

PARISH Shirebrook

APPLICATION Construction of 9 self-contained studio apartments in a two storey building with associated off-street parking area
LOCATION 17 Prospect Drive Shirebrook Mansfield NG20 8BH
APPLICANT Mr Nigel Barnes The Old Police Station 95 Victoria Road Kirkby-in-Ashfield Notts NG17 8AQ
APPLICATION NO. 16/00269/FUL **FILE NO.**
CASE OFFICER Mrs Karen Wake (Mon, Tues, Wed)
DATE RECEIVED 16th June 2016

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: Cllr Anderson
REASON: Parking Issues

This application was considered at the September 14th meeting of planning committee and was deferred to enable additional consultation to be undertaken in relation to drainage issues and to consider how resident parking could be provided without using Prospect Drive to the east of the site for access.

The original report is reproduced in italics for information.

SITE

The site is the existing side garden to the two storey property to the north of the site. The property to the north was granted planning permission for a house in multiple occupation in 2015. The site steps down from west to east and at the eastern boundary the site is approx 1m above the adjacent highway level with a 1.m high wall along the site boundary. There is a low wall along the southern site boundary with the land beyond appearing to be used as a small holding and containing a shed immediately adjacent to the site boundary. There is a wall along the western boundary with a vehicular and one parking space on site. There is also a small garage in the southeast corner of the site, accessed from the east providing one parking space.

PROPOSAL

The application is for the erection of a two storey detached building which contains 9 self-contained studio apartments. The proposal includes vehicular access to the east and west of the site with parking to both front and rear of the building (10 parking spaces in total.) The proposal includes bin store accessed from the east of the site and two small areas of communal open space, one to the front and one to the rear of the dwelling. The building itself is two storey with a pitched, hipped roof and a two storey off-shot element to the east elevation which steps down from the main part of the building and then steps down further to single storey where it sits adjacent to the highway. The proposal also includes two parking spaces to the west of the existing building to replace the two spaces on site which would be lost as a result of this development.

AMENDMENTS

None

HISTORY (if relevant)

16/00036/FUL: Construction of 12 self contained studio apartments on land adj 17 Prospect Drive: Withdrawn

15/00015/FUL: Change of Use from dwelling (C3) to House in Multiple Occupation: Approved 10/3/2015

CONSULTATIONS

Parish Council: Object to the proposal: 10/8/2016

Environmental Health Officer: No objections in relation to contaminated land: 9/8/2016

DCC Highways: The number of parking spaces is below that which the Highway Authority would generally accept but if the council is minded to approve the proposal conditions requiring storage space for plant and machinery during construction, new vehicular access, alterations to existing access and parking be provided in accordance with approved plans, no gates or other barriers on either access, and accesses/driveways no steeper than 1 in 12 over its entire length are requested: 5/7/2016.

PUBLICITY

Site notice and 9 neighbours notified. Three letters of objection are received which raise the following issues:

- 1. Prospect Drive has a sharp bend in it. There are problems with traffic noise at present as vehicles have to brake and accelerate for the bend as well as motor cycles travelling up and down and 9 additional vehicles using the road will make this corner noisier and more dangerous.*
- 2. If residents work shifts the noise will be at odd hours adjacent to bedroom windows of nearby properties when other residents are sleeping*
- 3. There is an existing parking problem and this will be made worse by the proposal*
- 4. The proposal could result in an additional 18 cars driving up and down which will be dangerous for children playing.*
- 5. There is an existing problem with the drains which may not be able to cope with an additional 9 properties which may also be multiple occupancy*
- 6. Litter and rubbish will be a problem as it is around all flats in Shirebrook*
- 7. There is concern for elderly people that live on Prospect Drive and the effect it will have on them.*

POLICY

Bolsover District Local Plan (BDLP)

GEN 1 (Minimum Requirements for Development) GEN 2 (Impact of Development on the Environment) GEN 6 (Sewerage and Sewage Disposal) & HOU 2 (Location of Housing Sites)

National Planning Policy Framework

Paragraph 13: The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

Paragraph 14: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For **decision-taking** this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

Paragraph 17: sets out 12 principles to be applied to planning including: high standard of design and amenity for existing and future occupants; take account of the different roles and character of areas; take account of and support local strategies to improve health, social and cultural wellbeing for all.

In addition the NPPF requires Councils to have a five year supply of deliverable housing; if it does not less weight can be given to the policies of the Development Plan which restrict housing supply and the policy of the NPPF to achieve such a supply must be given significant weight.

