

PLANNING COMMITTEE – 31 MARCH 2020

Application No:	19/02287/FUL		
Proposal:	Proposed new single detached bungalow		
Location:	9 Fisher Close, Collingham NG23 7SL		
Applicant:	Mr N Smith		
Registered:	30.12.2019	Target Date:	24.02.2020
		Extension agreed to 03.04.2020	

The application is being referred to Committee due the professional officer recommendation differing to the view of the Parish Council and Ward Councillor Linda Dale subsequently calling-in the application in line with the Council's Scheme of Delegation.

The Site

The site is located within the built-up area of Collingham, one of the district's Principal Villages. The site is part of a relatively densely developed estate with a suburban character, consisting mainly of detached houses and bungalows arranged around a main road with cul-de-sacs off either side. This site is the side garden of one of the end plots of Fisher Close and backs on to a public footpath and area of open amenity space (community orchard) that connects Crewe Road and Blackburn Close. A large hedgerow separates the land from the property curtilage to the south, with a tall close-board fence running along the eastern boundary with the footpath. A gate in the fence allows access on to the footpath and to the adjacent 'community orchard' amenity space.

No.9 Fisher Close itself is a 2-bed bungalow with an attached garage and a dilapidated looking lean-to porch/conservatory on the eastern elevation. The garden appears somewhat underused, comprising mostly a grassed lawn and containing a variety of typical domestic garden furniture.

Relevant Planning History

PREAPP/00151/19: Proposed new residential dwelling (bungalow) – *pre-application advice was sought specifically with regard to this proposal and was given a broadly positive response in August 2019.*

The Proposal

The development proposal is for a two-bed bungalow (albeit with a study/office that could serve as a third bedroom) on garden land to the side (east) of the existing dwelling, situated at the far end of Fisher Close. The new dwelling would utilise the same access point as the existing dwelling

and sit in a perpendicular position to it. The existing garden would be subdivided, with the new garden of no.9 being to the rear of the property and commensurate with its width. The garden area for the proposed new dwelling would be parallel to this, to the side (north).

Facing materials are proposed to match the existing dwelling on site, therefore comprising red brick walls with concrete tiles on a shallow pitched/hipped roof. The boundary between the two properties would be demarcated with a c1.8m high close boarded fence. At the front, a hedgerow would be planted adjacent to the fence to provide some measure of screening.

The dimensions of the proposed dwelling measure:

- 13.8m wide
- 8.75m deep
- 2.8m high at the eaves /4.9m high to the ridge

The following documents have been submitted with the application:

- Site location plan and site block plan – drawing no.050-NS-A-A101
- Proposed site plan – drawing no.050-NS-A-A1002 Rev B
- Topographical survey – drawing no.050-NS-A-A100
- Proposed floor plans and elevations – drawing no.050-NS-A-A1001 Rev B
- Design and Access Statement

Departure/Public Advertisement Procedure

Occupiers of six neighbouring properties have been notified by letter.

PLANNING POLICY FRAMEWORK

The Development Plan

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

Spatial Policy 1: Settlement hierarchy

Spatial Policy 2: Spatial distribution of growth

Spatial Policy 7: Sustainable Transport

Core Policy 3: Housing Mix, Type and Density

Core Policy 9: Sustainable Design

Core Policy 12: Biodiversity and Green Infrastructure

Allocations & Development Management DPD

Policy DM1: Development within settlements central to delivering the spatial strategy

Policy DM5: Design

Policy DM7: Biodiversity and Green Infrastructure

Policy DM12: Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework

Planning Practice Guidance

Householder Development SPD

The appraisal of the scheme takes into consideration the above planning policy framework and other material considerations.

CONSULTATIONS

Collingham Parish Council:

The Parish Council considered this application at the meeting of 23 January 2020. The Parish Council resolved unanimously to object to this proposal on the following material planning considerations:

Planning History/related decisions: A similar proposal was made for the adjacent property (10 Fisher Close) in 2014 (application number 14/01532/OUT). This application was refused as the application was contrary to the National Planning Policy Framework and Planning Practice Guidance. More locally the application was contrary to Core Policy 9 of the Adopted Core Strategy and Policy DM5 of the Adopted Allocations and Development Management DPD. The Core Strategy has been Amended and was adopted in 2019, but the Core Policy still remains.

