



*Castle House
Great North Road
Newark
NG24 1BY*

Tel: 01636 650000

www.newark-sherwooddc.gov.uk

Monday, 27 September 2021

**Chairman: Councillor R Blaney
Vice-Chairman: Councillor Mrs L Dales**

Members of the Committee:

**Councillor L Brazier
Councillor M Brock
Councillor R Crowe
Councillor L Goff
Councillor Mrs R Holloway
Councillor Mrs P Rainbow
Councillor Mrs S Saddington**

**Councillor M Skinner
Councillor T Smith
Councillor I Walker
Councillor K Walker
Councillor Wildgust
Councillor Mrs Y Woodhead**

MEETING: Planning Committee

DATE: Tuesday, 5 October 2021 at 4.00 pm

**VENUE: Civic Suite, Castle House, Great North Road,
Newark NG24 1BY**

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as overleaf.

If you have any queries please contact Catharine Saxton on catharine.saxton@newark-sherwooddc.gov.uk.

AGENDA

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None

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts, NG24 1BY on Tuesday, 7 September 2021 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)
Councillor Mrs L Dales (Vice-Chairman)

Councillor L Brazier, Councillor M Brock, Councillor R Crowe, Councillor L Goff, Councillor Mrs R Holloway, Councillor Mrs P Rainbow, Councillor Mrs S Saddington, Councillor M Skinner, Councillor I Walker, Councillor K Walker and Councillor Wildgust

APOLOGIES FOR ABSENCE: Councillor T Smith (Committee Member) and Councillor Mrs Y Woodhead (Committee Member)

40 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

The Committee had no declarations of interest.

41 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting, which would be webcast.

42 MINUTES OF THE MEETING HELD ON 3 AUGUST 2021

AGREED that the minutes of the meeting held on 3 August 2021, were approved as a correct record of the meeting and signed by the Chairman.

The Chairman advised the Planning Committee that a verbal update would be taken after item 6 of the agenda (minute 45).

43 LAND OFF SANDHILLS SCONCE, TOLNEY LANE, NEWARK (21/00891/S73)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission to vary Condition 1 attached to the current permission under reference 18/01443/FUL to allow the gypsy and traveller use to become permanent rather than continue on a temporary basis.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the applicant's agent which detailed whilst they would prefer a permanent permission, having read the report, the applicant would be willing to accept a further temporary planning permission for 2 years. The late report tabled recommended conditions should a temporary permission be granted.

The Business Manager – Planning Development advised an extension of the existing temporary permission for a further two years on this site may be considered appropriate in view of the need for pitches and lack of allocated sites. However, it remains the case that the granting of a permanent consent cannot be supported due to the risks in relation to flooding.

Councillor M Skinner joined the meeting at this point.

A variation to the wording in the report to condition 8 was tabled “The use for each respective pitch where a resident fails to comply with this condition hereby permitted shall cease and all caravans, equipment and materials brought onto the land for the purposes of such use shall be removed within 6 months of the date of any failure to meet any one of the requirements set out in (i) to (vii) by any of the resident dependents listed within condition 1 below...” would mean only the occupier(s) of the pitch in breach of this condition would need to leave as could not be sure of their safety but the other families could remain living on the site.

Members considered the application and raised concerns regarding flooding and aware that a consultation is currently being undertaken seeking to allocate sites for pitch provision. The community that had been created along Tolney Lane was also acknowledged.

AGREED (unanimously) that planning permission is approved for a temporary two year period subject to no objection from the Environment Agency, conditions set out within the late representations and amendment to condition 8.

44 LAND AT FERNWOOD SOUTH (16/00506/OUTM)

The Committee considered the report of the Business Manager – Planning Development, which proposed an outline planning application for a phased residential development of up to 1,800 dwellings; a mixed use Local Centre of up to 0.75ha to include up to 535sqm of food retail (not exceeding 420sqm) and non-food retail (not exceeding 115sqm), food and drink uses (not exceeding 115sqm), community uses (not exceeding 1,413sqm); sports pavilion up to 252sqm; primary school (2.2ha) with school expansion land (0.8ha); formal and informal open space including sports pitches, pocket parks, structural landscaping / greenspace and drainage infrastructure; principal means of access, internal roads and associated works. All other matters to be reserved.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from local residents, the applicant and Nottinghamshire County Council.

Members considered the report noting that it was being presented following their previous resolution to grant permission.

AGREED (unanimously) that planning permission is approved subject to the conditions outlined in Appendix 1, with the exception of the omission of condition 25 and amendment to the wording of condition 35 as set out in the schedule of communication and subject to the sealing of a legal agreement to secure the contributions set out in Appendix 2 amending ‘bus stop contribution’ to ‘bus services contribution’.

45 SOUTH KESTEVEN DISTRICT COUNCIL - GRANTHAM DOWNTOWN SHOPPING VILLAGE UPDATE

The Chairman of the Planning Committee informed the meeting that this item had been previously brought before the Planning Committee in 2019 following which NSDC had made representation to South Kesteven District Council. The application was to be presented to South Kesteven District Council's Planning Committee this week for further consideration.

The Chairman advised that the Director of Planning and Growth for NSDC was in consultation with him as Chairman and both had concerns as to how this development would pose a threat to Newark town centre even more so than when discussed three years ago if approved. Should Members of SKDC's Planning Committee resolve to approve the development, consideration should be given by NSDC to request a 'call in' by the Secretary of State to highlight the concerns of Newark businesses.

The Committee were concerned as to South Kesteven District Council's support for the shopping village which is a concern for Newark and should be for Grantham, as Rioja Estates has already begun work in March of this year to the south of Grantham and then this other development would be to the north of Grantham.

The Chairman advised the Committee that he would be attending the meeting at South Kesteven District Council.

AGREED (unanimously) that should SKDC resolve to approve the application that the Chairman, Vice Chairman of the Planning Committee and Director of Planning & Growth in consultation determine whether to request a call-in.

46 LAND NORTH OF HALLOUGHTON, SOUTHWELL (20/01242/FULM)

The Committee considered the report of the Business Manager – Planning Development, for the construction of a solar farm and battery stations together with all associated works, equipment and necessary infrastructure.

Members recalled considering the planning application to construct a 49.9 MW solar farm on approximately 106.07 ha of land/13 agricultural fields north of the village of Halloughton at Planning Committee in March of this year. Members resolved to refuse planning permission in accordance with the Officer recommendation.

The Council had recently received notification of a valid planning appeal from the Planning Inspectorate against this decision which is due to be heard at a Public Inquiry set to open on 7th December 2021. As part of this appeal the appellant (JBM Solar Projects 6 Ltd) has invited the Inspector to determine the appeal on the basis of a number of amendments to the original scheme considered by Members under the *Wheatcroft Principle*.

The purpose of this update report was to notify Members of these amendments, relay any comments received during the consultation process and provide an Officer assessment to allow Members to consider whether the amendments materially alter their previous assessment of the proposal.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from local residents, Via East Midlands Landscape Consultants, The Thornton Society, Southwell Town Council and the Southwell Civic Society.

Members considered the amendments and whilst they made a small improvement, it was determined that they did not alter the previous reason for refusal.

AGREED (with 11 votes For and 2 votes Against) that the decision would not have been different if the amended plans had previously been considered.

47 APPEALS LODGED

AGREED that the report be noted.

48 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 4.35 pm.

Chairman

PLANNING COMMITTEE – 5 OCTOBER 2021

Application No:	20/01452/OUTM	
Proposal:	Development of site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping.	
Location:	Land Off A17 Coddington	
Applicant:	Tritax Acquisition 39 Limited	
Agent:	Delta Planning - Mr David Green	
Registered:	05.08.2020	Target Date: 04.11.2020
Link to application documents:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QEJOKRLBIP600	
		Extension of Time: 07.10.2021

This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation as both Coddington and Winthorpe Parish Councils (along with Newark Town Council) have objected to the application, which differs to the professional officer recommendation.

The Site

The application site relates to a parcel of land immediately to the south of the A17 and immediately adjacent to the large commercial storage and distribution buildings currently occupied by the Knowhow business group (including Dixons Carphone) and known as Newlink Business Park. The application measures 16.6Ha in total area, is located outside of the established Newark urban boundary and within the open countryside. To the north of the site is Newark showground and to the south and east is open countryside. The A1 is located approximately 500 metres to the south west of the site. The village of Coddington including its conservation area is located approximately 500m to the south of the application site.

The site is generally flat greenfield land, having been regularly cultivated and cropped as part of a larger arable field unit. The red line boundary also includes part of the A17, a bridge over it and a strip of land located on the opposite side of the A17. Access to the site is currently gained via farm access tracks from the south and from the north via the bridge across the A17.

A public footpath (Coddington FP4A which connects the villages of Coddington and Winthorpe) which connects to the bridge over the A17 runs through the northern section of the site in a roughly north-east to south-west direction. This path is located in between and on the edge of a buffer of trees which are located adjacent to the north boundary of the site. Further tree/vegetation buffers are located in the north west corner of the site. A hedgerow (along with a wider buffer containing woodland to the east) is located adjacent all other sides of the site.

The entire application site is located within Flood Zone 1 and outside of an area identified as being at high risk of surface water flooding.

Relevant Planning History

No planning history relevant to the site save for 20/SCR/00003 Environmental Impact Assessment (EIA) Screening Request for land east of Newlink Business Park – EIA not required.

Planning history relating to the adjacent site to the west:

16/01505/FULM - New, cold formed steel, portal framed compactor warehouse – permission 6.12.2016

16/00935/FUL - Siting of two single storey portakabin. Solus buildings to be used as offices for a temporary period of 3 years - permission 03.08.2016.

15/01104/FULM - 8no. new windows at mezzanine level to existing distribution centre of building one – permission 03.09.2015.

