

PARISH Pinxton

APPLICATION Construction of a 3 bed dormer bungalow with double garage to the rear of 16 George Street Pinxton

LOCATION 16 George Street Pinxton Nottingham NG16 6NP

APPLICANT Mr Paul Shipstone 16 George Street Pinxton Nottingham NG16 6NP

APPLICATION NO. 18/00238/FUL **FILE NO.** PP-06928559

CASE OFFICER Mrs Kay Crago (Tues, Fri)

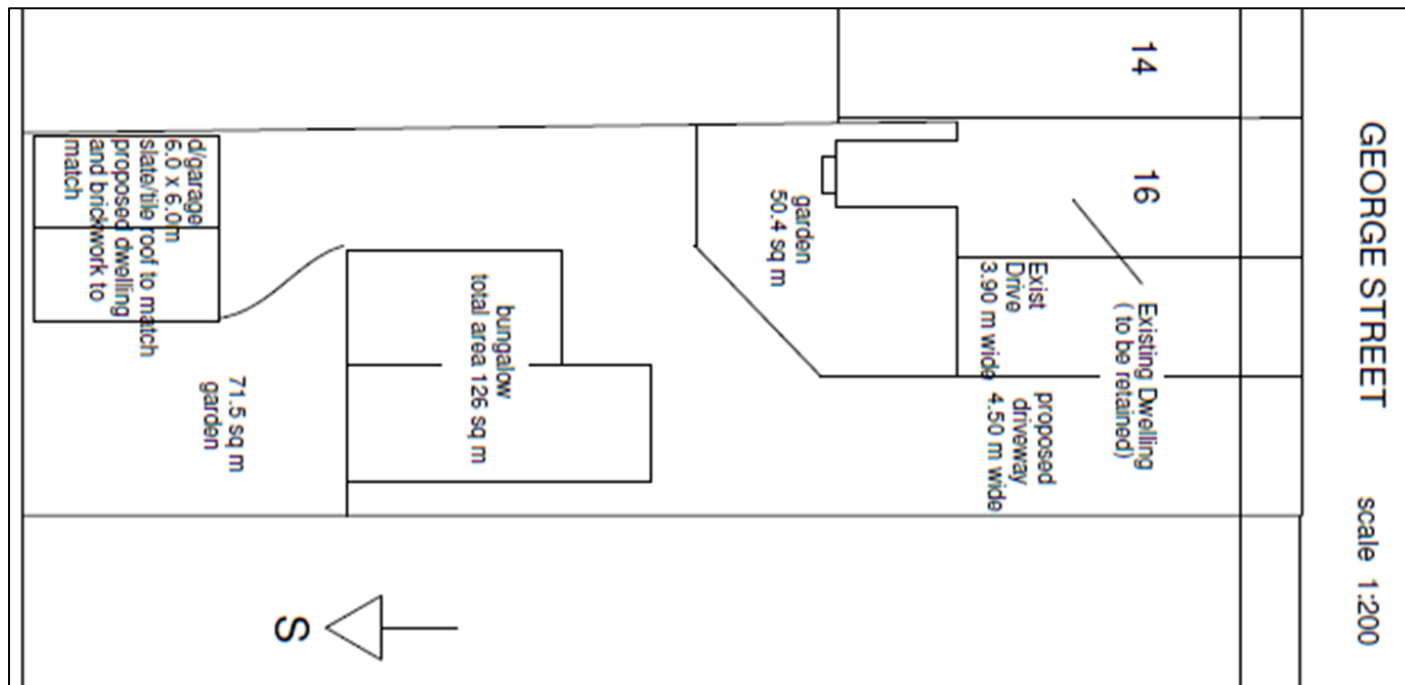
DATE RECEIVED 30th April 2018

DELEGATED APPLICATION REFERRED TO COMMITTEE BY Councillor Dooley.
REASON: Impact on the living conditions of the nearest neighbours and surrounding areas.

SITE

The application site is part of the garden to 16 George Street. It is relatively level and overgrown in places. The ground level is approximately 50cm higher than the land immediately around 16 George Street. There is an outbuilding to the rear boundary of the site. Residential properties are to all sides. A 1.8m-2.0m high close boarded fence forms the boundary to the rear. 16 George St is one of a pair of semi-detached properties to the north west of the proposed development.