Design and Visual Impact: The layout density would result in an awkward and uncharacteristic juxtaposition within this location, given its relationship and proximity to no 9 Fisher Close

Ward Councillor Linda Dale:

Collingham Parish Council have voted unanimously for refusal of this application. I have visited the site twice now, and having reviewed the plans and CPC's comments I do now support their reasons for refusal, as follows:

DM5: Amenity, Parking

SP3: Impact.

Layout within sites and separation distance between this proposed new-build and No. 9 is such that the amenity of both will be compromised

Fisher Close has a single, linear row of evenly-spaced detached bungalows on either side and I would suggest that if there had been sufficient room for further bungalows without compromising the spacing, layout and visual impact of Fisher Close then additional bungalows would have been built there in the first place. This is over- intensification, and changes the street-scene.

This proposed bungalow will be at 90 degrees to the rest of the bungalows and will have a visually jarring effect. Given its close proximity to No.9 both will become constrained and cramped in appearance, with any cars parked on the drive of the proposed bungalow sited immediately in front of the bungalow's main living room windows and front garden at No 9 and directly affecting their privacy

It will be out of character and is not of the same uniform design as the other bungalows.

It would be at the head of a cul-de-sac with the drive entrance being directly onto the small turning area at that end of Fisher Close, and will compromise the space available for vehicles to park.

I refer back to 14/01532/OUT and I cannot see that this proposal is significantly different to the one refused at No 10 Fisher Close.

It will be an anomaly both on Fisher Close as a whole and particularly in its relationship to the two neighbouring properties (No. 9 and No. 10)

Trent Valley Internal Drainage Board:

The site is outside of the Trent Valley Internal Drainage Board district.

There are no board maintained watercourses in close proximity to the site.

The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which consent of the Environment Agency will be required).

Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

NCC Highways:

The proposed dwelling will require a new vehicular access created by a dropped crossing of the footway to Highway Authority standards. The access/parking area should be constructed with a hard bound surface for at first the first 5 metres behind the highway boundary. A suitable level of off-street car parking provision is proposed.

It is considered that the proposal will not generate a highway safety or capacity issue.

In conclusion, there is no objection to this application subject to the following conditions:

The dwelling hereby permitted shall not be occupied until its driveway / parking area is surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the public highway boundary. The surfaced driveway /parking area shall then be maintained in such hard bound material for the life of the development.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).

The dwelling hereby permitted shall not be occupied until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

Reason: To protect the structural integrity of the highway and to allow for future maintenance.

APPRAISAL

Principle of Development

Under Core Strategy Policies SP1 and SP2 the principle of residential development on windfall sites such as this, within the built-up area of Collingham is supported, on the basis that this is a Principal Village, with a good range of day-to-day facilities, making it a sustainable location for development. Policy SP7 also offers support for development which provides safe and convenient access and does not create new or exacerbate existing on street parking problems or materially increase other traffic problems. The criteria set out in Policy DM5, which underpins Core Strategy Core Policy 9, also provides the main policy criteria for consideration when determining planning applications in relation to design and amenity impacts.

Housing Need & Mix

LDF Core Policy 3 states that the Council will seek to secure new housing which adequately addresses the housing need of the District. Generally speaking, this comprises family housing with three bedrooms or more, smaller houses of two bedrooms or less and housing for the elderly and disabled population. This objective is underlined by the NPPF, which in seeking to significantly boost the supply of homes and ensure the needs of groups with specific housing requirements are addressed. Although up-to-date housing needs data for Collingham is limited, survey work to support an updated districtwide assessment of housing need is currently underway.