Other (specify)

Interim Supplementary Planning Document: Successful Places, a Guide to Sustainable Housing Layout and Design (2013) which provides guidance to help provide places that enhance the quality of life.

ASSESSMENT

The site is within the settlement framework in a predominantly residential area.

The site is within walking distance of shops, schools and local services and bus stops giving access to Mansfield and Chesterfield and as such is considered to be a sustainable location for new residential development. The council does not currently have a five year supply of housing and the proposed development would provide 9 units towards meeting this requirement. On this basis the proposal is considered to meet the requirement of Policy HOU 2 of the Bolsover District Local Plan and the requirements for sustainable development set out in the National Planning Policy Framework.

The street scene is predominantly made up of rows of two storey terraced dwellings which have small gardens to the front and small yards to the rear and have highways to the front and rear. The existing dwellings have two storey and then single storey off-shots to the rear which step down following the contour of the land levels. To the southeast of the site is a fairly large block of flats.

The proposed building has been designed to reflect the existing terraced properties adjacent to the site. The proposed building is two storey with a pitched, hipped roof and a two storey and single storey off-shot extending out to the rear, stepping down to follow the land level and the window design and materials of construction match those of the existing dwelling adjacent to the site. The proposal is therefore considered to be in keeping with the character and appearance of the street scene.

The immediate locality is predominantly residential dwellings of fairly high density and in close proximity to a block of flats, a parade of shops and a public house. Any noise or disturbance to residents of adjacent dwellings once the building is constructed is not considered to be significantly greater than the existing situation. It is accepted that during construction there will be additional noise and disturbance but this will only be for a temporary period.

The proposed building is set slightly in from the boundary with the dwelling to the north of the site. The proposal has a ground floor window and a door in the northern side elevation facing the adjacent dwelling but the proposed window is set in from the boundary and is screened from the adjacent dwelling by the existing boundary fence. The principal room windows in the side elevation of the dwelling to the north which face onto the site face the blank first floor of the proposed building and the impact on the daylight to these windows meets the guidance set out in the Successful Places Housing Layout and design guidelines.

The proposed building is set well away from the dwellings to the east of the site and the windows in the proposed building are some 21m from those in the adjacent dwellings. There are no dwellings directly to the south or west of the site. On this basis the proposal not considered to result in a material loss of daylight to or outlook from adjacent dwellings and is not considered to result in a significant loss of privacy or amenity for the residents of adjacent dwellings and is considered to meet the requirements of Policy GEN 2 of the Bolsover District Local Plan and the Successful Places Housing Layout and Design Guidance published by the council.

The proposal includes widening the existing access in the western boundary and creating new accesses in the eastern boundary and the provision of 10 parking spaces on site and a further two parking spaces for the existing dwelling (which is used as a house in multiple occupation [HIMO]) to the north of the site. No conditions were imposed about the provision of parking in connection with the change of use to a HIMO and as such the current proposal does not result in a loss of parking retained for the HIMO. The provision of 10 parking spaces for 9 studio apartments is slightly short of the one space per unit plus one space per two units set out in the car parking appendix in the Local Plan. However, these parking standards do not relate to a saved policy in the Local Plan and as such carry little weight. In addition the site is in close proximity to bus stops and within walking distance of local shops and facilities and the town centre. On this basis the slightly reduced car parking spaces are considered acceptable and it is considered preferable for the proposed bin stores and landscaping to be provided on site rather than requiring additional parking on site. Subject to a condition requiring parking and access be provided in accordance with the approved plans the proposal is not considered to be detrimental to highway safety and is considered to meet the requirements of Policies GEN 1 and GEN 2 of the Bolsover District Local Plan.

Most of the issues raised by local residents are covered in the above assessment. The issue of shift work for residents has not been considered as this could be an issue with any residential dwelling or flat. The issue of drains coping has not been considered as this would be an issue covered under building regulations. The issue of litter has not been considered as there is not considered to be more litter created from studio apartment than normal dwellings and appropriate bin stores have been provided on site.

Update

Additional Consultations

BDC senior engineer: The Engineering Service Drains database has recorded all reported drainage problems (flooding and blockages etc) since March 2001 including private and council owned properties and private and public sewers. However, the council has not taken reports of problems from private properties since the transfer of private sewers to public ownership in October 2011. The database shows there has only been reports of sewer/drain blockages for the whole of Prospect Drive 6 times in 15yrs. None of these problems were from 17 Prospect Drive and all but one of the complaints were referred to Severn Trent Water as it was a public sewer that was found to be blocked. On this basis it is concluded that there is not an on-going problem with drainage in this area. In respect of the effect that any additional flats will impose on to the existing sewer capacity this would require the applicant to consult Severn Trent water accordingly. Building control would cover private drainage proposals: 15/9/2016

Severn Trent Water and BDC Engineering Services have been consulted in relation to the drainage issues. Severn Trent Water has no objections to the proposal subject to a condition requiring no development to commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority and are then implemented on site in accordance with the approved scheme and a note be added to any permission to advise the applicant that STW statutory sewer records do not show any public sewers within the area there may be sewers that have recently been adopted under the Transfer of Sewers Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and the applicant is advised to contact STW to discuss proposals prior to works.