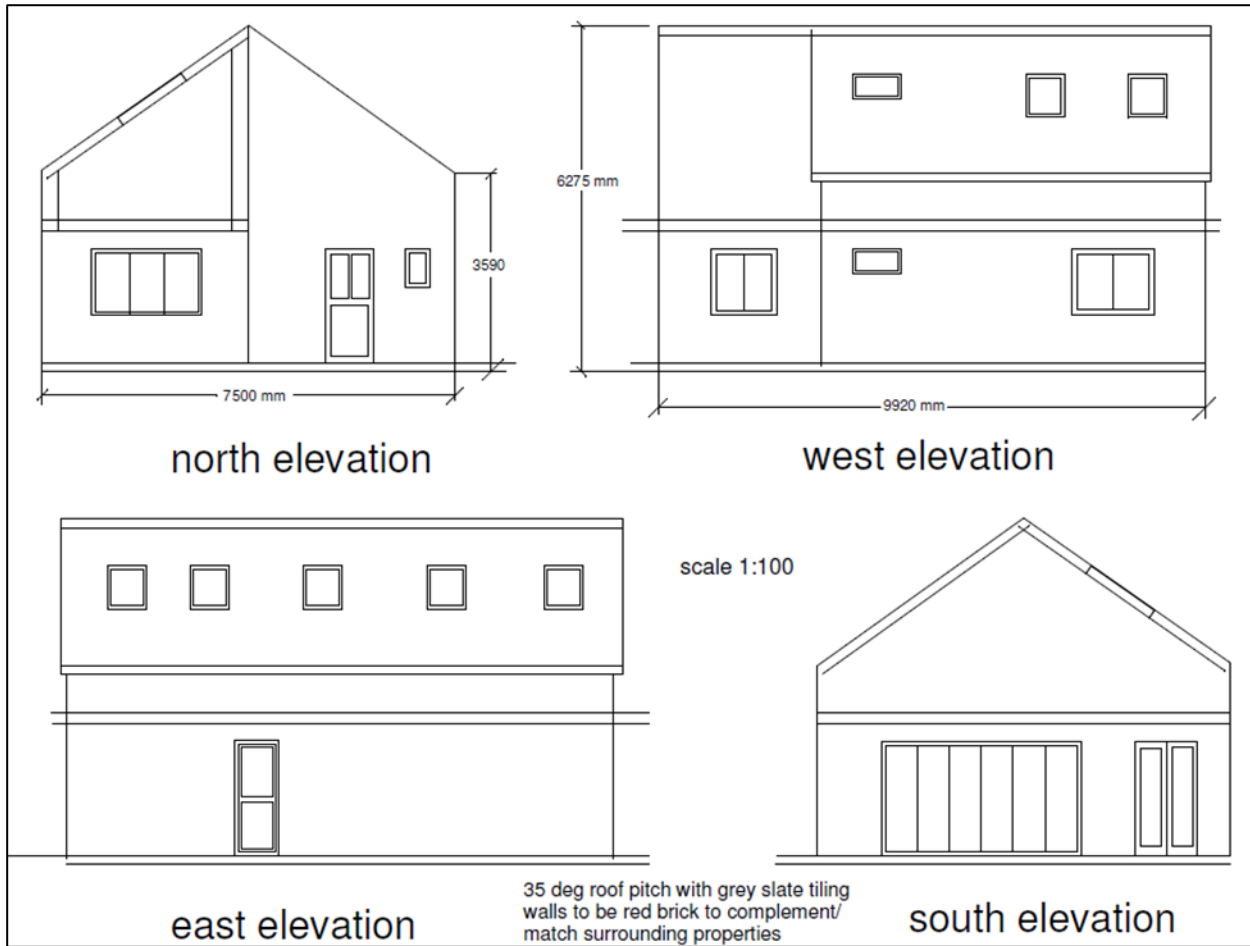
Site Layout



PROPOSAL

Erection of a three bedroom two storey detached house with rooms in the roof space. Height to the eaves 6.2m, height to the eaves 3.5m, width 7.5m and depth 9.92m. Rooflights are shown to both roofplanes to serve bathrooms and bedrooms. There are no first floor windows.