In this case, the proposed dwelling would appear make a positive contribution towards general districtwide housing needs highlighted in Core Policy 3, providing a two bedroom dwelling with potential for a third bedroom. Irrespective of the character of other dwellings in the surrounding area, bungalows inherently lend themselves to being appropriate accommodation for elderly residents.

Character and Visual Amenity

Policy CP9 requires development proposals to demonstrate a high standard of sustainable design that protects and enhances the natural environment and contributes to and sustains the rich local distinctiveness of the District. Development is therefore required to achieve a high standard of sustainable design and layout, of an appropriate form and scale to its context. Policy DM5 expands upon this, requiring local distinctiveness to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals.

Policy DM5 is explicit in stating that backland development will only be approved where they would be in-keeping with the general character and density of existing development in the area, and would not set a precedent for similar forms of development, the cumulative effect of which

would be to harm the established character and appearance of the area. Inappropriate backland and other uncharacteristic forms of development will be resisted.

In this regard the Parish Council has objected to the proposed dwelling, citing a planning decision for a similar proposal at the neighbouring property (no.10) from 2014 (P.A. 14/01532/OUT). While the officer report on this application stated that the surrounding area is characterised by a uniform design of single storey bungalows, in wide fronted plots set back from the highway creating a sense of openness and semi-rural character, I am mindful that it was only an outline application with all matters reserved. In my view, notwithstanding the fact that the plot associated with no.10 appears to be more constrained than that at no.9, the lack of detail accompanying that proposal made it difficult to form a clear opinion about its suitability. While I am willing to accept that there is a measure of uniformity to the properties on Fisher Close, these plots at the end of the cul-de-sac have far more amenity space than similarly designed surrounding properties. As a 2-bedroom bungalow the amount of garden space (almost 500m²) at the side and rear of no.9 is uncharacteristically large. Therefore, contrary to the claims made in consultee comments, in an area of what I would consider suburban character, it would not appear uncharacteristic to have at least one dwelling situated at the base of a cul-de-sac. Although the above referenced older application has some similarities I would contend that the plot of land associated with no.9 is far more capable of accommodating a new dwelling in a manner that is sympathetic to the general form, mass, layout and design exhibited in surrounding properties.

In the context of the surrounding area I do not believe that the proposed dwelling would appear out of character, being designed to be of a corresponding scale and utilising a similar palette of materials. In the context of Policy DM5, the side garden of no.9 should not be treated as backland development. Likewise, in accordance with DM5, contrary to comments raised by the Parish Council, notwithstanding the perpendicular orientation, I do not consider the relationship with no.9 would appear cramped or inconsistent with local character noting the spacing seen between other properties on the street (illustrated in the photograph below).



In addition, the proposed use of the ample garden space that is available on the site accords with LDF Policy CP9 and Section 11 of the NPPF, both of which encourage effective and efficient use of land. The NPPF emphasises supporting the development of under-utilised land which, as noted above with reference to the size of the plot and the existing dwelling, appears to be the case here.

Policy CP9 is consistent with the NPPF and adds appropriate local context, promoting development that optimises site potential at a level suitable to local character.

In balancing all of these factors I am satisfied that the proposed development would be acceptable in terms of visual amenity.

Access and Parking

In addition to the requirements of Policy SP7 set out above, Policy DM5 requires new development to make provision for safe and inclusive access to new development and parking provision appropriate to the scale of the development.

In this case, the Highways Authority has concluded that the proposed dwelling will not generate a highway safety or capacity issue, but will require (by way of condition) a new vehicular access to be created by a dropped crossing of the footway to Highway Authority standards. The site plan shows space for 2x car parking spaces side by side on the driveway to the front of the proposed dwelling, set at 90 degrees to the driveway of the existing neighbouring property. This level of provision is considered satisfactory relative to the size of the new dwelling and although the access/egress point overlaps with the existing property it not anticipated to give rise to any safety problems, subject to a condition requiring a bonded surface material.