07/00120/FUL Erection of two single storey portacabins within existing lorry park – permission 10.04.2007

04/00177/OUT Permission for development of land without compliance with condition 8 of 02/02601/FULM permission 29.04.2004

03/00985/RMAM Submission of reserved matters 02/02601/OUTM for distribution centre – permission 06.08.2003

02/01072/RMAM Erection of distribution centre – permission 28.06.2002

02/01074/OUT Proposed car dealership – permission 28.06.2002

02/01073/OUTM Proposed hotel/conference centre – permission 28.06.2002

02/02601/FULM Variation of condition 7 from permission 01/00608/OUT regarding the pedestrian/cyclist bridge – permission 03.04.2003

99/51860/FUL Forming of new traffic roundabout and spur road off new site access road off A17 into the proposed site terminating at an on-site roundabout – permission 18.10.1999

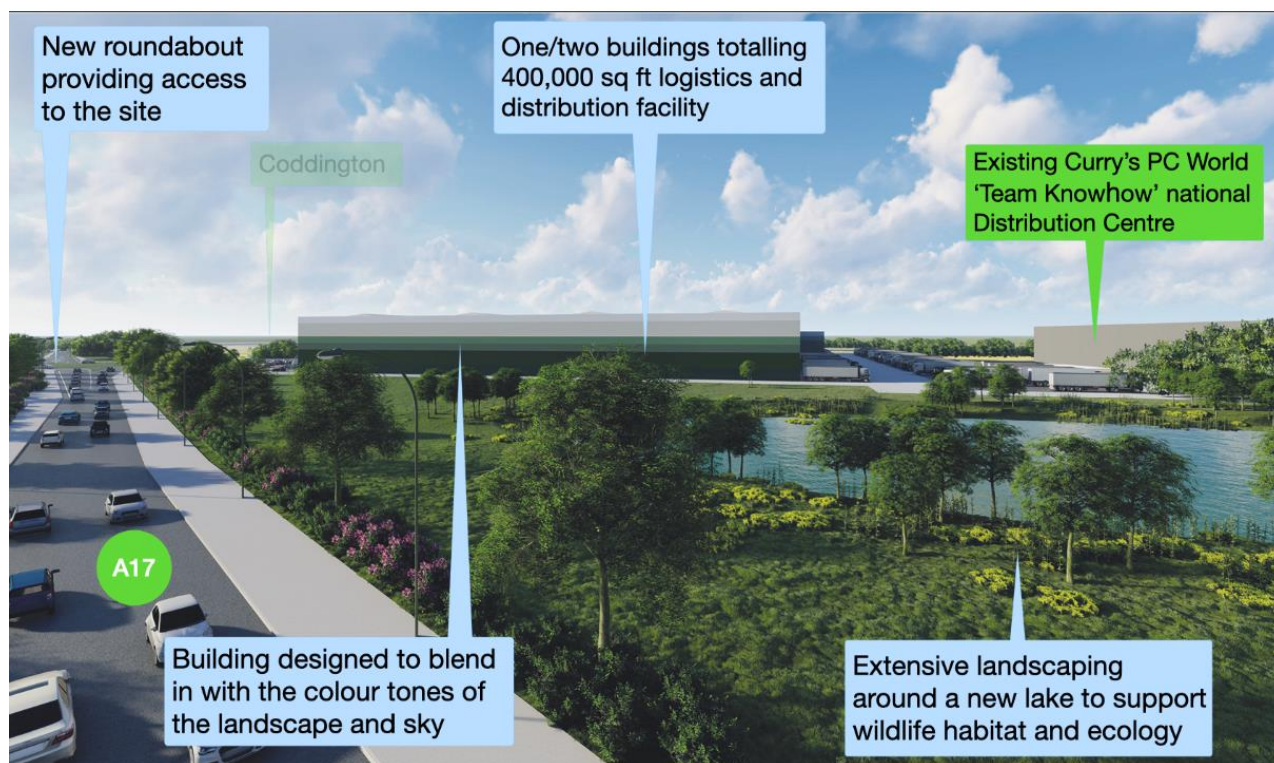
98/51979/OUTR4 Use land for B1, B2 and B8 use – permission 30.06.1998

30891455 General industrial development use classes B1, B2 and B8 – refused 12.03.1998

The Proposal

The proposal seeks outline planning permission with all matters reserved apart from access for the erection of a commercial storage and distribution warehouse unit (B8 use class) with ancillary offices. Part of the red line boundary includes the A17 and land to its north and east in order to accommodate proposed access and pedestrian infrastructure, including a new vehicle access off a new 3-arm roundabout junction on the A17 and an extension to the public footpath/cycleway network from the A17/long Hollow roundabout to the proposed site. A potential pedestrian route connection from the existing public right of way to the north of the site and the existing Knowhow building to the west of the site is also proposed.

The submitted indicative layout plan also gives the parameters of the proposed development with the proposed unit(s) shown to have a maximum employment floorspace of 37,000m² (GIA) and a maximum height of 18m to the ridge. The floorspace would be accommodated within one or two buildings. Retained and new areas of landscaping are proposed along the site boundaries in addition to sustainable drainage infrastructure (including an amenity pond located in the north west corner of the site).



Visual extracted from Planning Benefits document

The application comes forward on a speculative basis with no known end user of the proposed unit included in the application submission.

For clarity, the current application relates to the Phase 1 site as shown in the extract below – not the wider potential future masterplan site which shows potential future expansion areas to the south and east (Phases 2 and 3), referred to in the comments received from both Coddington Parish Council and residents. Any future development on these areas would need to be subject of a separate planning application and screening opinion, and determined accordingly.



Extract from Illustrative Site Plan

The following documents have been submitted in support of the application

Documents:

- Covering Letter 31 July 2020 (Delta Planning)
- Design and Access Statement August 2020 Rev C (SGP)
- Transport Assessment July 2020 (Connect) inc. access plans
- Framework Travel Plan July 2020 (Connect)
- Statement of Community Involvement 31 July 2020 (Fieldsend Associates)
- Planning Statement August 2020 (Delta Planning, August 2020)
- Employment Land Statement July 2020 (JLL)
- Addendum to Employment Land Statement January 2021 (JLL)
- Response to Submission by MWRE and Savills (JLL)
- Landscape and Visual Impact Assessment (BCA, 10/05/21)
- Response to Comments from VIA letter dated 20/03/21 (BCA)
- Ecological Appraisal July 2020 (FPCR)
- Breeding Bird Survey Report July 2020 (FPCR)
- Flood Risk Assessment July 2020 inc. Drainage Strategy (Link)
- Archaeological Desk-Based Assessment June 2020 (RPS)
- Archaeological Evaluation Report October 2020 (Oxford Archaeology)
- Built Heritage Statement July 2020 (RPS)
- Phase I Desk Study and Geotechnical Assessment (Link, June 2020)
- Phase II Ground Investigation Report Nov 2017 (HSP)
- Energy and Sustainability Report 23/07/2020 (Cudd Bentley)
- External Lighting Impact Assessment (Cudd Bentley)

- Noise Assessment Jul 2020 (WYG)
- Briefing Note Titax and Simons: Newlink Business Park Extension Proposals 24.09.2021
- Support Letter by Dixons Carphone (date 08.12.2020)
- UK Big Box Logistic Market Update (presentation slides by JLL G3 2020)
- CBRE UK Logistics Market Summary Q3 2020
- Bidwells 'Our View on Industrial Across the Arc' (5 November 2020)
- 'The Increased Importance of Logistics During Covid-19 and Beyond' by Turley Economics (December 2020)
- Planning Benefits Tritax and Simons: Newlink Business Park Extension (23 July 2021)

Plans:

- 110001 Rev A Location Plan
- 16233-SGP-XX-XX-DR-A-F018-001 Rev E Illustrative Site Plan
- 111002 Parameters Plan
- 110002 Existing Site Plan
- 2047-20-01 Rev b Illustrative Landscape Masterplan (amended plan received 14.05.2021)
- 2047-20-02 Rev A Illustrative Landscape Sections (amended plan received 14.05.2021)

Departure/Public Advertisement Procedure

A site notice has also been displayed near to the site and an advert has been placed in the local press.

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 3 Rural Areas
 Spatial Policy 6 Infrastructure for Growth
 Spatial Policy 7 Sustainable Transport
 Core Policy 6 Shaping our Employment Profile
 Core Policy 9 Sustainable Design
 Core Policy 10 Climate Change
 Core Policy 12 Biodiversity and Green Infrastructure
 Core Policy 13 Landscape Character
 Core Policy 14 Historic Environment

Allocations & Development Management DPD

DM4 Renewable and Low Carbon Energy Generation
 DM5 Design
 DM7 Biodiversity and Green Infrastructure
 DM8 Development in the Open Countryside
 DM9 Protecting and Enhancing the Historic Environment
 DM10 Pollution and Hazardous Substances
 DM12 Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021
Planning Practice Guidance (online resource)
Planning (Listed Buildings and Conservation Areas) Act 1990
Landscape Character Assessment SPD (December 2013)
Employment Land Availability Study 2019

Consultations

Coddington Parish Council – Object. The application is for outline consent to achieve access for one large Distribution Centre off the A17 near the footbridge, but although most of the plans show one new building, the last figure in the Employment Land Statement shows a much larger development as part of the wider land holding spreading up to the edge of the Yew Wood.

The outline planning application is for Unit 1, with a further 6 industrial units shown on this Masterplan. Our reasons for objection include:

- a) This is a Major deviation from the District Council's adopted Adopted Core Strategy and Policies
- b) It is Development in the Countryside, outside the Urban boundary, and will lead to a loss of trees and wildlife.
- c) A potential loss of important archaeological structures, of heritage value to Newark as a whole.
- d) A significant increase in traffic adding to the existing congestion at the A17/A46/A1 roundabouts and more traffic diverting through Coddington. Traffic through Coddington Village has doubled in recent years as vehicles avoid congestion at the A17/A46/A1 roundabout and Newark Bypass, comparing resident surveys with tube counts by NCC.
- e) A risk of increased road traffic accidents given the small size of the proposed roundabout and the restrictions to visibility from the embankments associated with the road bridge over the A17.
- f) There will be increased traffic noise in Coddington from loss of trees on the South side of the A17, and a loss of views from public footpaths at the edge of the Conservation Area.
- g) The application is for 24-hour operation, also causing an increase in noise to Coddington residents including during the night.
- h) The environmental screening request and report were based on only a small part of the Illustrative Masterplan rather than the wider potential scheme covering 48.3 hectares (119.4 acres). This is described in the Employment Land Statement (and other documents) and illustrated in Appendix 9. This exceeds by more than a factor of two the twenty hectares indicative screening threshold in the relevant government guidance. The environmental screening request should have included the total anticipated development for the wider land holding.
- i) The public consultation carried out by the developer made no mention of the wider potential scheme described in the Employment Land Statement and shown as the Illustrative Masterplan in Appendix 9, so should be discounted.

The wider development scheme envisaged in the Illustrative Masterplan would have a much greater impact on Coddington Village residents. There would be major effects on:

- 1) Traffic congestion at the A17/A46/A1 roundabouts and Newark Bypass
- 2) Traffic flows through Coddington Village

- 3) Floodwater risk
- 4) Coddington Conservation Area, outlined above, which is adjacent to the wider development
- 5) A massive impact on the landscape setting of Coddington Village, with the loss of half of the agricultural fields between the Conservation Area and the A17.
- 6) Loss of Trees on the site
- 7) Damage to the protected Yew Tree Wood, in the North-West corner of the Conservation Area, from changes to the water table
- 8) Visual and landscape impacts within Coddington Parish, including numerous residential properties
- 9) Complete loss of the open break between Newark and Coddington to the North. This open break was proposed by Coddington Parish Council during the recent review of Open Breaks by the District Council.
- 10) Loss of potential additional public rights of way, currently under review by the County Council.

The Environmental Screening report should be reassessed for the wider development scheme and not bypass the legal guidance on thresholds by assessing the total planned development in a piecemeal manner.

This application should not proceed without a fundamental review of the Adopted Core Strategy, and the Allocations & Development Management DPD, including a new Public Examination. This is to allow full and proper public consultation given the intrusive area and height of the development in the countryside in a location not allocated for employment land. This is particularly important given the complete lack of public consultation on development of the wider land holding.

Newark Town Council - Objection was raised to this application for the following reasons:

1. Visual impact
2. Impact on Yew Tree Forest
3. Loss of open space between Newark and Coddington
4. Lack of evidence there is demand for this type of development in this location.

Winthorpe Parish Council – ‘The Parish Council are opposed to this development on the grounds of the increase in traffic volumes. We are concerned about the increase in the traffic in relation to one unit never mind the six units that seem to be on the agenda. We are already unhappy about traffic volumes at both A46 roundabouts and this size of development will we suspect make it unbearable at times. We as a Parish want to be involved in the A1/A17/A46 intersection road developments which are being worked on at the moment as that could have a major impact on the parish/Winthorpe village. Until these improvements to the roads are in place, such developments cannot be considered a good idea and will only make the problem worse.’

Highway England – No objection.

