Design Guide (2014).

Residential Car Parking Standards (2014).

Relevant Planning History:

None.

Comment:

The application site is located within the main urban area of Hucknall. The site itself was historically used as garage court, and whilst there are no garages left on the site, it still remains hard-surfaced. There is also a small number of self-set trees within the site. An open watercourse (a stream) runs along the southern boundary of the site, which in itself contains some tree and shrub planting. The stream is currently maintained by, and is to continue to be maintained by, Nottinghamshire County Council.

Existing residential development surrounds the application site, and thus the area is considered to be residential in nature.

The main issues to consider as part of this proposal is the principle of the development, the impact of the proposal on the visual and residential amenity of the area and its ability to improve the local character and appearance, in addition to highway safety.

Principle of Development:

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

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

Paragraph 118 of the NPPF 2019 stipulates that substantial weight should be given to the value of using suitable brownfield land within settlements for homes, and the development of underutilised land, which amongst other things includes car parks and lock-ups, should be promoted and supported where it would help to meet identified housing need.

The proposal represents a modest, but nevertheless important boost to the districts housing supply, providing two new residential units in a sustainable, main urban area location. The scheme would also provide economic benefit during the construction of the dwellings and occupation thereafter.

Having regard to the presumption in favour of development, as outlined in paragraph 11 of the Framework, the principle of the proposed development is considered acceptable provided all other material planning considerations can be appropriately satisfied.

Visual Amenity:

As previously mentioned, the area surrounding the application site is predominantly residential in nature. Properties within the vicinity of the site vary in terms of size, type and design, however they are typically two storey in nature and either semi-detached or detached. The proposed dwellings will be two storey and sited to reflect the existing pattern of development.

The properties are proposed to be constructed from red rustic bricks and slate grey roof tiles, incorporating buff coloured stone cills. Existing properties within the area display a mix of finishes, largely brown and red brick, although some render is visible within the vicinity. As a result of the areas varying character, it is considered that the proposed development would assimilate well into the street scene, and would not be detrimental

to the visual amenity of the area. The removal of the garage site is likely to improve the visual appearance of the residential area.

The site is currently bound by approx. 1.8m high timber fencing on its north, east and western boundaries. The fencing is predominantly timber panel and concrete gravel board/posts. The Southern boundary, beyond the brook, also has timber fencing erected, with intermittent tree/shrub planting functioning as amenity planting which also provides additional screening.

The proposed dwellings will have open frontages, and new sections of 1.8m high timber panel and concrete gravel board/post fencing will be erected to the rear and sides of the two new dwellings to help separate and demarcate the new garden areas. A new 0.45m high timber knee rail fence is also to be erected along the edge of the brook to provide a visual and physical barrier between the highway and brook. The boundary treatments proposed are in keeping with those found within the vicinity of the site and therefore considered to be acceptable.

There are several trees within/adjacent to the site. The supplied Arboricultural Impact Assessment, Method Statement and Tree Protection Plan indicates that the majority of the trees on/adjacent to the site are of low quality, with some being unsuitable for retention. Six trees are to be removed in total, those identified as being unsuitable for retention, with the others being necessary to facilitate the development. Herras fencing is proposed for use to protect the trees during any construction work.

Residential Amenity:

The proposed dwellings reflect the existing properties of No.'s 9 and 11 Hawthorne Avenue in respect of siting and orientation. The proposed dwellings will be approximately 12.2m away from the side elevation (of the main house) of No.11, with there being a separation distance of approximately 8.2m between the side elevation of the proposed dwelling and the single storey side extension of No.11. There are no windows in the side elevation of the extension, however No.11 have a side window at first floor level. Due to the absence of side windows in the proposed dwellings, and also applying the 25 degree code to No.11's first floor side window (which is not breached by the proposed development), it is considered that the proposed dwellings will not have a detrimental effect on No.11.

The closest properties on Aitchison Avenue, to the east of the site, are located approximately 22m away from the proposed dwellings. Again due to the absence of side windows in the proposed dwellings and their orientation to the properties on Aitchison avenue, it is considered that there shall be no detrimental overlooking, overbearing or overshadowing experienced by properties along Aitchison Avenue.