Residential Amenity

Policy DM5 states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. Mitigation is required for any impacts on surrounding land uses. Given the parameters and dimensions of this site, in accordance with Policy DM5, the layout and separation distances from surrounding properties are considered to be amongst the most critical issues, along with the impact of the proposed dwelling on the amenity or operation of surrounding land uses. In this regard the Parish Council has objected to the proposed dwelling on the basis of its relationship with no.9 and also citing a planning decision for a similar proposal at the neighbouring property (no.10) from 2014 (P.A. 14/01532/OUT). While there are undoubtedly similarities between the two application sites, I am of the opinion that the proposed position and design of the current application goes a long way to minimising the potential for adverse impacts.

Notably, the proposed layout indicates that the western elevation of the new bungalow would not protrude in front of the existing principal elevation of no.9 and would have only one obscure-glazed window (to the bathroom) on the principal elevation, with a separation distance of around 2.2m between the front/side elevations of the properties. The existing porch/conservatory on the side elevation of no.9 looks to be in a very dilapidated state, therefore it is no surprise to see that in the proposed development this would be removed. The window to Bedroom 2 of the new dwelling would be stepped back from the forward-most part of the principal elevation by 1.6m to mitigate against any potential interaction between this opening and the kitchen windows (a habitable room) on the front and side of no.9, located approximately 8.5m to the north and set at an oblique angle. Similarly, the window to the study/office located within the forward projecting element of the western elevation, faces to the southern site boundary, again minimizing potential

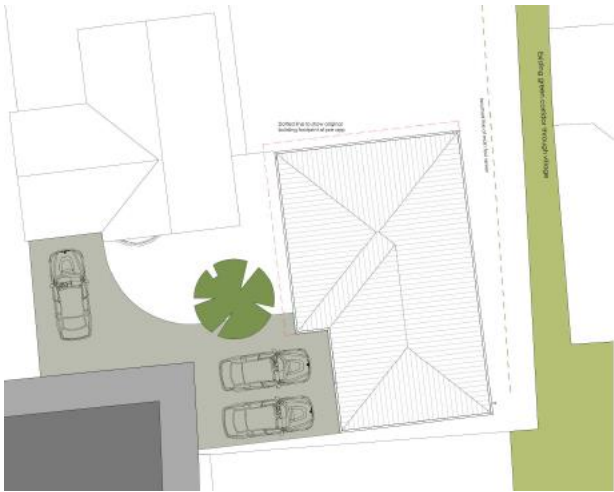
amenity impacts. Although the east-facing kitchen window on no.9 would have a diminished outlook, this would not result in or experience a loss of privacy.

On the southern and eastern elevations it is apparent that the boundary tapers away from the walls of the proposed dwelling, resulting in a gap of between 0.6m-0.9m to the south (side) and 2.2m-3.2m to the east (rear). While this represents adequate depth for pedestrian access or, for instance, manoeuvring a typical 240 litre wheelie bin, it means the south-facing kitchen window looks directly on to the boundary, which comprises a 1m high close boarded fence with a laurel hedge c.2m behind. Although this mitigates any potential neighbour amenity issues it is important to acknowledge that it would give a very limited outlook for future occupiers. It is, however, considered that windows facing this direction would receive sufficient light.

On the eastern elevation 2x 1.8m wide hopper-style windows are set at eye level (approximately 1.8m high). Although positioned relatively close to the boundary fence, these windows would appear to provide a reasonable compromise of allowing sufficient light to the kitchen and living room, whilst also reducing the potential for overlooking or loss of privacy between the new dwelling and no.16 Blackburn Close. Notwithstanding the converted garage set at the front of the property, with no forward facing ground level windows, the principal elevation of this dwelling is set back roughly 13m from the rear wall of the proposed dwelling, thereby conforming to the notional minimum standard separation distance of 12m. I do not envisage any loss of privacy occurring as a result of the proposed development.