NCC Highways Authority – Following the submission of additional information during the lifetime of the application, no objection is raised to this application subject to conditions relating to the provision of the new roundabout junction, footway and cycle facilities, travel plan and parking.

Environment Agency – The site lies fully within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site. There are also no other environmental constraints associated with the site and therefore we have no further comment to make.

NCC Lead Local Flood Authority – No objection subject to a condition relating to a surface water drainage scheme.

NCC VIA Landscape – No objections, the EMD Team can confirm that they support the proposed scheme following amendments to the LVIA submitted during the lifetime of the application.

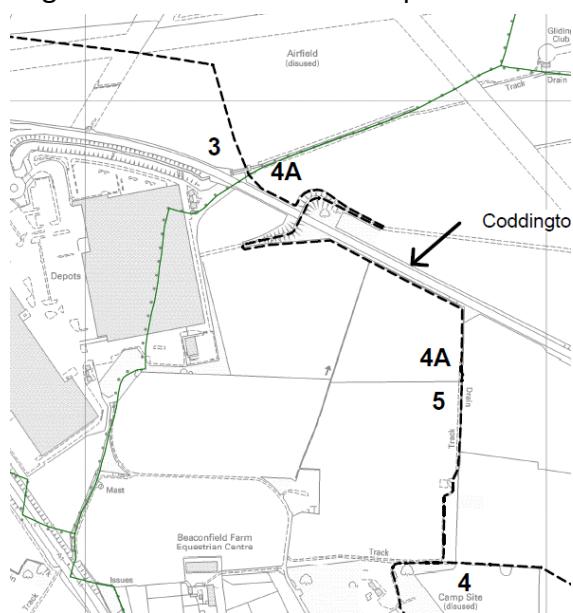
Trent Valley Internal Drainage Board – No objection raised.

NCC Planning Policy – No objection. Recommends conditions in relation to a shuttle bus service to connect with the travel hubs in Newark as well as ride home facility for staff.

Natural England – No objection refers to generic advice.

Nottinghamshire Wildlife Trust – No objection to the proposal. Recommends conditions in relation to the provision of bat boxes, lighting, provision of drainage ditch, precautionary badger surveys prior to construction, updated Environmental Management Plan, working during bird breeding season and other precautionary measures.

NCC Rights of Way team – No objection. Coddington Public Footpath No.4A crosses the land edged in red on the location plan and the Design and Access Statement Drawing 01 (Illustrative Master plan) shows that the alignment of the route would be altered to accommodate the access road and junction - recommends information on construction work affecting the public footpath and separate application for diversion of the footpath.



Extract from PROW Map

Ramblers Association – Object to the proposal. At the moment Coddington Footpaths 4 and 5 provide a pedestrian route between the villages of Coddington and Winthorpe. The proposed development will lead to further visual degradation of this route which has already been damaged by the large warehouse south of the A17 and new buildings to the north

Newark Business Club - Supports the proposal.

NSDC Environmental Health (Contamination) - I generally concur with the recommendations and therefore would advise the use of the full phased contamination condition on any planning approval. Due to the previous war time airfield use a unexploded ordnance (UXO) risk assessment is recommended.

NSDC Environmental Health – No objections to the proposal subject to a condition requiring a construction method statement.

NSDC Tree Advisor Officer - Proposal is unlikely to significantly adversely affect the majority of existing green infrastructure if protection measures are incorporated during construction activities. A robust soft landscaping scheme could mitigate against any losses and provide additional biodiversity and screening options for the site if suitable species and numbers are selected.

NSDC Archaeology Advisor – No objection. Recommends conditions for archaeological mitigation strategy.

NSDC Conservation Officer – No objections. I have reviewed their plans and the HIA, and I concur with their findings that the proposal results in a broadly neutral impact on the setting of Coddington CA and other heritage assets. I would anticipate that at reserved matter stage, scale, form and appearance would take account of visual impact, including where possible landscape mitigation and facing material opportunities to soften impact.

NSDC Economic Development – Support the proposal as the development would support the Newark & Sherwood District Council Economic Growth Strategy 2021-2026 and the identified objectives. Economic Growth support the proposal to the development of a new commercial unit use (class B) off the A17 located in Coddington, Newark. The proposal is a positive move for the district with job creation initially for the build process, and further employment of up to 529 jobs once the distribution centre is open. The jobs created will include skilled and non-skilled opportunities as well as roles in IT, engineering, warehouse operatives, HGV drivers and administration staff. The links that are already in place with Newark College could be further built on to create more training opportunities. Newark and Sherwood have a growing reputation as a centre for logistics, therefore the £30million will help the district to develop as a bigger player in the logistics and distribution market.

Individual representations in support of the application have been received from 16 local residents/interested parties. Comments made include:

- Globalisation of the economy means that much traditional manufacturing has gone 'offshore' from the UK, requiring the extensive importation of manufactured goods. Moreover, supply chains are now internationalised and highly complex, particularly with 'just in time' (JIT) arrangements. Finally, the onset of the Covid 19 Pandemic has accelerated already established trends in the expansion of online shopping at the expense of traditional retail formats. These and other developments have significantly increased the need for large warehouse and distribution (B8) formats in highly accessible locations.
- Newark is one of these highly accessible locations, strategically located at the junction of the A1, A46 and A17 Trunk Roads, with good and improving access to, amongst others, the East Coast and Humber Ports, to London, the West Midlands and the North. It has great potential as a major strategic storage and distribution hub within the East Midlands. This is recognised in the new Towns Fund Town Investment Plan.
- Beneficial for the economy through the creation of new industry opportunities and jobs.
- The proposals will create over 500 much needed jobs and send a strong message into the burgeoning and highly competitive logistics and distribution market that Newark is very much open for business.
- The proposal would offer the opportunity for new businesses to come to the area or offer future expansion potential for Dixons Carphone.

Individual representations raising concerns/objections have been received from 78 local residents/interested parties which are summarised as follows:

Principle of development

- The application goes against council commitment to conserve and preserve green spaces.
- Newark is not the epicenter of industry and commerce and nor should it be so.
- the development deviates from the District Council core strategy and involves development of countryside outside the urban boundary.
- The development threatens the integrity of the local countryside and its valuable amenity to local residents.
- Loss of agricultural land.
- Loss of open break between Newark and Coddington.

Highways

- Increase in traffic on the A1 which can barely cope with the traffic it already carries.
- The proposed location is at an intersection with the A46/A17/A1 that is already extremely busy and an accident blackspot. When there is an accident, traffic through Coddington and Newark will increase.
- Traffic impact on school, farms and showground events.
- This stretch of the A17 will become a race track.
- Upgrading the footpath to a cycle path will cause tension between walkers and cyclists.
- Loss of public footpath.
- Insufficient public transport will lead to additional traffic.
- Newark is not a suitable location for a larger 'Big Box' development as there is no local intermodal rail terminal and all goods would have to be transported long distances by road.
- The assessment of traffic accidents is incomplete.
- Extra roundabout would create another accident hotspot and adversely affect traffic flow.
- Drove Lane from the A17 to the A46 is already used as a 'rat run' by motorists to avoid having to negotiate the two existing A17 roundabouts.
- Poor quality road surfaces.

Visual Impact

- A building that stands 18 metres tall would be easily sighted on the landscape from Coddington unless more trees are planted.
- Loss of green countryside.
- Loss of trees and hedges.
- Adverse impact on conservation and residential areas.
- Adverse visual impact on users of public rights of way.
- Newark is appearing from all sides to be a huge industrial unit.
- Supersized development will ruin the village of Coddington permanently.
- Overdevelopment and land grabbing.
- The building is ugly in appearance.
- The proposal is harmful to landscape character.
- Screening vegetation would take significant time to grow.
- Adverse impact on views from houses.

Impact on Employment

- it is a speculative development with no end user identified to justify a departure from the development plan.

- The proposed development would compromise the market attractiveness of employment land (that benefits from outline planning permission including for up to 50 hectares of employment (Class B1, B2 and B8)) at Newark South and risk delivery of this strategic allocation with potential implications for delivery of the SLR.
- the submitted Employment Land Statement discounts Newark South due to site specific issues, in particular around access and delivery of the Southern Link Road (SLR). Urban & Civic are, in partnership, seeking to unlock the delivery of the SLR, which should not be seen as an absolute constraint in any event as it only relates to part of the overall employment land.

Other

- Adverse impact on wildlife.
- Increase in air, light and noise pollution.
- The lighting report states that lights would be switched off at night which would not happen for a 24/7 distribution centre.
- Increased emissions.
- Increase in path litter.
- Increased flooding including impact on flow of the Fleet Drain.
- Increased risk of flooding at Newark Air Museum.
- Drains leakages in the area.
- Damage to Yew Tree Wood.
- Developer public consultation prior to application submission made no mention of the site or areas to be built on / misled residents.
- Increase in jobs will not benefit Newark as a whole. More people will travel into the area or move in which will put further strain on infrastructure.
- Reduction in house prices.
- The screening opinion request was for a smaller site and should be redone.
- The application forms part of a wider potential scheme.
- Adverse impact of archaeology.
- Increased security risk.
- Ecology surveys make no mention of numerous species that inhabit this area.

A petition containing 104 signatures has also been received quoting the following reasons:

- Impact on our already congested roads.
- Inevitable noise and disturbance (especially at night).
- Destruction of a large greenfield site.
- Destruction of fields, trees and hedges prejudicial to wildlife.
- Unsightly buildings in our rural landscape.
- Proximity to local houses.

Comments of the Business Manager

Principle of Development

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises that it is a duty under the Planning Acts for planning applications to be determined in accordance with the development plan. Where proposals accord with the development plan they will be approved without delay unless material considerations indicate otherwise. The NPPF also refers to the presumption in favour of sustainable development being at the heart of the NPPF. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

Open Countryside

The Adopted Development Plan for the District is the Core Strategy (2019) and the Allocations and Development Management Policies DPD (2013). The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 1 (Settlement Hierarchy) of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. Applications for new development beyond Principal Villages, as specified within Spatial Policy 2, will be considered against the 5 criteria within Spatial Policy 3. However, Spatial Policy 3 also confirms that, development not in villages or settlements, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting.

Core Policy 6 provides that the economy of the District will be strengthened and broadened to provide a diverse range of employment opportunities by maintaining and enhancing the employment base of towns, providing most growth at the Sub Regional Centre of Newark. The NPPF supports sustainable economic growth and places significant weight on the need to support economic growth through the planning system. Paragraph 84 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. Paragraph 85 goes on to acknowledge that:

'sites to meet local business and community needs in rural areas may have to be found beyond existing settlements in locations not necessarily well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'.

The site falls outside of Newark Urban Area as defined in the DPD. As such, it falls to be assessed under Policy DM8 (Development in the Open Countryside) of the DPD. In relation to employment uses Policy DM8 states that 'small scale employment development' will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6. The proposed development is not considered to be small in scale (nor would it solely meet local business and community needs) and therefore does not meet this exception. The development would therefore be a departure from the development plan.

Employment Land

Chapter 6 of the NPPF identifies that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 81 states that significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development. Paragraph 83 states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations. Para 031 of The National Planning Policy

Guidance (NPPG) also states that *'the logistics industry plays a critical role in enabling an efficient, sustainable and effective supply of goods for consumers and businesses, as well as contributing to local employment opportunities, and has distinct locational requirements that need to be considered in formulating planning policies (separately from those relating to general industrial land)'*.

