



COMMITTEE DATE 23/09/2022 **WARD** Sutton Junction and Harlow Wood

APP REF V/2022/0482

APPLICANT Mr and Mrs G Skyrzowski

PROPOSAL Self-build Dwelling

LOCATION Land at Hacienda, Coxmoor Road, Sutton in Ashfield, Notts, NG17 5LF

WEB-LINK <https://www.google.co.uk/maps/@53.113329,-1.2233043,19z?hl=en>

BACKGROUND PAPERS A, B, C, D, E, F & K

App Registered 23/06/2022 Expiry Date 17/08/2022

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

This application has been referred to Planning Committee by Cllr Zadrozny to discuss infill policy.

The Application

This is an application for a Self-build Dwelling on land located adjacent to Hacienda, Coxmoor Road, Sutton in Ashfield. The proposal will be a detached dwelling with a single storey attached garage and new vehicular access.

The application site is located in the designated Countryside of Sutton in Ashfield. To the north and south of the site are residential properties. To the west is open countryside and to the east is the Sherwood Observatory and a golf course.

The site is currently enclosed by close boarded fencing which does not appear to benefit from any planning permission, it has been erected within the last year and is unauthorised. Fencing along the frontage of the site should not exceed 1 m in height without the benefit of planning permission.

Consultations

A site Notice has been posted together with individual notification of surrounding residents.

Local Representation

One comment has been received neither objecting nor supporting the application raising the following:

- Requesting details of any exterior lighting that is proposed

ADC Environmental health

- No objections (Does not include comments in relation to land contamination)

NCC Highways

(1st Consultation)

- The design of the proposed access needs to adhere to standards set out in the revised Nottinghamshire Highway Design Guide for a single private drive in terms of access width, gradient, surfacing, means of surface water disposal and provision of vehicular visibility, which will need to be calculated from measured 85thile speeds
- There will need to be cycle storage for 4 cycles, based on the number of bedrooms.

(2nd Consultation)

- Proposed layout drawing shows the position of the new driveway which is to make good of the extant field gates position.
- Drawing identifies minimum width of a single drive is 3m but 3.5m is proposed, ideally this should be 3.6m to reflect the fact that it is and will continue to be bound on both sides by boundary treatments in the form of fencing and hedgerow.
- Extent of visibility splays are shown for a 40mph road and the full extents are achievable in both directions, if not further. The splay to the north of the access will brush the hedgerow, whilst its not necessary to remove it a compliance condition to maintain the hedgerow is required
- Suitable gradient for a single dwelling has been proposed and the driveway will be drained in such a way that surface water will be directed away from the public highway
- No highways objections subject to conditions pertaining to the marginal increase in access width which is achievable and maintenance of the visibility splays and provision of a dropped kerb.
- Informative also advised

Severn Trent Water

- Disposal of surface water by means of soakaway should be considered as primary method. If this is not practical and there is no watercourse available as an alternative other sustainable methods should be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered.
- The use or reuse of sewer connections either direct or indirect to the public sewerage system will require the applicant to make a formal application to the company under section 106 of the Water Industry Act 1991.

- Suggested informative

Local Lead Flood

- No bespoke comments, general guidance provided

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
- ST4 – Remainder of the District
- EV2 – The Countryside
- HG5 – New Residential Development

National Planning Policy Framework (NPPF) (2021)

- Part 5 – Delivering a sufficient supply of homes
- Part 11 – making effective use of land
- Part 12 – Achieving well designed places
- Part 15 – Conserving and enhancing the natural environment

Supplementary Planning Documents (SPD) (2014)

- Residential Car Parking Standards
- Residential Design Guide

Relevant Planning History

V/1978/0212 – Site for 1 Dwelling – Conditional

V/1983/0710 – Site for One Dwelling – Conditional

V/2018/0068 – Outline Application for Dwelling with Detached Double Garage – Refusal

V/2022/0201 – Self-build Dwelling - Withdrawn

Comment :

Main Considerations

The main issues to consider in the determination of this application are:

- Principle of Development
- Visual Amenity
- Residential Amenity
- Highway Safety

Principle of Development

The application site is located in an area designated as countryside under policy EV2 of the Ashfield Local Plan Review (2002).

Policy EV2 states that only appropriate development will be granted permission in the countryside. Development must be located and designed so as not to adversely affect the character and openness of the countryside.

Coxmoor Road features residential ribbon development along its central section and only to the west side. This ribbon development is made up of large properties set in spacious plots, consequently the lack of built development creates a distinctly open character to the street.

The proposal would be located within a field which falls significantly from the road to the west. Due to this drop in land levels, the application field and open countryside beyond the application site has been a prominent feature along the highway which has made a significant positive contribution to the open character and appearance of the area. This view has only recently been interrupted by the erection of an unauthorised fence.

The applicant contends that the proposal amounts to infill development which would be deemed appropriate under EV2 (g) because it is located between two dwellings. The separation distance between properties is approximately 58m. It is considered that a dwelling located in a gap this large would not constitute infill development and would have an adverse impact on the character and openness of the countryside. The site has been open in nature for a significant number of years supporting the open character of the countryside.

It is acknowledged that consent has previously been approved on the site for the erection of a dwelling in 1978 and again in 1983. However it should be noted that these applications were considered before the adoption of the National Planning Policy Framework, Ashfield Local Plan Review and the Council's adopted supplementary planning documents. Therefore, these applications would not have been assessed against the same policies as to what we are assessing the current application against. There was a more recent refusal of planning permission in 2018 based on the Local Plan policies and the NPPF at that time.