Elevations

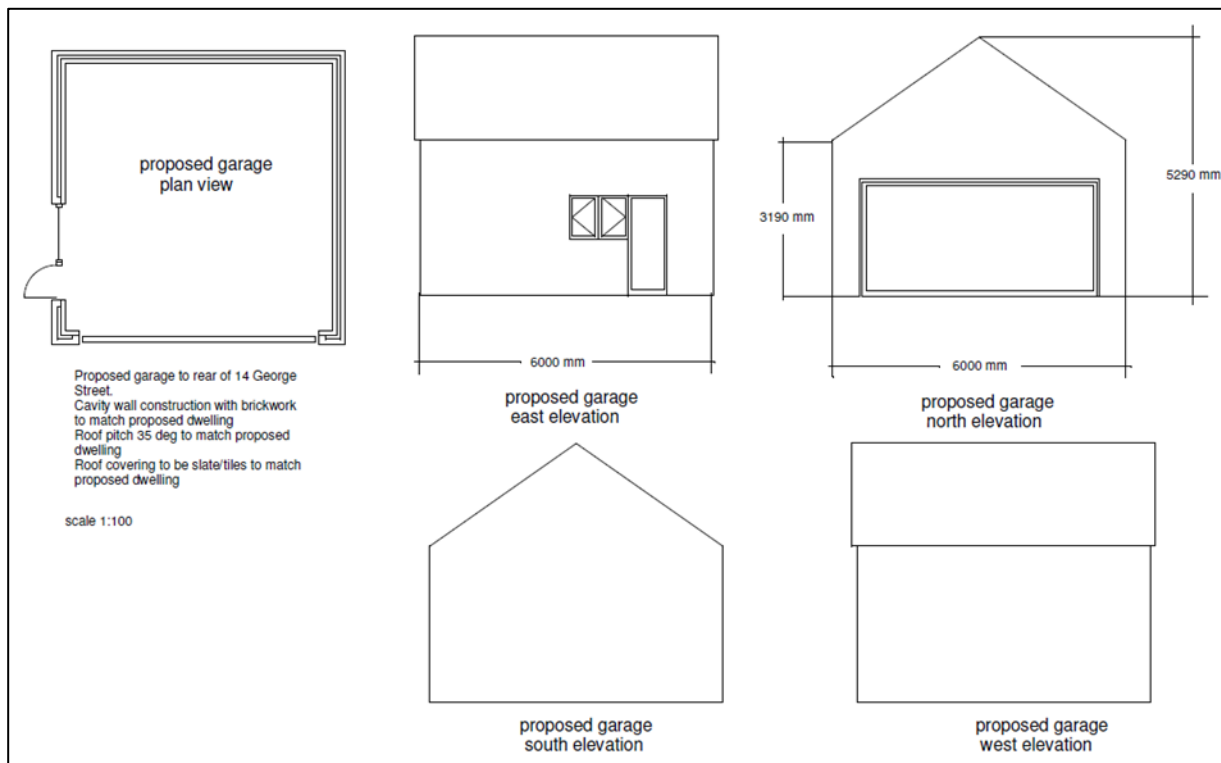


AMENDMENTS

Email received 6th July 2018 stating that 750mm of soil has been removed from the ground level of the area of the proposal. This brings the outside ground level of the proposal within 200mm of the existing ground level of 16 George Street.

Additional plans submitted 15/06/18 removing a timber pergola to the front elevation and submission of details of the proposed garage (see overleaf).

Proposed Garage



HISTORY

Pre application advice was sought in respect of the development of the site. The applicant was given advice with regards to the requirements of Successful Places in respect of layout and design.

CONSULTATIONS

Bolsover District Council (Engineer) – No objections

Bolsover District Council (Environmental Health) – No objections subject to conditions

Derbyshire County Council (Highways) – No objections subject to conditions

Parish Council - wish to object to the dormer bungalow proposed for 16 George Street. Pinxton on the grounds of building line, taking light and adverse effect on nearby residents.

PUBLICITY

Site notice posted and 9 neighbouring properties notified. 5 letters of objection were received and the following concerns were raised:

- Loss of privacy
- Loss of daylight
- Loss of view

- Overlooking
- Design of bungalow out of keeping with local area
- Insufficient parking provision
- Garden grabbing / 'backland' development

POLICY

Bolsover District Local Plan (BDLP)

Relevant saved Local Plan policies include:

GEN 1 (Minimum requirements for development)
 GEN 2 (Impact of Development on the environment)
 GEN 4 (Development on Contaminated Land),
 GEN 8 Settlement Frameworks, and
 HOU 2 (Location of Housing Sites)

National Planning Policy Framework

The revised NPPF (published July 2018) promotes high quality design and requires local planning authorities to ensure that a good standard of amenity would be maintained or achieved for all existing and future occupants of land and buildings when assessing development proposals.

Other

The supplementary planning document *Successful Places: a Guide to Sustainable Housing Layout and Design* provides additional guidance on design issues.

ASSESSMENT

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

The site is within walking distance of the facilities available in Pinxton and the local school and is close to a bus route giving access to larger towns and cities such as Alfreton and Mansfield. The site is therefore considered to be in a sustainable location which meets the requirements of Policy HOU 2 of the Bolsover District Local Plan and the guidance set out in the NPPF.