Spatial Policy 2 quantifies the employment land requirements for the District and provides a strategy for distributing growth. It sets a *minimum* employment land requirement of 83.1ha with 51.9ha of the total to be provided within the Newark Area. The Employment Land Availability Study 2019 confirms that there is sufficient supply of employment land in the Newark area.

However, the applicant considers that this supply is not deliverable for the specific needs of the distribution sector as set out in the submitted Employment Land Statement (JLL). The submitted documents assert that *'the Amended Core Strategy and its associated evidence base has made no allowance for the Big Box sector, that is for logistics providers requiring modern, large footprint buildings (over 100,000 sq.ft) in highly accessible locations. This is despite seeking to encourage the development of priority business sectors including logistics and distribution and specifically noting that Newark is well placed to serve this sector'*. It goes on to say that *'the Core Strategy's employment land requirement is based on the Employment Land Forecasting Study 2015 which uses a traditional methodology, tied to labour demand and supply, to project employment land requirements. In considering past completion rates, the historic development at Newlink Business Park (adjacent to the application site) was specifically discounted as an anomaly, rather than being considered as a trend setter, thus substantially reducing employment land projections. The scale and importance of the Big Box market to overall employment need and supply was not taken into account when setting employment land targets in the Core Strategy and Newark's potential contribution to this sector has therefore been undervalued'*.

As such, the applicant contends that there is a significant shortage of suitable development land for industrial and distribution premises, particularly serving the Big Box sector and there has been a lack of development in Newark due to the absence of suitable sites as a consequence.

In order to fully assess the need and impact of the proposed development from an economic perspective, the LPA commissioned an independent study be undertaken (by Fisher German, published 06.08.2021). This reviews the Employment Land Statement and Addendum submitted by JLL and considers the current logistics market/demand, how much of the identified employment land is suitable and deliverable for Big Box development, whether the application site would be a suitable location for this development and whether the proposed development would undermine the delivery of other sites in the Newark area.

The recommendations set out in the Fisher German report are summarised within the relevant sections below:

Economic Need

The Employment Land Statement Addendum (JLL) states that 2020 witnessed a record year for occupational transactions for big boxes and the Big Box market sector will continue to show relatively high levels of demand in both the short and medium term. A significant acceleration in growth of e-commerce has been witnessed, particularly in online grocery shopping. In addition, the pandemic and Brexit are leading to greater reshoring in order to mitigate the risk of supply chain breakdown. The Fisher German report agrees with these findings and in relation to the East

Midlands states that whilst the, the A1 and A46 corridors are secondary locations for Big Box development. The current Big Box market is very strong, especially in the East Midlands largely being driven by a very strong e-commerce sector. Whilst Newark is a secondary location (the M1 corridor is a primary location), rising values and a lack of supply in the prime areas in the East Midlands is forcing developers and businesses to find sites/premises in more secondary locations such as Newark.

Alternative Sites

Fisher German are in agreement with JLL that the main potential alternative site identified which would be large enough and suitable for B8 development in the Newark area is 50ha employment land on Land South of Newark (Future Point Policy NAP2A). However, delivery is constrained by the completion of the Southern Link Road and funding with no definitive timescales as to when this will happen. The consultations section above include a summary of comments received which raise concerns that the development would have a detrimental impact on the delivery of Future Point as Urban & Civic are, in partnership, seeking to unlock the delivery of the SLR. JLL has responded to these concerns raised in relation to Future Point as follows:

- The market is strong in Newark/along the A1 corridor (due to proximity to the East Coast ports, better availability of labour, discount in terms of price (i.e. rent or land value) and availability of some larger plots, including an opportunity to buy land), with demand still considerably greater than supply.
- Competition between sites can have an overall positive effect on development.
- Future Point and Newlink Business Park have different qualities and will attract different requirements in terms of use, scale and timing.
- Newlink Business Park will provide the best prospects of securing development in the immediate term and will help to re-establish Newark as a logistics node on the A1 Corridor. This will be of longer-term benefit to the Future Point proposals.

14.5 Ha of allocated employment land on Newark Business Park (G Park) is also identified albeit discounted within the reports, on the grounds that it has been marketed for 15 years with no success to date with the main reason cited being the convoluted access from the A1. Notwithstanding this view, I am aware in relation to the G Park that the site has been purchased and a full planning application is being prepared for a speculative industrial/warehousing scheme. The site is expected to provide a floorspace of between 45,000sqm and 70,000 sqm. At the time of writing this report, a planning application for the site has not been submitted. Even though an application would likely be supported in principle at Officer level due to its allocated status, there is no certainty that planning permission would be approved at this stage or if it was, that the development would come forwards.

Three further sites at Fernwood Business Park, Stephenson Way and Land North of the A17 are also ruled out by Fisher German due to being too small and/or other constraints.

In relation to concern that if the proposed development is approved, then there would be no demand for the consented development at Land South of Newark, Fisher German conclude that 'in reality, we believe the likelihood of this is low as we tend to share the view of JLL that the lack of Big Box development in Newark is not due to lack of demand but the lack of suitable sites.' They further state that:

'in our view, there is sufficient demand to serve both the application site and the Land South of Newark as and when this is delivered. If both sites were marketed at the same time, we would expect this to impact on take up accordingly. Clearly there remains some uncertainty over the timing of the Land South of Newark but in this instance, the application site provides an opportunity to deliver Big Box development and attract occupiers to Newark in the relatively short term. That being said, we would recommend that the Council carries out further investigation into whether the developers plan to offer the site on a design and build basis or whether they will speculatively build a unit, as this will ultimately have an impact on timescales for occupation. We would also recommend work is done on market testing to establish likely occupier demand in respect of the employment sites in Newark.'

Having asked the applicant whether they will offer the site on a design and build basis or whether they will speculatively build a unit they have confirmed this is currently unknown. If permission is secured, the building would be offered to Dixons Carphone who have confirmed that they would be interested in taking on space on the development if planning permission is secured.

Fisher German have further advised in Knowledge of the forthcoming G Park planning application that *'whether there is demand for three sites will largely depend on the timescales for when they are available. It is unlikely that there would be sufficient demand for all three sites if they were to come available at the same time. However, it is highly unlikely that this will be the case given the timeframe for the delivery of the new link road'*.

Economic Benefits

D2N2's Strategic Economic Plan 'Vision 2030' identifies that the Logistics and E-commerce sector has a strong commercial cluster in the D2N2 region. Logistics and E-commerce sustains some 22,000 jobs in more than 2,500 businesses in the D2N2 area and it has a 28% (Gross Value Added) GVA growth forecast for 2030. A report commissioned by Tritax Symmetry identified that the logistics sector continues to demonstrate growth, reflecting macro-economic trends in changes in retail habits and supply chain demands. It is expected to continue to be a key driver of economic and employment growth for the UK. Logistics employment growth was bolstered by large growth in warehouse operations and road freight. Currently, GVA of the sector is estimated at £80 billion **nationally** and has seen growth of over 30% since 2013. The majority of roles in logistics are full time (85%) with only around 15% being part time. In 2019, The Freight Transport Association Leading UK Logistics Report notes that current UK logistics sector made a £124 billion GVA contribution to the UK economy (10 per cent of the contribution to the UK non-financial business economy). In terms of **regional** figures, the May 2021 Midlands Engine GVA Intelligence Briefing calculated the GVA of the Logistics & Transport Technologies in the entire Midlands to be worth £10.6 billion as of 2019. While the D2N2 LEP profile projected GVA for the 'Transport and Storage' sector to be worth approximately £3.3 billion.

Supporting documentation indicates that the proposal represents a £30m investment that would help to secure Newark as a major player in the logistics and distribution market. The total economic output of the construction phase is accordingly forecast to be £85m.

A development of the size proposed can normally support around 500 full time equivalent jobs. This is based on the employment density ratio research produced by Homes England (formerly HCA) entitled 'Employment Density Guide: 3rd Edition'. Modern logistics and distribution centres require a range of skilled, semi-skilled and specialist employees. The applicant has stated that there would be an average salary of £21,424 - £22,585 for a warehouse employee and £32,365 for

a Warehouse Manager. Research by the Council's Economic Development teams indicates that on average, Warehouse Managers in the region received a salary of 30k, while Warehouse Operatives received a salary of 18-19k.

The adjacent Currys/PC World complex is already the largest employer in Newark. This application would create an opportunity for them to expand further or to enable the co-location of a supply chain partner. Albeit as a speculative application, there is no certainty with regards to which company would become the end user.

Around £1.1M of business rates per annum would be generated.

Summary

In relation to economic need, the Fisher German concludes the following in relation to the proposed development:

- It would help kickstart attracting occupiers to Newark
- Newark has potential to be a valued location for Big Box development
- Lack of development to date due to lack of sites
- Land South of Newark is suitable for Big Box development but reliant on SLR for which funding is uncertain
- Access to the G Park site may not be suited to Big Box development
- Proposed application could offer a shorter term solution

Whilst it is possible that Future Point and G Park could be brought forward within the plan period or sooner, the proposed development could see a Big Box development take place in Newark in the more immediate future. The demand for land to service requirements is extremely high at the moment and whilst Newark itself wouldn't be a prime location the demand is such that take-up by an end occupier appears extremely likely, and may have the potential to drive a cluster of similar uses in the future.

On this basis, the applicant has confirmed that they would be willing to accept a short-term permission and the reduction in the time limit for submission of any subsequent reserved matters application from 3 years to 1 year. This would help to prove that the demand is there and increase the likelihood of all three sites not coming forward at the same time. That being the case, the delivery of this site could meet an immediate need or demand for additional employment land within the District that may not otherwise be met by allocated sites and deliver the significant economic benefits listed in the section above.

These are matters that will be weighed in the overall planning balance as set out in the 'Conclusion and Planning Balance' section of the report below.

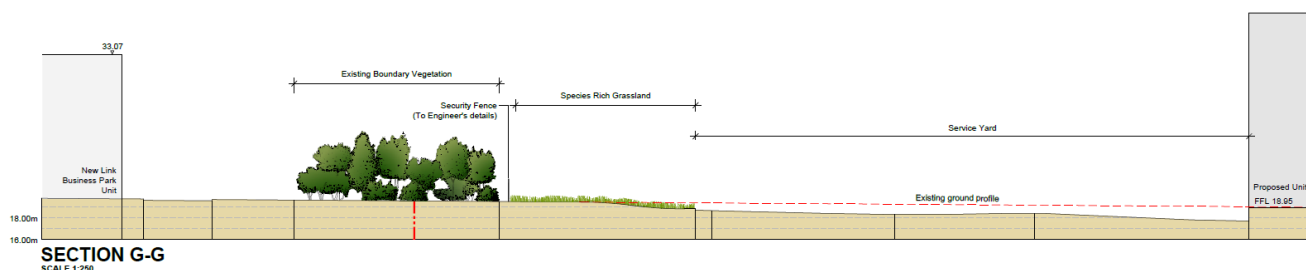
Impact on Visual Amenity including the setting of heritage assets

Core Policy 9 requires a high standard of sustainable design that protects and enhances the natural environment and contributes to the distinctiveness of the locality and requires development that is appropriate in form and scale to the context. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive. Core Policy 13 requires the landscape character of the surrounding area to be conserved and created. Paragraph 174 of the NPPF requires planning decisions to recognise the intrinsic character and beauty of the countryside.

Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.