Supporting information submitted by applicant

The applicant states that the proposal has been designed with reference to both local and national planning policy, and to the Six Counties' Highways Design Guide.

The proposal includes ten parking spaces, which provides just under one space per apartment. As the parking layout has been designed with reference to the Six Counties Highways Design Guide, and space has been provided for planting and bin storage, the available area can realistically only provide ten spaces. However, the site is well served by public transport on Central Drive, and is also within walking / cycling distance of the town centre, so over-reliance on the private car is not an issue.

Car ownership for non-owner-occupied properties within the district of Bolsover in the 2011 Census is at a level of 0.8 cars per head. For nine studio apartments, this equates to 7.2 spaces so the provision of ten spaces is sufficient.

The Six Counties' Highways Design Guide has strict guidelines for safe parking provision. These include space sizes, required offsets and visibility splays. These requirements mean that any given site area can only accommodate a fixed maximum number of spaces. In the proposed scheme, we have achieved the maximum number as policy also requires the provision of a certain amount of amenity space and bin storage for a certain number of bins,

the removal of which would be the only way to provide additional off-street parking spaces. Policy would therefore not be met with regards to amenity provision and quality of life.

If all parking were moved to the front of the site, then the frontage would effectively become a car park, completely at odds with the garden frontages of the neighbouring houses. Given the width of the site, and allowing for the offsets from the side boundary walls (mentioned above), plus creating a dedicated pedestrian access into the site, a maximum of only 8 spaces could be accommodated along the frontage, two less than that in the current proposal. This would further increase the risk of on-street parking, as well as creating an ugly, hard landscape to the front of the building. There would also be the added risk of up to 8 cars having to reverse into the road as there would not be any turning area, as there is in the current proposal. Buildings surrounded by parking are not good places to live, nor do they make a positive contribution to the neighbourhood and built environment.

Conclusion

Neither Severn Trent water nor BDC Engineers have objections to the proposal and there would appear to be no on-going problems with drains in the area. Subject to a condition requiring submission of a scheme for disposal of foul and surface water drainage from the site the proposal is considered to be able to be accommodated within the existing system and the proposal is considered to meet the requirements of Policy GEN 6 of the Bolsover District Local Plan.

The current proposal has been carefully designed to ensure the building mimics the mass, form and design of the neighbouring properties. That results in a specific and defined amount of land around the building into which we are required to fit bin storage, amenity space, pedestrian access and car parking. If all the parking were moved to the front of the building to avoid using Prospect Drive as an access it would compromise the design of the proposal by providing a car park across the whole of this frontage which would be detrimental to the character of the street scene. It would also result in less parking spaces and the need to reverse onto or into the parking spaces which is considered to be more detrimental to highway safety than the existing proposal. In addition the Highway Authority have no objections to the proposal to provide parking to the front and rear of the site and the scheme, as submitted is not considered to be detrimental to highway safety.

The proposal as submitted is considered to be in line with the policies of the Bolsover District Local Plan and the guidance set out in the National Planning Policy Framework.