Design and Layout

The proposed dwelling is set further back on the plot than the existing dwellings on George Street but there is some variance in the building line in the existing street scene. The street scene is made up of a variety of types and style of dwelling and a variety of materials are evident. The proposed dwelling is therefore not considered to be of an inappropriate design. It has been designed to take cues from some of the large outbuildings that are evident within some rear gardens within Pinxton. Out of necessity the property has been designed to avoid impacting upon the amenities of neighbouring residents. It is not considered to be unduly

prominent and is not considered to have an adverse impact upon the street scene in terms of character, scale, design and materials.

The house has been designed to minimise the potential for overlooking of existing properties and gardens. There are no first floor windows. All first floor rooms are served by rooflights which are described as being a minimum 1.7m above floor level. No first floor windows are shown to the gables. Privacy to the rear is retained by the new boundary fence to the southern boundary. A 1.8m high close boarded fence is proposed to retain privacy to numbers 14 and 16 George Street.

The property is sited 10.5m away from the southern boundary and approximately 1m from the eastern boundary with 18 George Street. 18 George Street has a very large rear garden and the proposed development will lie to the east. It is not considered that the proposed development will have any significant impacts in respect of loss of privacy or shadowing to the garden. Similarly the distance between the proposed dwelling and number 42 West End to the south of the application site is sufficient to avoid significant impacts. The garage to the southern boundary would generally be positioned to the rear of an existing garage at 42 West End. The height of this garage has been reduced to lessen any impacts upon amenities of neighbouring residents. The garden to 14 George Street (currently vacant property) takes the form of a narrow strip of land and the development would result in some overshadowing during the mornings of parts of the garden.

The proposed development shows an area of garden to the rear of around 71sq.m which achieves compliance with Successful Places, adequate garden is retained for the existing house 16 George Street.

In view of the form of development if approved it would be appropriate to restrict permitted development rights to prevent extensions, new openings or alterations to the roof and to condition the minimum cill height of rooflights to be 1.7m.

There is a high level of objection to the proposed development. Concerns generally relate to the impacts upon the amenities of neighbouring residents. Planning considerations in respect of impact upon daylight, privacy and the scale of the development have been considered in the report. The height of the proposal seems to be a major concern and its impact upon the views of countryside from existing properties and its overbearing impact. The loss of a view is not a planning consideration and can be afforded little weight. Whether the proposal has an overbearing impact is a matter of judgement but is largely dictated by the height, mass and scale of a development and its relationship with surrounding properties.

As stated earlier in this report the proposed development is sited such that its impacts have been minimised. Good separation is achieved with properties to the south (10.5m between rear elevation of the proposal and the rear boundary) and whilst it is sited adjacent to the garden of 18 George Street its relationship is not considered to be oppressive. Adjacent and more distant properties have been visited by the case officer to adequately assess impacts. Negotiations with the applicant have resulted in the reduced ridge height of the garage to 5.29m and it has been confirmed that the ground levels of the proposed dwelling would be as per 16 George Street thereby further reducing the height above existing ground levels at the site.

Highway Considerations

Off street parking is retained for 16 George Street and the proposed dwelling. The proposal will result in the loss of one on street car parking space. There are no objections raised by the local highway authority subject to the inclusion of conditions. Local residents object to the loss of on street parking.

Drainage considerations

The site is not known to be affected by public sewers. The Council's engineer recommends the inclusion of an advisory note informing the applicant of the possibility of unmapped public sewers which are not shown on the records but may cross the site of the proposed works. These could be shared pipes which were previously classed as private sewers and were transferred to the ownership of the Water Authorities in October 2011. If any part of the proposed works involves connection to / diversion of / building over / building near to any public sewer the applicant should be advised to contact Severn Trent Water in order to determine their responsibilities under the relevant legislation. Additionally all proposals regarding drainage would need to comply with Part H of the Building Regulations 2010.

Land contamination considerations

The application site forms part of the garden to 16 George Street. At the time of the initial site visit the site was overgrown with some builder's rubble. In view of possible contamination it is recommended that a land contamination condition be included in any permission. Subject to the inclusion of the condition, the proposed development is considered to meet the requirements of policy GEN 4 of the Bolsover District Local Plan.

Summary

The proposed development complies with policy and achieves general compliance with the Councils guidance contained within Successful Places. The Framework clearly states that Local Authorities should approve development proposals that accord with the development plan without delay.

The proposal will introduce a two storey building within an area which is currently vacant garden land and this will inevitably impact upon the outlook of neighbouring residents and alter the character of the area. These impacts have been assessed and it is considered that the impacts are not so significant as to warrant refusal. Conditions have been recommended to mitigate potential impacts.