The site is situated within Landscape Character Zone: ES PZ 4 Winthorpe Village Farmlands. The landscape condition here is defined as moderate and landscape sensitivity is also described as moderate. The policy zone has a landscape action of conserve and create. This includes new hedgerows and enhancing tree cover and landscape planting generally and conserving what remains of the rural landscape by concentrating new development around existing settlements and reflecting the local built vernacular.

The illustrative details indicate a single unit building (as a worst case scenario) which would be up to 18 metres in height, which would be slightly taller than those on the existing Curry's PC World/Knowhow site which are approximately 14 metres in height. The illustrative section below is taken in an east to west direction and shows the existing Knowhow building to the east and the proposed buildings to the west. Land levels would be re profiled on parts of the site.



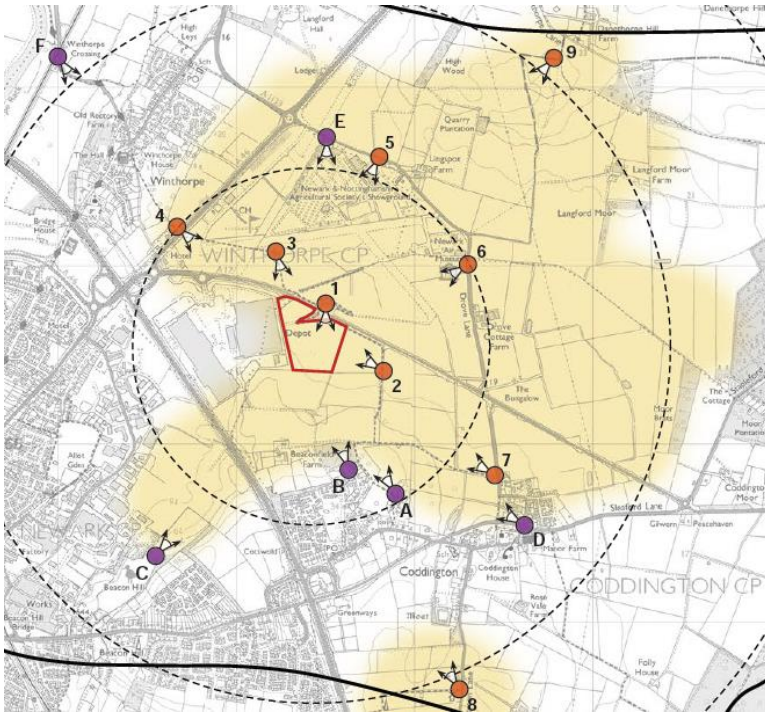
Extract from 'Illustrative Landscape Sections' Plan

In assessing the visual impact of the proposal, consideration needs to be given to the scale and layout of the proposal and the settlement edge location of the site. Clearly, a development of this scale would alter the character of the current site from predominantly arable land to an industrial development.

I am mindful of the significant scale of the proposal in terms of the footprint of building, expanse of the proposed elevations and the proposed heights. I am also conscious of the sites' prominent position close to the heavily trafficked receptor point of the A46 and A1 and nearby residential properties. The precise layout, appearance, landscaping and scale are matters that would be reserved for subsequent approval.

The indicative landscape strategy seeks to retain the surrounding structure planting as a framework for the new landscape proposals. The existing belt of woodland running along the eastern boundary of the site would be retained along with the existing hedgerow boundaries, which border the site. Tree removal would be limited to the area around the proposed site access (discussed in more detail in the 'Impact on Trees and Ecology' section below). The supporting documents indicate the following landscape proposals:

- Continuous row of trees along the site access road to provide a green boundary to soften the building elevation, while allowing filtered views to the employment building from the A17. Broad mown grass verges and beds of ornamental shrub planting between the car parking areas and access road will create an attractive approach and setting to the proposed building.
- Retention of existing belt of woodland running along the eastern boundary of the site, providing a robust green structure within which to locate the proposed development.
- Opportunity to establish a wildlife pond in the base of the attenuation feature proposed in the north-western corner of the site, planted with reed beds and other aquatic species.



- Woodland planting along the A17 boundary to strengthen the existing highway planting, creating a robust buffer between the road and pond area. Overall, around 70 new trees would be planted.
- Establishment of wildflower grassland on the pond's banks and edges through which a grass path will be mown.
- Retention of the existing structural woodland planted on the embankments of the bridge across the A17.
- Planting of native shrub species to the western edge of the service yard within which standard trees would also be

located where space allows. This new planting would combine with the existing structure planting along the boundary with Newlink Business Park, to enhance the network of woodland corridors in the area.

- Retention of the existing field boundary hedgerow and its associated hedgerow trees along the southern boundary. Planting of additional native trees within the hedgerow to visually reinforce this boundary.

It is also proposed that the warehouse elevations be camouflaged using a graduated range of cladding colours that relate to the existing context. The proposed cladding colours would range from a palette of dark greens at low level, responding to existing landscaping tones and further up the elevation the greens will merge to a whiter palette that responds to sky tones. The proposed service areas would face internally and face the existing Knowhow building to the west.

A Landscape and Visual Impact Assessment (LVIA), Illustrative Landscape Masterplan and photomontages have been submitted with the application to identify and assess the likely significance of the landscape visual effects of the proposed development on the surrounding area. Nine viewpoints representative of a range of receptor sites have been considered (shown in the orange circles in the plan extract below - the orange shaded areas indicates the Zone of Theoretical Visibility (ZTV)). I am satisfied that the visuals and information provided within the LVIA are sufficient to enable the visual impact of the proposed development to be fully considered.

It is envisaged that the landscape effects during construction on the site will be greater than those at completion (minor adverse) and there would therefore be moderate adverse over a short term. On completion of the development views from the east and south east in particular (including parts of Coddington and its CA), would fall against the backdrop of the Knowhow buildings. Views from the west would be predominantly screened by the existing Knowhow buildings. There would be no view of the building from viewpoints 4, 5 and 8.

The photomontages of the viewpoints listed below are considered to experience a minor adverse effect. In each case below, it is the solid line which indicates the visible parts of the building.



Viewpoint 1 – bridge over A17



Viewpoint 3 - PROW adjacent Wirtgen building



Viewpoint 6 - Air Museum Entrance



Viewpoint 7 – North East edge of Coddington Conservation Area

All other viewpoints were considered to result in a lesser impact (partly as a result of mitigation planting).

The LVIA concludes that *'overall the landscape and visual effects of the proposed development are considered to be predominantly localised to within the setting of the site, with visual effects no greater than minor adverse and landscape effects limited to negligible adverse. Due to the urban fringe feel of the site and its surroundings, the development of land in this location, between Newlink Business Park and the former airfield, can be seen as an appropriate opportunity, which also alleviates any pressure on more valuable landscapes. The implementation and ongoing maintenance of the illustrative landscape proposals would provide an important element of mitigation, which will help to soften and further assimilate the development in to the local landscape, thereby minimising any residual effects'*.

The NCC Via Landscape team concur with this conclusion and raise no objection to the application from a visual amenity perspective.

In relation to the setting of heritage assets, it is agreed that there would be no intervisibility of the proposed development with the Winthorpe Conservation Area and there would be limited intervisibility of the proposed development within the Coddington Conservation Area. Overall, the Conservation Officer concurs with the conclusions set out in the submitted Heritage Impact Assessment that the proposed development would result in a neutral impact on the setting of Coddington CA and other heritage assets.

Overall, whilst the proposal would result in a change to the existing landscape the building would be of comparable height (albeit slightly higher) to other industrial units in the area, with particular reference to the Dixons/Knowhow building to the west of the site. Taking all of these factors into account, there would be limited harm to the visual amenity and intrinsic character and beauty of the countryside in this location. The development would not result in harm to the setting of heritage assets (including the character or appearance of the nearest Conservation Area or any listed buildings). This is subject to further consideration of design (including materials and finishes) and landscaping (including mitigation planting) at reserved matters stage.

Impact on Trees and Ecology

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Policy DM7 states that new development should protect, promote and enhance green infrastructure to deliver multi-functional benefits and contribute to the ecological network.

The NPPF outlines a number of principles towards the contribution and enhancements of the natural and local environment within Chapter 15. It advises that development should seek to contribute a net gain in biodiversity with an emphasis on improving ecological networks and linkages where possible.

The submitted Ecology survey confirms that the majority of the habitats within the site comprise intensely managed arable land and poor semi-improved grassland, considered to be of limited botanical and ecological interest. As such, the loss of these habitats to the proposed development would not result in significant adverse impacts to ecology and nature conservation within the local area. The Illustrative Masterplan shows that the hedgerows would largely be retained within the proposed development, with minor losses to hedgerow H3 to facilitate the creation of the new roundabout on the A17.

In relation to protected species, the submitted Ecological Appraisal confirms that the proposed development would not result in any adverse impact upon bats, water voles, reptiles, great crested newts, badgers or birds. This is subject to conditions requiring a Reasonable Avoidance Measures Statement (RAMS) / Construction Environment Management Plan (CEMP) and the provision of a suitable lighting scheme and a landscape scheme (including compensatory planting).

Nottinghamshire Wildlife Trust (NWT) raise no objection to the application and support the planting of new native hedgerow to mitigate the loss of existing hedgerow. They also support the use of SuDS designed to benefit wildlife albeit have they have stated that full consideration will need to be given to the impact upon an existing water body and the drainage proposals. Whilst a measurable biodiversity net gain calculation has not been undertaken, it is considered that the proposed development does result in opportunities to improve biodiversity in and around the site. It is recommended that a condition requiring a Biodiversity/Landscape Environmental Management Plan (LEMP) incorporating biodiversity measures, including the provision of bat boxes and consideration of existing water bodies, be required at the reserved matters stage.

Given the conclusions of NWT and subject to conditions, I consider the proposed development to comply with the aims of Core Policy 12 and Policy DM5 of the DPD and the NPPF.

Impact on Archaeology

Core Policy 14 of the Core Strategy requires the continued preservation and enhancement of the District's heritage assets including archaeological sites. Policy DM9 of the DPD states that where proposals are likely to affect sites of significant archaeological potential, the applicant is required to submit an appropriate desk based assessment.