Other Matters

Listed Building: N/A

Conservation Area: N/A

Crime and Disorder: No known issues

Equalities: N/A

Access for Disabled: N/A

Trees (Preservation and Planting): N/A

SSSI Impacts: N/A

Biodiversity: N/A

Human Rights: No known issues

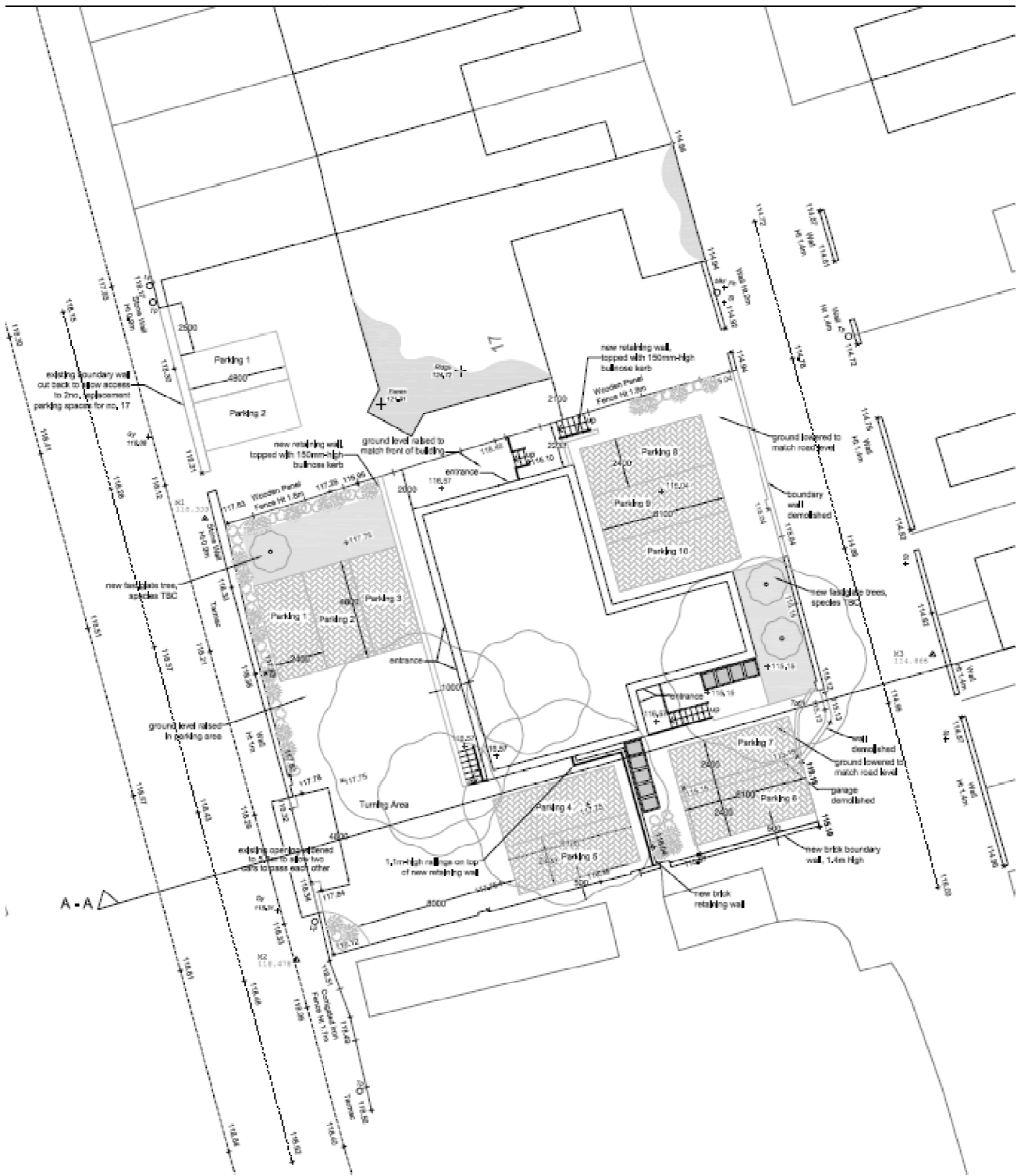
RECOMMENDATION

Approve subject to the following conditions given in précis form to be formulated in full by the Assistant Director of Planning and Environmental Health:

- 1. Start within 3 years*
- 2. Materials to match existing dwelling*
- 3. Access and parking to be provided in accordance with approved plans before first dwelling unit occupied and maintained as such thereafter*
- 4. Parking spaces for 17 Prospect Drive be provided in accordance with approved plans before first dwelling unit occupied and maintained as such thereafter*
- 5. Bin stores to be provided in accordance with approved plans before first dwelling unit occupied and maintained as such thereafter*
- 6. Boundary treatment provided in accordance with approved plans before first dwelling unit occupied and maintained as such thereafter*
- 7. Submission of landscaping scheme*
- 8. Implementation of landscaping scheme*
- 9. Submission and implementation of a scheme for foul and surface water disposal*