The applicant has referred to recent decisions at Fairview, Coxmoor Road suggesting they comprised infill development. These developments were however for a replacement dwelling and not new a new dwelling located on an open field.

It is further acknowledged that there are other applications within this row of ribbon development which have been granted for detached dwellings however these again have always been for replacement dwellings. Applications have been refused such as application V/2016/0376 which proposed to demolish one dwelling and erect two.

This was also dismissed at appeal (APP/W3005/W/16/3158149) with the inspector concluding that this would harm the character and appearance of the area and it would not be in a location where services and facilities would be readily accessible by sustainable modes of transport.

There are also concerns in relation to whether the site is in a sustainable location. The site is located a significant distance from the urban edge of Sutton in Ashfield. Access is along Coxmoor Road which is a busy 40mph road and likely to be unattractive for cycling and has a narrow footpath on the western side. There is a public footpath to the south of the site that runs to Lowmoor Road and Searby Road/Barnhill Gardens however this is not going to be accessible for pushchairs or outside daylight hours. Therefore, the future occupiers of the proposed dwelling are likely to have to rely on a private vehicle. It is acknowledged that there are already residential properties in this location but adding further properties in a location with poor access to services should not be supported.

Visual Amenity

As discussed, properties within the vicinity of the site vary in terms of size and design but are predominantly detached dwellings located within large plots of land.

The proposed materials for the elevations of the dwelling are natural stone, render and a sustainable timber cladding. The roof of the proposal is to be a sedum green roof. Dwellings within the vicinity mostly feature pitched roofs but have a mixed palette of materials. Although the proposal would appear different in the street scene it is considered that it would not have a detrimental impact on the visual amenity. However it is considered that the proposal would have an impact on the open character of the street scene by way of closing the prominent gap between the two neighbouring properties.

The site is bound by hedgerows with extensive unauthorised fencing to the front boundary and the sides. The application proposes to remove the fencing and replace with a new native species hedgerow whilst also filling in gaps in the existing hedgerow with a native species.

Residential Amenity

One written representation has been received requesting details of any exterior lighting that is proposed. The elevations and floorplans submitted do not indicate that there is any exterior lighting. The installation of an outside security light would also not require planning permission if the occupiers intended to do this at a later stage.

In relation to a potential overlooking impact, the Council's Supplementary Planning Document, 'Residential Design Guide' requires a minimum of 21m between main aspect windows and 12m between main aspect windows and secondary windows or blank elevations. The main separation distances are detailed below:

- There is a distance of approximately 23m between the side elevation of the proposed dwelling and the side elevation of South View.

- There is a distance of approximately 8m between the side elevation of the single storey attached garage and the side elevation of Hacienda.
- There is a distance of approximately 16m between the side elevation of the proposed dwelling (not including the single storey attached garage) and the side elevation of Hacienda.

There are no windows proposed on the side elevations of the proposed dwelling however there are windows in the side elevation of neighboring property Hacienda.

It is acknowledged that there will be an impact on the windows in the side elevation of Hacienda to some extent. Taking into account the siting, orientation and sun path it is considered that even though some of the separation distances fall short of the minimum standards the level of impact that is likely to occur it would not be significant enough as to warrant a refusal on this basis.

To the rear of the proposed dwelling is a balcony proposed at first floor level. The 'wing of the glazed balustrade is proposed to be obscure glazed. The siting of the balcony is a significant distance away from Hacienda so raises no concerns in relation to overlooking that side. However due to the orientation of South View it is likely that a level of overlooking into the neighbouring rear elevation would occur however there is a separation distance of approximately 23m which, along with the obscure glass, alleviates some of these concerns.

In respect of future occupiers the dwelling provides an acceptable level of internal space to adequately accommodate a household. In addition to this, the dwelling also has adequate levels of private outdoor amenity space in line with the minimum requirements as set out in the Council's adopted Supplementary Planning Document, 'Residential Design Guide'.

Highway Safety

The site will be access off Coxmoor Road where a new drive is proposed to be formed at the location of the existing field gate. The drive is proposed to have a width of 3.5m and will comprise of permeable paving with surface water run-off directed away from the highway and into channel drains.

The Highways Authority in their latest comments have raised no objection to the proposal subject to conditions. They have commented that the visibility splays are achievable and the site gradient and surface water drainage is suitable. They have requested conditions to marginally increase the drive width from 3.5m to 3.6m, for the hedges to be maintained within the visibility splays and for the provision of a dropped kerb to be implemented.

In accordance with the Council's adopted supplementary planning document 'Residential Car Parking Standards' 3 off-street parking spaces should be provided for a 4 bedroomed dwelling. The submitted plans demonstrate two parking spaces within the proposed attached garage and two more spaces in front of the dwelling. Within the proposed garage is also provision for 4 bicycles to be stored.

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.

On balance it is considered that although the proposal would not have highways implications or significant implications on residential amenity, a proposed dwelling in this location would have a detrimental impact on the character and openness of the countryside and would not meet the exceptions criteria identified in policy EV2. In addition to this the proposal is in a location with limited access to services and facilities which present an unsustainable form of development.

Recommendation: - Refuse Planning Permission

REASONS

- 1. The proposed development would introduce a detached dwelling on an open plot of land designated as countryside. The proposal would constitute an inappropriate form of development in the countryside which would have a detrimental impact on the character and openness. In addition to this the site is located in an isolated unsustainable location with poor access to services and facilities. As such the application is contrary to policies ST1, ST4, and EV2 of the Ashfield Local Plan Review (2002) and part 15 of the National Planning Policy Framework (2021)**