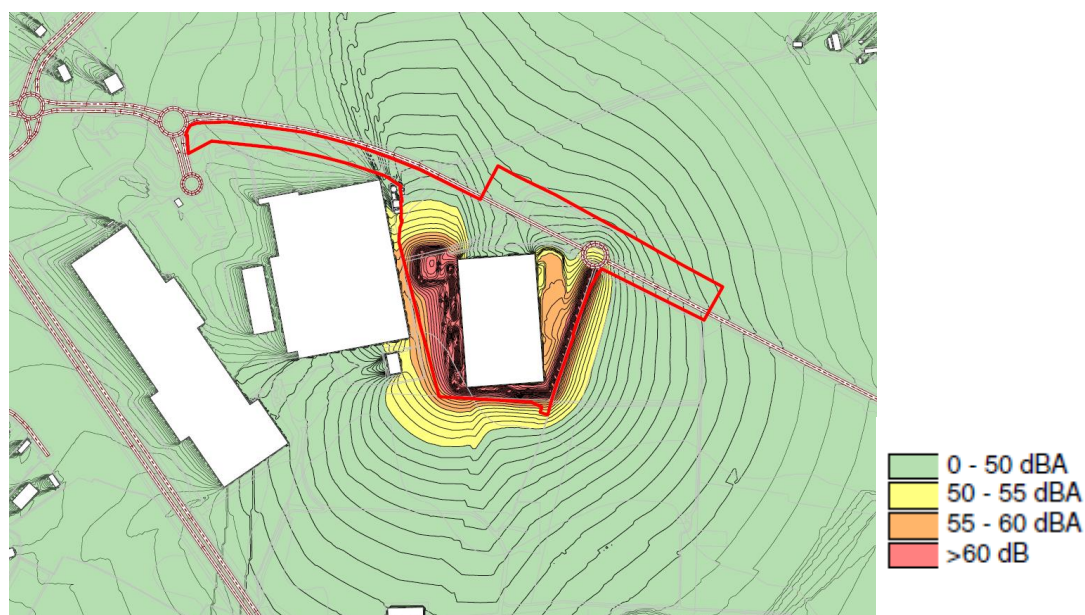
The submitted Archaeological Evaluation Report confirms that the site is located within an extensive, complex and intensive area of archaeological activity dating to between the late Iron Age and Romano-British periods (50BC-400AD). The material recovered and feature distribution found in trial trenching undertaken to date suggests a small but prosperous rural settlement existed on the site, however any conclusions drawn at this stage are tentative due to the limited scope of the work carried out so far. While the site should be considered of significant local and regional importance, it is unlikely that it would be considered appropriate for scheduling under the Ancient Monuments and Archaeological Areas Act 1979. Consequently, the Archaeology Advisor raises no objection in principle to the proposed development, subject to further appropriate archaeological investigation and mitigation. It is therefore recommended that planning conditions are imposed requiring a mitigation strategy which would initially include, but may not be limited

to, a trial trench evaluation of the site which should aim to complete the assessment of the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above. This would be followed by a set piece excavation to preserve by record the archaeological remains identified during the trenching works. Overall, the Archaeology Officer raises no objection to the application subject to conditions to enable any remaining archaeology that currently survives on this site to be recorded prior to its destruction in accordance with Policies CP14 and DM9.

Impact on Residential Amenity

Policy DM5 requires development to be acceptable in terms of not having a detrimental impact on residential amenity both in terms of existing and future occupiers. The NPPF promotes ‘an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’.

The proposed development is likely to be operated 24 hours a day. A Noise Assessment has been submitted with the application. Six representative receptors were identified, the closest being Beaconfield Farm to the south of the application site with further potential receptors at the edge of Coddington and to the north of the A17. The Assessment, using modelling, shows that cumulative operational noise levels during the daytime and night-time periods are predicted to be below the guideline noise intrusion criteria at nearby properties. Worst-case operational noise levels from deliveries are predicted to be below background noise levels. Modelling for both one and two buildings on site, as well as daytime and nighttime levels were considered – the extract from the plan below shows the daytime levels (albeit the night time results are similar). The assessment of a single building and an alternative (two building) scenario has demonstrated that suitable noise levels can be achieved at the closest noise sensitive receptors, therefore no additional mitigation would be necessary. The Assessment concludes that the proposed warehouse development is not expected to have an adverse impact on health or quality of life overall.



Extract from Noise Assessment ‘Worst-case Cumulative Operation Noise Daytime LAeq, 1hr’

The Environmental Health Officer raises no objection to the application on this basis. This is subject to a condition requiring the submission of a Construction Method Statement to ensure the impacts of dust from site works and construction can be mitigated through good practice construction techniques.

An external Lighting Impact Assessment has also been submitted with the application which states that night time lighting pollution would be minimised through a combination of photocells & timeclocks that would be installed to control all external lighting. The time clocks would act as a master control and be set to switch off at times when the respective part of the site is not in use, albeit noting the site would be in 24 hour use. A condition requiring the submission of a detailed lighting scheme is recommended to be submitted with the subsequent reserved matters application.

Overall, subject to conditions it is not considered that the proposal would have a significant adverse impact on neighbouring land uses in accordance with Policy DM5 of the DPD and the aims of the NPPF.

Impact on Highways and Public Rights of Way

Spatial Policy 7 indicates that development proposals should be appropriate for the highway network in terms of the volume and nature of traffic generated and ensure the safety, convenience and free flow of traffic using the highway are not adversely affected; and that appropriate parking provision is provided. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.

It is proposed that the development would be accessed off a newly constructed 3-arm roundabout on the A17. In terms of pedestrian and cycle access, it is proposed to extend the existing footway/cycleway along the south side of the A17 from the Long Hollow Way roundabout to the proposal site.

The submitted TA concludes that the proposed development would lead to an increase in traffic, but that it would not significantly change conditions at the assessed roundabout junctions including the proposed site access, the Long Hollow Way roundabout and the two A1 roundabout junctions. This would be partly due to shift patterns which means that staff would be unlikely to be travelling on local roads at peak times. Analysis of local collision data did not identify a road safety issue in the local area.

The Framework Travel Plan states that a shuttle bus between the proposal site and travel hubs such as Newark's train stations and the main bus stops within Newark would be provided. Although the closest bus stops are outside the recommended catchment, the regular buses could be used to travel to the proposed development as part of a multi-modal journey. The Framework Travel Plan also refers to a ride home facility for members of staff travelling to the site by sustainable modes of transport, should undertaking their original travel mode become unfeasible. This measure would act as a 'safety net' for potential travelers by sustainable transport and would reassure car sharers by guaranteeing that a backup measure is in place should an agreed car share journey not go ahead as planned. Nottinghamshire County Council raise no objection to the application subject to securing these measures. Whilst they have recommended that conditions be imposed relating to each of these measures separately, it is considered more appropriate that these measures are secured as part of the overall Travel Plan.

An application to divert the public footpath is likely to be required under section 257 of the Town and Country Planning Act 1990 and a condition to control this requirement is recommended.

Subject to the conditions recommended by the Highways Officer, I am therefore satisfied that the proposal would not amount to a detrimental impact on highway safety in accordance with Spatial Policy 7 and Policy DM5 of the DPD.

Impact on Flooding and Drainage

Policy DM5 and Core Policy 9 require that proposals pro-actively manage surface water and Core Policy 10 seeks to mitigate the impacts of climate change through ensuring that new development proposals taking into account the need to reduce the causes and impacts of climate change and flood risk.

The site is within Flood Zone 1 according to the Environment Agency maps and is therefore at a low risk of flooding from rivers. The site is also outside of area at high risk of surface water flooding.

The indicative proposals include an on-site sustainable drainage system comprising a lake serving as an attenuation pond, as well as swales. A Flood Risk Assessment and Drainage Strategy has been submitted with the application. This concludes that the site is not at risk of flooding and that surface water drainage can be managed to ensure that the development would not increase the risk of flooding elsewhere. Foul drainage from the development is indicatively proposed to be discharged via a package pumping station, rising main and a demarcation chamber to an existing Severn Trent Water sewer to the south of the application site.

Subject to the submission of more details at reserved matters stage, I am satisfied that the applicant has adequately demonstrated that the development will not adversely impact on flooding or drainage in accordance with the aims of Core Policy 9 and Core Policy 10 of the Core Strategy, Policy DM5 of the DPD and the provisions of the NPPF, subject to conditions.

Contamination

Policy DM10 of the DPD states that where a site is highly likely to have been contaminated by a previous use, investigation of this and proposals for any necessary mitigation should form part of the proposal for re-development. The Environmental Health Officer has reviewed the report submitted with the application relating to contamination and raised no objection to the development subject to the use of a condition to secure the remediation and verification requirements details in the reports. Overall, it is not considered that the proposed development would not result in any contamination issues that cannot be suitably be mitigated in accordance with Policy DM10 of the DPD.

Loss of Agricultural Land

Policy DM8 states that 'proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection and demonstrate environmental or community benefits that outweigh the land loss'. Paragraph 174 of the NPPF states that '*Planning policies and decisions should contribute to and enhance the natural and local environment by: recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.*'

Government guidance defines 'Best and most versatile agricultural land as being land in Grades 1, 2 and 3a of the Agricultural Land Classification' and at paragraph 175 of the NPPF requires that where significant development is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. The application site is located on Grade 3 land. In the absence of soil testing, it is not known if the land is located in Grade 3a or 3b land. Natural England is a statutory consultee on development that would lead to the loss of over 20ha of 'best and most versatile' (BMV) agricultural land (land graded as 1, 2 and 3a in the Agricultural Land Classification (ALC) system and for developments not in accordance with an approved development plan. Natural England as a consultee on development like this which would result in the loss of agricultural land have not raised any objection to the application or concern in in this respect. Overall, it is not considered that the proposed development would have a significant adverse impact on Best and Most Versatile Agricultural Land, which is not located within the highest grades of classification in any event.

Nethertheless, there would be some loss of agricultural land (albeit not significant) and this is a matter considered further in the overall planning balance.

Other

Sustainability

An Energy and Sustainability Statement has been submitted with the application to show that a sustainable employment development can be brought forward on the site including a number of recommended sustainability measures e.g. BREEAM level of Very Good for all building, DUDS, EPC A-rating, intelligent lighting systems.

Indicative details state that the proposals would incorporate a range of environmentally sustainable features including photovoltaic panels, internal and external LED motion-senor lighting, electric vehicle charging points, rainwater and greywater harvesting and recycling, energy-efficient rooflights and sustainable waste management. The developers are aiming to achieve a 'Very Good' rating from BREEAM, the world's leading sustainability assessment method for buildings. A condition requiring more details regarding these measures is recommended in accordance with the requirements of Core Policy 10 which seeks to mitigate the impacts of climate change through ensuring new development proposals minimise their potential adverse environmental impacts during their construction and eventual operation.

Statement of Community Involvement (SCI)

A SCI was submitted with the application which includes details of public consultation undertaken by the developer prior to the submission of the planning application. A consultation website was set up, a zoom call was undertaken with key stakeholders and a leaflet was issued to the closest 2,184 residential and business addresses to the site. Written consultation responses, comprising online feedback forms, emails and physical feedback cards, were returned. Of those, 47 (49%) agree with the proposals, 31 (32%) disagree and 18 (19%) are not sure. The development team subsequently took into consideration the comments received in relation to aspects of the proposals prior to submission of the outline application.

Conclusion and Planning Balance

The starting point for development management decision making is S.38(6) of the Planning and Compulsory Purchase Act 2004, which states that determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

The site falls adjacent to but outside of Newark Urban Area as defined in the DPD. As such, it falls to be assessed under Policy DM8 (Development in the Open Countryside) of the DPD. The proposed development is not considered to be small in scale and therefore does not meet the exception for employment development under the criteria of this policy. The proposed development therefore represents a departure from the Development Plan.

As such, if approved the development could undermine the strategic objectives and targets for sustainable growth set out in the development plan.

In relation to impact on visual amenity, the proposal would alter the open character of the existing site. The building would be of comparable height (albeit slightly higher) to other industrial units in the area, with particular reference to the Dixons/Knowhow building to the west of the site. Taking all of these factors into account, there would be limited harm to the visual amenity and intrinsic character and beauty of the countryside in this location. The development would not result in harm to the setting of heritage assets (including the character or appearance of the nearest Conservation Area or any listed buildings). This is subject to further consideration of design (including materials and finishes) and landscaping (including mitigation planting) at reserved matters stage. The application is not considered to result in any adverse impact upon highway safety, public rights of way, trees and ecology, flood risk or drainage, archaeology or residential amenity subject to conditions.