Other Matters

Listed Building: N/A

Conservation Area: N/A

Crime and Disorder: No specific issues identified.

Equalities: No specific issues identified.

Access for Disabled: Dwelling will need to meet the requirements of the Building Regulations

Trees (Preservation and Planting): None within the site.

SSSI Impacts: N/A

Biodiversity: No significant impacts

Human Rights: N/A

RECOMMENDATION approve subject to conditions given in precis form below

1. The development shall be begun before the expiration of three years from the date of this permission.
2. Prior to the construction of foundations, details of the finished ground levels and the proposed ground floor level(s) of the building(s) shall first have been submitted to and approved in writing by the local planning authority and the approved details shall be implemented.
3. Before the first occupation of the dwelling a new vehicular access shall be created to George Street in accordance with the application drawing, laid out and constructed in a hard bound material. The entire site frontage shall be cleared, and maintained thereafter clear, of any obstruction exceeding 1m in height relative to the road level for a distance of 2m into the site from the highway boundary in order to maximise the visibility available to drivers emerging onto the highway.
4. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking of residents' vehicles for the new dwelling and 16 George Street laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
5. The new parking and driveways hereby approved shall be made of porous materials or provision shall be made to direct surface water run-off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse unless otherwise approved in writing by the Local Planning Authority.
6. Before construction commences on the erection of any building or wall representative samples of the materials to be used in all external wall and roof areas shall first have been submitted to and approved in writing by the Local Planning Authority.
7. Prior to first occupation a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries or divisions within the site, shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained as approved.
8. Notwithstanding the provisions of Classes A, B and C of Parts 1 and 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order)

the dwelling shall not be extended or altered externally including the creation of new openings or alterations to the roof without the prior grant of planning permission.

9. All roof lights shall have a minimum cill height of 1.7m above the finished floor level of the room to which they serve.
10. The development shall be undertaken entirely in accordance with the approved drawings:
 - 1/200 Revised block plan received 15/06/18
 - Revised elevation drawing received 15/06/18
 - Revised garage drawing received 15/06/18
 - Revised internal layout received 15/06/18
11. No part of the development hereby permitted shall take place until an assessment of the risks posed by any actual or potential land contamination, ground gas contamination or pollution of controlled waters has been carried out by a competent person in accordance with British Standard BS 10175:2011 Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), submitted to and approved in writing by the local planning authority.
 - a. Where contamination is found which poses unacceptable risks to human health and/or the environment, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority prior to any remedial works being carried out.
 - b. Prior to occupation the site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority
 - c. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended on the affected part of the site and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for the remediation works shall be submitted to and approved in writing by the local planning authority before any building/the related building on the affected part of the site is occupied or the affected part of the site is brought into the permitted use.

Reasons for Conditions

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

2. To enable the Local Planning Authority to fully assess the development having regard to the ground levels on the site and/or the surrounding land in compliance with policy GEN 2 of the Bolsover District Local Plan.
3. In the interests of highway safety and in compliance with Policy GEN 1 of the Bolsover District Local Plan.
4. To ensure that adequate off-street parking is provided and retained for use to reduce the incidence of on-street parking and its attendant dangers and in compliance with policies GEN 1 and GEN 2 of the Bolsover District Local Plan.
5. To ensure satisfactory drainage of the development without flooding or pollution and in compliance with policy GEN5 of the Bolsover District Local Plan.
6. To ensure a satisfactory standard of external appearance and in compliance with policy GEN 2 of the Bolsover District Local Plan.
7. To preserve the amenities of the occupants of nearby properties and in the interests of the visual amenity of the area and in compliance with Policy GEN 2 of the Bolsover District Local Plan.
8. To enable the Local Planning Authority to retain control over future extensions and alterations in view of the form and density of the proposed development and in compliance with policy GEN 2 of the Bolsover District Local Plan.
9. To avoid the possibility of overlooking in the interests of preserving the amenities of residents and in compliance with policy GEN 2 of the Bolsover District Local Plan.
10. To ensure a satisfactory standard of development in the interests of amenity and for the avoidance of doubt and in compliance with Policy GEN 2 of the Bolsover District Local Plan.
11. To ensure that when developed the site is free from contamination, in the interests of health and safety and in compliance with policy GEN 4 of the Bolsover District Local Plan.

Site Location Plan



© Crown copyright and database rights 2018. Ordnance Survey 100019228.
Use of this data is subject to terms and conditions. You are not permitted to copy, sublicense, distribute or sell any of the data to third parties in any form.

Date: 06/08/2018
Scale: 1:500