Considering the orientation of the new dwelling relative to the existing dwelling there is some risk of an overbearing effect occurring. However, the most directly affected window is a secondary window to the kitchen, the degree of impact is considered less substantial than might otherwise be the case if there were only a single window to the kitchen. An email from the agent has confirmed that a closeboarded 1.8m high fence and parallel planted hedgerow would demarcate the boundary between the two properties, with gated access to the rear of the new property's garden. Likewise, were this in addition to a significant impact upon the private amenity space of the existing house the impact may be considered less acceptable, however, the subdivision of the existing garden avoids any such overbearing impacts occurring. Despite the close proximity of the two properties, the overall height and shallow pitch of the roof, in addition to the position to the east mean that the extent of any overshadowing effect is limited to only a short period in the morning, with light from the south and west being unaffected.





On the northern elevation of the proposed new dwelling a glazed doorway with a full height glazed side panel, serving the living room, along with a window to Bedroom 1 would overlook the garden. With regard to the garden areas for each property Policy DM5 gives a strong steer on development proposals that result in the loss of amenity space, stating that justification will be required where this occurs. However, based on my measurements of the site, subdividing the remaining garden space between the two properties would provide adequate rear garden spaces relative to each of the properties, with of approx. 160m² for the new dwelling and leave approx. 110m² for the existing dwelling (no.9).

Overall, while it is acknowledged that the proposed dwelling would have some measure of impact upon the existing dwelling (no.9), the nature of the relationship between the two properties is considered likely to be such that it is acceptable in terms of residential amenity.

Green Infrastructure

In accordance with Core Policy 12 and Policy DM7, natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Wherever possible, this should be through integration and connectivity of the Green Infrastructure to deliver multi-functional benefits. Noting that the site lies immediately adjacent to the community orchard that sits between Blackburn Close and Crewe Road the proposed development would have no adverse impact upon this area of open space, although would benefit from immediate access to the site. Given the scale of development it would be unreasonable to expect this proposal to make any contribution to enhancement of this site.

Community Infrastructure Levy

Collingham lies within a CIL chargeable area. The current charge for residential development in Collingham is £70/sqm which is chargeable to residential development. The proposal would create approximately 107m² of chargeable floor area in this instance. The calculation of the charge is detailed in the table below:

CIL Rate (charging area)	£70
Proposed Floorspace	107m ²

Existing Floorspace	0m ²
Chargeable Proposed Floorspace	107m ²
TPI at Date of Planning Permission	334
TPI at Date of Charging Schedule	327
CIL Charge	£7,650.34

Conclusion

While the concerns of the Parish Council are acknowledged, in this case it is felt that the proposed development is in accordance with the criteria of LDF Policies CP9 and DM5 insofar as the overall scale, form, mass, layout, design, materials and detailing of the proposed new dwelling is entirely consistent with the character and density of other dwellings in the immediate surrounding area. Furthermore, the proposal is considered to make efficient use of land and would provide accommodation consistent with the needs identified in LDF Core Policy 3.

RECOMMENDATION

Planning permission is approved subject to the conditions and reasons show below.

Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in accordance with the following approved plans reference

- Site location plan and site block plan – drawing no.050-NS-A-A101
- Proposed site plan – drawing no.050-NS-A-A1002 Rev B
- Proposed floor plans and elevations – drawing no.050-NS-A-A1001 Rev B

unless otherwise agreed in writing by the local planning authority through approval of a non-material amendment to the permission.

Reason: So as to define this permission.

03

No development above damp proof course shall take place until manufacturers details (and samples upon request) of the external facing materials (including colour/finish) detailed below

have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details

Facing materials

Roofing tiles

Reason: In the interests of visual amenity.

04

The dwelling hereby permitted shall not be occupied until its driveway / parking area is surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the public highway boundary. The surfaced driveway /parking area shall then be maintained in such hard bound material for the life of the development.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).

05

The dwelling hereby permitted shall not be occupied until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

Reason: To protect the structural integrity of the highway and to allow for future maintenance.

Notes to Applicant

01

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

The proposed development has been assessed and it is the Council's view that **CIL IS PAYABLE** on the development hereby approved.

BACKGROUND PAPERS

Application case file.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Lisa Hughes

Business Manager – Planning Development

Committee Plan - 19/02287/FUL