Not Set



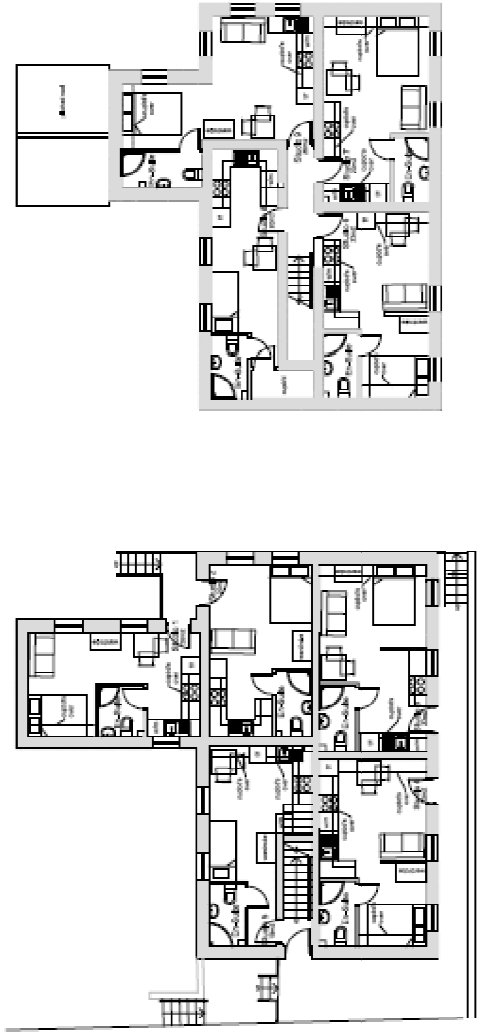


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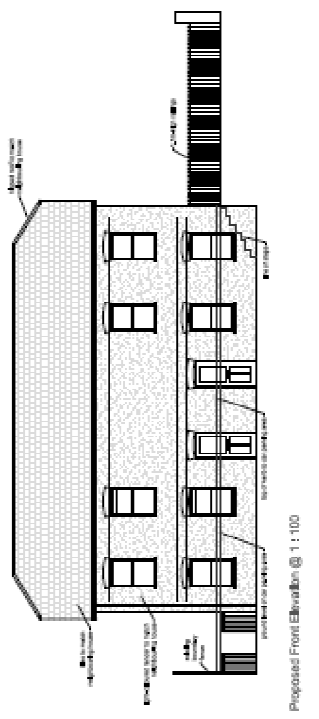
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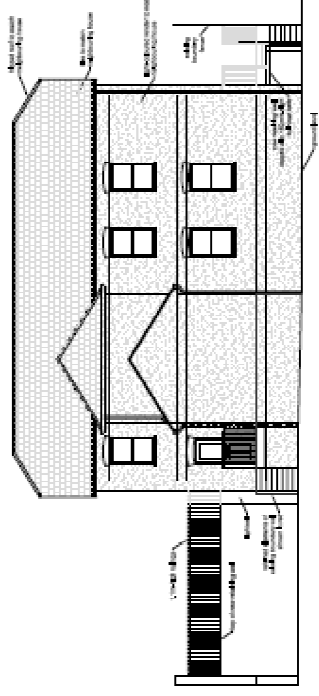


Proposed Ground-Floor Plan @ 1:100

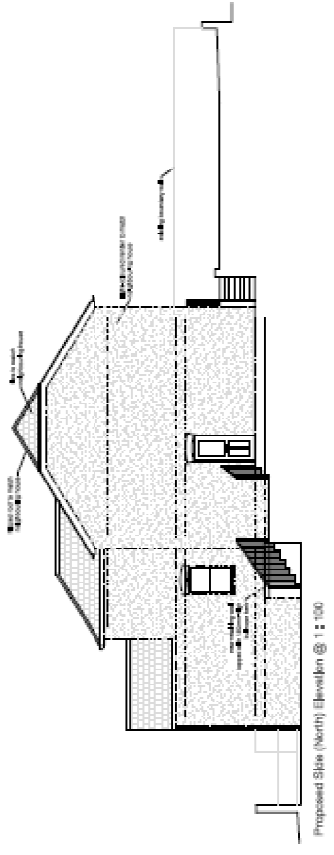
Proposed First-Floor Plan @ 1:100



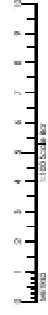
Proposed Front Elevation @ 1:100




Proposed Rear Elevation @ 1:100



Proposed Side (North) Elevation @ 1:100



Rev. A	24.05.18	Planning & client amendments to scheme	PB
 Finola Brady Architectural Services 111 Lonsdale Street, Melbourne, VIC 3000 Tel: 03 9439 4224 www.fibabradyservices.com.au			
Project Name: Development of new, self-contained studio apartments			
Drawing Name: Proposed Floor Plans and Elevations			
Drawing No.: F01/18/03/40/23/4			
Scale: 1:100 @ A2			
Date: 20th January 2019			