Properties to the north along Garden Road are in excess of 38m away, and properties to the south on Linnet Way are approximately 26m+ away. It is therefore considered that there is sufficient separation distance between main aspect windows at these

properties to maintain an acceptable level of privacy. Any overshadowing or overbearing impact experienced by these neighbouring properties is also likely to be negligible.

In respect of future occupiers both proposed dwellings have adequate levels of private outdoor amenity space, and the minimum space standards within the properties also meets the Council's requirements, as outlined in the adopted Supplementary Planning Document on Residential Design.

Concerns have been raised in respect of increased noise disturbance arising from the proposal during construction and occupation thereafter. A construction management plan has been submitted with the application which details that construction works would take place between the hours of 8am to 6pm Monday to Friday and 8am to 1pm Saturdays, which are typical working hours. Any noise emitted from the properties once occupied will likely be domestic in nature and therefore will not be at odds with noise emitted from surrounding residential properties. In any event, should the proposal cause any noise nuisance during or after construction, such matters can be dealt with under other legislative powers.

Highway Safety:

Concerns have been raised by local residents in relation to the suitability of the access and the absence of visitor parking. The site will be accessed off Hawthorne Avenue, utilising an existing access road which historically served the garage court located on this site. Therefore the proposed two dwellings on this site is likely to result in a less intensive use of the access lane than has historically been experienced.

The Highway Authority have provided comments on the scheme, and they are satisfied that the proposed use of the access, taking into account the existing properties which utilises this, is acceptable. The Highway Authority also confirm the acceptability of parking and manoeuvrability within the site.

Each property has two off-street parking spaces available for use (constructed from block paving), which meets the Council's requirements as set out in the adopted Supplementary Planning Document on Residential Car Parking Standards. However neither property has any designated visitor parking. Providing off-street visitor parking is not typically a requirement for this nature and scale of development. It is acknowledged that there is limited capacity within the site curtilage to accommodate high levels of visitor parking, however there are on-street options available within the vicinity, and a bus service(s) runs a short distance to the north along Wood Lane.

As previously mentioned a 0.45m (approx.) high timber knee rail fence is to be erected along the edge of the brook to provide a visual and physical barrier between the highway and brook.

The new development to the south has undoubtedly increased levels of traffic along Hawthorne Avenue since the garage site was last in a functional use. However visibility at the site entrance is considered to be sufficient in both directions, and thus there is unlikely to be any significant risk to highway safety. Therefore it is considered that the traffic generated from two new dwellings in this location would have a negligible impact upon highway capacity in this location.

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 proposed development site offers the opportunity for the construction of two new residential properties in a sustainable, main urban area location, which will also contribute to the districts social housing stock providing social benefits, 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 off-street parking provision, and the cumulative impact of an additional two residential properties on the highway network is deemed to be negligible.

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 proposal shall match those detailed in the submitted application form.
3. This permission shall be read in accordance with the following plans: Site Location Plan, Drawing No.31468 513 01, Received 18/12/2020. Proposed Site Plan, Drawing No.31468 513 02 Rev.D, Received 21/01/2021. Proposed Elevations and Floor Plans, Drawing No.31468 513 03 Rev.C, Received 21/01/2021. Proposed Drainage Layout, Drawing No.31468 513 04, Received 18/12/2020. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

4. The hereby permitted development shall be carried out in accordance with the submitted Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (received 18/12/2020).
5. The hereby permitted development shall be carried out in accordance with the submitted Construction Management Plan (received 17/12/2020).
6. The hereby permitted development shall be carried out in accordance with the recommendations contained within the submitted Preliminary Risk Assessment & Geo-Environmental Assessment (received 12/01/2021).

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 that the development takes the form envisaged by the Local Planning Authority when determining the application.
4. To safeguard the visual amenity of the area.
5. In order to minimise disturbance to surrounding properties.
6. To ensure the site, once developed, is free from contamination, in the interests of safety.

INFORMATIVES

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.