The limited environmental harm identified is not enough on its own to outweigh the fact that the development is unacceptable as a matter of principle and does not justify non-policy compliant development in the open countryside. The benefits arising from the delivery of this employment development as identified above are however, considered to represent a significant material planning consideration. This is because the NPPF states that significant weight should be placed on the need to support economic growth. The NPPG further confirms that the logistics industry plays a critical role in enabling an efficient, sustainable and effective supply of goods for consumers and businesses, as well as contributing to local employment opportunities, and has distinct locational requirements that need to be considered in formulating planning policies (separately from those relating to general industrial land).

Furthermore, the applicant has confirmed that they would be willing to accept a short-term permission and the reduction in the time limit for submission of any subsequent reserved matters application from 3 years to 1.5 years. This would help to prove that the demand is there and the development is more likely to come forward in the short term.

That being the case, the delivery of this site could meet an immediate need or demand for additional employment land within the District that may not otherwise be met by allocated sites in the short term, and provide significant economic and social benefits.

The loss of Grade 3 agricultural land whilst representing a negative factor carries a very small amount of negative weight that does not alter the overall planning balance given that the scale of the development would not result in a significant loss of higher-grade best and most versatile agricultural land.

Consideration has been given to all comments from neighbours, interested parties and consultees. On balance, the benefits are significant and represent sufficient material considerations in this instance to outweigh the harm identified to justify a departure from the development plan. Overall, taking all matters into account and having regard to the three dimensions of sustainable development – economic, social and environmental roles, the proposal is considered to represent a sustainable form of development.

RECOMMENDATION

That outline planning permission is granted subject to the conditions shown below:

Conditions

01

Applications for approval of reserved matters shall be made to the Local Planning Authority not later than 1 year from the date of this permission.

The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

02

Details of the appearance, landscaping, layout and scale ('the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before development begins and the development shall be carried out as approved.

Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

03

Reserved matter submissions shall be in accordance with the maximum parameters defined on Drawing No 111002 Rev C 'Parameters Plan' and Location Plan Drawing No 110001 Rev A.

Reason: To ensure that the site is developed in a satisfactory manner and for the avoidance of doubt.

04

Development other than that required to be carried out as part of an approved scheme of remediation or for the purposes of archaeological or other site investigations linked to this planning permission must not commence until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation

An investigation and risk assessment including an UXO assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority.

The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

Part B: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part C: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Part D: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

05

No site clearance works including shrubbery removal shall take place and no tree shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to September inclusive) unless a precautionary pre-start nesting bird survey has been carried out by a qualified ecologist/ornithologist and agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate provision is made for the protection of nesting birds on site.

06

No development shall be commenced until a Construction Environmental Management Plan (CEMP) incorporating a Reasonable Avoidance Measures Statement (RAMS) and timetable has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify appropriate measures for the safeguarding of protected and locally important species and their habitats and shall include:

- a) an appropriate scale plan showing protection zones where construction activities are restricted and where protective measures will be installed or implemented;
- b) details of protective measures (both physical measures and sensitive working practices) to avoid impact during construction. This shall include the precautionary measures listed by Nottinghamshire Wildlife Trust in their letter dated 18/09/2020) and the pre-construction survey work and / or mitigation measures as summarised in paragraphs 4.24 and 4.27 of the Ecological Appraisal (July 2020 by fpcr);
- c) a timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as the bird nesting season);
- d) details of a person responsible for the management of the protection zones.

Development shall be carried out in accordance with the approved details and timetable.

Reason: In the interests of maintain and enhancing biodiversity.

07

Any subsequent reserved matters application(s) shall be accompanied by a Biodiversity/Landscape Environmental Management Plan (LEMP). This shall include:

- a) purpose, aims and objectives of the scheme;
- b) a review of the site's ecological potential and any constraints;
- c) description of target habitats and range of species appropriate for the site;
- d) selection of appropriate strategies for creating/restoring target habitats or introducing target species. This shall include but not be limited to the provision of bat boxes;
- e) selection of specific techniques and practices for establishing vegetation;
- f) sources of habitat materials (e.g. plant stock) or species individuals;

- g) method statement for site preparation and establishment of target features;
- h) extent and location of proposed works;
- i) aftercare and long term management;
- j) the personnel responsible for the work;
- k) timing of the works;
- l) monitoring;
- m) disposal of wastes arising from the works.

All habitat creation and/or restoration works shall be carried out in accordance with the approved details and timescales embodied within the scheme.

Reason: In the interests of maintaining and enhancing biodiversity.

08

Any subsequent reserved matters application(s) shall be accompanied by the submission of a detailed lighting scheme. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, and structures they illuminate; a horizontal and vertical illuminance plan to include:

- Details of light intrusion, source intensity, and upward light; and
- Details of the lighting fittings including their design, colour, intensity and periods of illumination.

No external lighting works shall be installed within any part of the application site other than in accordance with the approved details or in accordance with any alternative external lighting scheme first submitted to and agreed in writing by the Local Planning Authority.

Reason: in the interests of visual amenity and biodiversity.

09

No development shall commence on site (including any site clearance/preparation works), until a Construction Method Statement has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the construction period:

- Details of construction access
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of oils, fuels, chemicals, plant and materials used in constructing the development
- The erection and maintenance of security hoarding, including any decorative displays and facilities for public viewing
- Wheel-wash washing facilities and road-cleaning arrangements
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from site preparation and construction works
- Measures for the protection of the natural environment
- Hours of work on site, including deliveries and removal of materials
- Full details of any piling technique to be employed, if relevant
- Location of temporary buildings and associated generators, compounds, structures and enclosures, and
- Routing of construction traffic.

Reason: In the interests of residential amenity.

10

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Link Engineering Flood Risk Assessment (FRA) ref. LE19105-NEW-LE-GEN-XX-RP-CE-FRA01 dated July 2020, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to occupation of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

11

No works or development shall take place until an arboricultural method statement and scheme for protection of the retained trees/hedgerows has been agreed in writing with the Local Planning Authority. This scheme shall include:

- a. A plan showing details and positions of the ground protection areas.
- b. Details and position of protection barriers.
- c. Details and position of underground service/drainage runs/soakaways and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
- d. Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing).
- e. Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.

- f. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

All works/development shall be carried out in full accordance with the approved arboricultural method statement and tree/hedgerow protection scheme.

Reason: To preserve and protect existing trees which have and may have amenity value that contribute to the character and appearance of the area.

12

The following activities must not be carried out under any circumstances.

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.
- b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
- c. No temporary access within designated root protection areas without the prior written approval of the Local Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
- e. No soak- aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

Reason: To preserve and protect existing trees which have and may have amenity value that contribute to the character and appearance of the area.

13

No landscape works shall take place until the Local Planning Authority has approved in writing the full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells.

Reason: In the interests of visual amenity and biodiversity.

14

The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written permission of the Local Planning Authority.

Reason: In the interests of visual amenity and biodiversity.

15

No part of the development hereby approved shall be occupied / brought into use unless or until the new roundabout junction with the A17 has been provided as shown in principle on the drawings no. Drawing nos 17146-010 rev. E dated July 2019 as clarified by 17146 - SK200930.1 'Proposed Roundabout Layout Deflection Radii' dated September 2020 to the satisfaction of the Local Planning Authority.

Reason: In the interests of Highway safety.

16

No part of the development hereby approved shall be occupied / brought into use unless or until the extension of footway and cycle facilities from the Long Hollow Lane roundabout to the proposed site have been provided as shown in principle on the drawing no. no. 17146-010 rev. E 'Proposed Roundabout Layout and Pedestrian/Cycle Access Improvements' dated July 2019.

Reason: In the interests of highway safety and to promote sustainable travel.

17

No part of the development hereby permitted shall take place until details of the new roads have been submitted to and approved in writing by the Local Planning Authority including layout, street lighting, drainage and outfall proposals, and any proposed structural works. The development shall be implemented in accordance with these details.

Reason: To ensure the development is constructed to safe and adoptable standards.

18

No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and implementation) to promote travel by sustainable modes which are acceptable to the Local Planning Authority and shall include arrangements for monitoring of progress of the proposals. For the avoidance of doubt, the Travel Plan shall include the following proposals:

- prior to the occupation of the development, details of a daily or more frequent return shuttle bus service to connect the development and travel hubs such as Newark's train stations and the main bus stops within Newark shall be submitted and approved in writing by the Local Planning Authority. This bus service shall be operational upon practical completion of the unit(s) and reviewed after at least three months, six months and after twelve months, and thereafter every twelve months and maintained for a period for a minimum period of 10 years from the commencement of the use unless, either a commercial bus service passing within 400 metres of the site comes into operation, or the bus service is proven to be no longer viable. If a commercial service does come into operation, or the bus service is shown to be no longer viable, then the applicant shall seek the written approval of the Local Planning Authority that the service is no longer required;
- car usage minimisation including the provision of electrical charging points for cars and other vehicles and the use of car sharing.
- details of the ride home facility for members of staff travelling to the site by sustainable modes of transport.

The Travel Plan shall be implemented in accordance with the timetable set out in that plan

Reason: To promote sustainable travel.

19

Any subsequent reserved matters application(s) shall be accompanied by the submission of a Transport and Parking Appraisal in order to assess the level of on-site parking required for staff and visitors. This identified level of on-site parking shall be demonstrated on the submitted plans and shall also include for provision within the site for a shuttle bus stop/parking bay. Development shall be carried out and retained in accordance with the approved details

Reason: To ensure that adequate off-street parking provision is made in the interest of highway safety.

20

No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be located near to the main entrance to the development, be covered and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In the interest of promoting sustainable travel.

21

No development shall take place until written schemes of archaeological investigation and mitigation have been submitted to and approved in writing by the Local Planning Authority. These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for a programme of community based outreach
6. Provision for archive deposition
7. Nomination of a competent person/organisation to undertake the work

The schemes of archaeological investigation must only be undertaken in accordance with the approved details.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.

22

The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the above Condition. The applicant/developer shall notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework.

23

Reports of the archaeologist's findings (required by the above condition) shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 6 months of the works hereby approved being commenced.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.

24

The development will require the diversion of existing public rights of way and no part of the development hereby permitted or any temporary works or structures shall obstruct the public right of way until approval has been secured and the diversion has been constructed in accordance with a detailed design and specification first submitted to and approved in writing by the Local Planning Authority.

Reason: To retain a safe and sustainable pedestrian route.

25

Any subsequent reserved matters application(s) shall include details of sustainability measures and environmentally sustainable features proposed and to be incorporated into the design of the development both during its construction and operation, which builds upon the aims of the submitted Energy and Sustainability Report 23/07/2020 (by Cudd Bentley).

Reason: In the interest of tackling climate change and securing a sustainable development.

Notes to Applicant

01

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 not payable on the development hereby approved as the development type proposed is zero rated in this location.

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

03

The applicant's attention is drawn to those conditions on the decision notice, which should be discharged before the development is commenced. It should be noted that if they are not appropriately dealt with the development may be unauthorised.

04

There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team.

The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks

Notice is required to process the closure and an alternative route on should be provided if possible.

If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.

If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.

Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.

Where the right of way runs across the site, there are currently open fields on either side with no adjacent boundary. This open aspect should be retained as far as is practicable as part of any development, with good practice design principles applied to either ensure that the route does not become enclosed and/or is incorporated it as part of a greenspace corridor.

05

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact Highways Development Control Team (Newark & Sherwood) by phoning Nottinghamshire Customer Services on 0300 500 8080.

Should any subsequent amendment be required to the approved access plans referred to in Conditions 16 and 17, an amendment application under Section 73 or Section 96A of the Town and Country Planning Act 1990 would be required.

06

With respect to the archaeological conditions, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX, 01522 554823, email Matthew.Adams@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works. It is recommended the resulting written schemes of investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

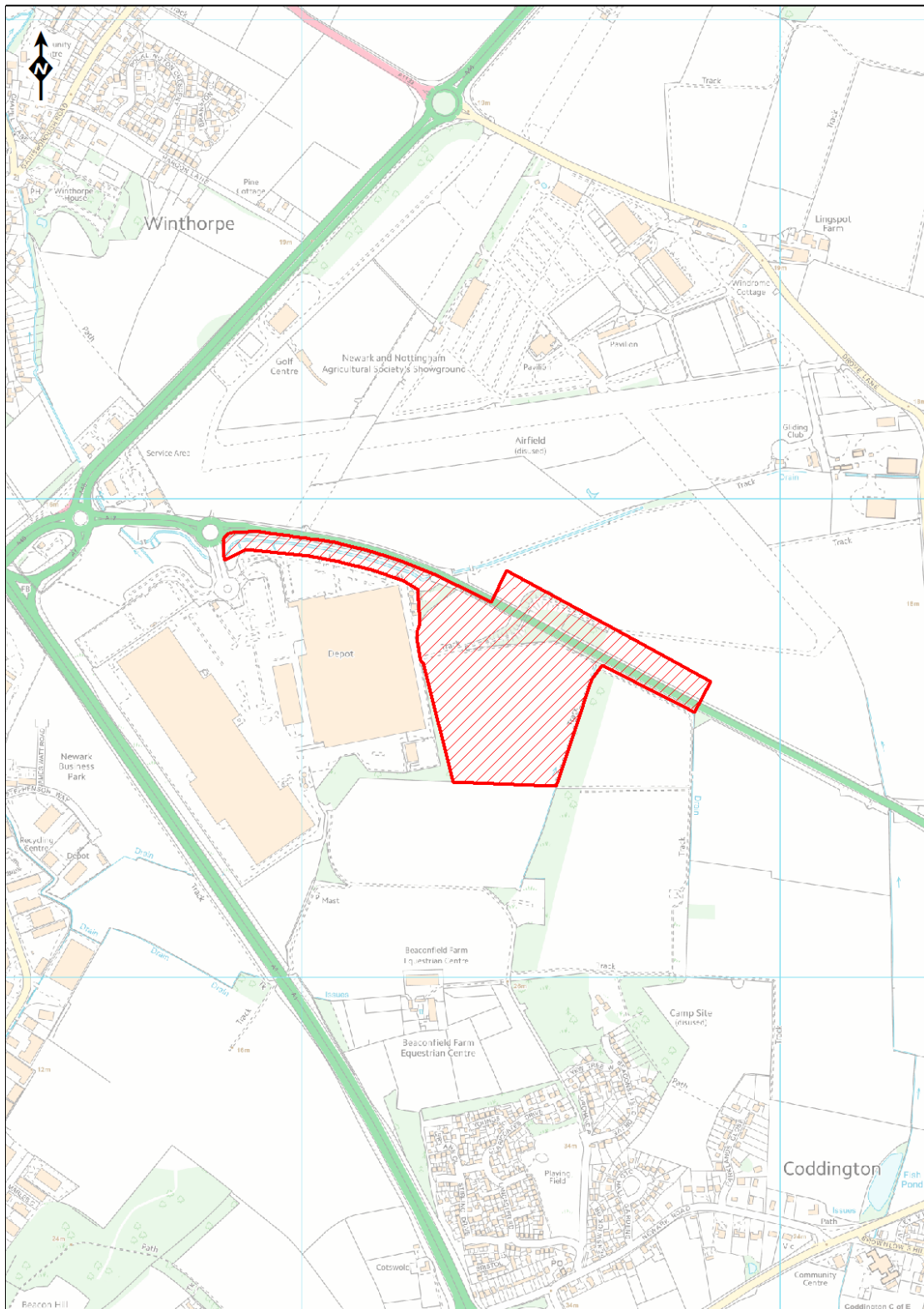
BACKGROUND PAPERS

Application case file.

For further information, please contact Helen Marriott on extension 5793

Lisa Hughes
Business Manager – Planning Development

Committee Plan - 20/01452/OUTM



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PLANNING COMMITTEE – 5 OCTOBER 2021

Application No:	20/02499/OUTM (MAJOR)	
Proposal:	Residential development of 10 dwellings (following removal of Grove Bungalow and existing outbuildings)	
Location:	Grove Bungalow, Barnby Road, Newark-on-Trent, NG24 2NE	
Applicant:	Richmond and Pritchett	Agent: Grace Machin Planning & Property
Registered:	31 December 2020	Target Date: 22 March 2021 Extension of Time Agreed: 08 October 2021
Link to Website:	http://publicaccess.newark-sherwooddc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage	

The original report to committee is contained as an Appendix to this update report for ease of reference.

Update

Members may recall that this application was considered by the Planning Committee on 2nd March 2021 where it was resolved to approve the scheme in line with the officer recommendation. This resolution was subject to the completion of a section 106 legal agreement within 4 months of the date of the Planning Committee (so by 2nd July) and that failure to do so would result in a refusal on the grounds that the scheme fails to secure an appropriate drainage scheme and developer contributions.

Since the committee, the applicant's agent has approached officers to advise that it has now become apparent that the proposed means of site drainage is not feasible. A revised drainage strategy has been put forward as detailed on drawing no. 100334_01_0500_01 (Proposed Drainage Strategy Sheet 1 of 1) and the indicative layout plan amended to reflect this strategy as shown on drawing no. 1506G/001 (Site Block Plan).

This shows that surface water would now also need to be pumped off site in addition to foul sewage. An indicative area for the proposed pumping stations has been identified to the south-western corner of the site resulting in plot 5 indicatively moved east towards plot 6, bearing in mind that layout is not being fully considered at this stage.

Amended Indicative Layout Plan



Previous Indicative Layout Plan



Representations

Re-consultation has taken place on the revisions.

Newark Town Council continue to object on the same grounds as previously raised.

NCC as Lead Local Flood Authority: Comments simply with a revised recommended condition which is set out in the updated recommendation section of this report.

One neighbour has reiterated previous objections already summarized within the original report.

Updated Comments of the Business Manager

Preliminary Matter

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) places a duty on local authorities to work positively and proactively with applicants. Whilst the resolution was to refuse the scheme after 4 months should the s106 not be completed, the primary objective was to ensure that the authority could issue a decision to a mutually agreeable timeframe and to avoid missing a government target. A further extension of time has been obtained to allow continued negotiation/consideration and to potentially avoid an unnecessary appeal.

Appraisal of the Amendments

Drainage

No changes are made with regards to the disposal of foul sewage and the amendments relate to how surface water would be managed only.

The drainage scheme that Members previously considered was a strategy of surface water sewers (tanks were indicatively shown under the gardens of plots to the west of the site) that would have collected run off from the developable area, drained into an existing pond to the west as well as permeable paving below parking areas and some of the un-adopted private driveways. Members may recall there was concern from the LLFA that this relied on land outside the control of the applicant. It was eventually agreed that this could be resolved by the third party land owners joining in a legal agreement to allow connection with the public sewers over land (at the rear of Highfields School) onto London Road. We were advised by the applicant's agent that an

agreement in principle had been reached and good progress was being made on getting all parties signed up. For whatever reason this hasn't happened and the applicants have been exploring alternative means of surface water drainage.

Initially the applicant suggested that soakaways would be an alternative option having regard to further information they had received from a site nearby. However the LLFA disagreed with the interpretation of the consultant's findings and concluded that infiltration would not be suitable for this site based on the outcome of their testing. This resulted in an objection (16 September 2021) from the LLFA on the basis that insufficient surface water drainage information had been submitted. They recommended refusal until a viable means of surface water disposal had been submitted and approved. Rather than receive a refusal the applicant sought a further extension of time to allow them to explore other options and this has resulted in the latest proposal now before Members. It relies on surface water pumping in addition to the foul pumping already proposed.

As set out in national guidance the aim is to discharge surface water run off as high up the drainage hierarchy as reasonably practicable, in this order:

- 1) Into the ground (infiltration/soakaway)
- 2) to a surface water body
- 3) to a surface water sewer, highway drain or another drainage system
- 4) to a combined sewer

Surface water pumping is at the lower end of the hierarchy. The new strategy is for surface water sewers to collect run-off and then pump it via an adoptable surface water pump to the nearest combined sewer. This is not ideal, as the nearest combined sewer on Barnby Road is some distance away and may well prove financially costly to the developer but is nevertheless acceptable as a last resort having explored all other options. The LLFA have removed their objection subject to the imposition of the condition shown in the updated recommendation below and I conclude there are no grounds to refuse the application in relation to drainage.

Revised Layout

The indicative layout has been amended which now shows a surface water pump station to the south-west corner of the site which would mean that development would be displaced elsewhere within the site. However as layout is not a matter for consideration at this stage and as the layout in my view demonstrates how this might be achieved, I am satisfied that this does not affect the recommendation in terms of quantum or density of the development.

Review of Planning Obligations

Officers have reviewed the obligations being sought to ensure that they meet the statutory tests of the CIL regulations and NPPF. Obligations must be 1) necessary to make the development acceptable in planning terms, 2) directly related to the development and 3) fairly and reasonably related in scale and kind to the development. They should only be used where mitigation is not able to be achieved by condition, such as obtaining financial obligation in lieu of something on site.

Bus Stop - The Council's SPD on developer contributions sets out that transport contributions will be considered on a site by site basis to improve links both within and between settlements. In this case NCC as highway authority have set out clear justification for the need for bus stop improvements to serve the occupiers of the proposed dwellings and promote sustainable modes of transport. The financial contribution therefore continues to be considered as justified and meeting the required tests.

Community Facilities – No specific project was previously identified for the community facilities contribution. At the present time I have no evidence to justify that an existing facility will be placed under such pressure that would allow the previously set out financial contribution to be sought and to do so would place the authority at risk. As such I advise that the contribution should no longer be sought.

Public Open Space – The Council’s Draft Open Space Assessment and Strategy (OSA&S) has recently been updated and is currently out to public consultation. This is not adopted so doesn’t yet carry full weight but is a useful tool in assessing applications and the starting position. This sets out that Newark overall has a deficit of provision (-0.69ha albeit this is actually -0.54ha if all surrounding amenity green space around the site were to be included) for children and young people based on the quantum of land available per 1,000 population. As this scheme isn’t large enough to provide additional on-site space, the LPA is seeking to secure a financial contribution towards enhancing existing space to meet the demand that new occupations would place upon it. There is an accessibility standard for Local Equipped Areas of Play (LEAP) of 400m and the nearest children’s play is Barnby Road Community Play Area (c482m away). The Barnby Road Community Park Play Area has an identified need for site drainage and the draft Strategy also identifies it as a site suitable for greater resilience to climate change by encouraging additional tree planting. These enhancements would improve the experience of users of the park and make it more sustainable, increase its capacity and usability for future occupiers [as well as existing residents] of the site helping to relieve pressure from increased use and as such I consider the contribution is justified.

Concluding Comments

The revised drainage strategy is acceptable having regard to the drainage hierarchy and there are no objections from the LLFA who are expert advisors in this regard.

Developer contributions should continue to be sought in relation to public transport/buses and public open space but there is insufficient evidence to continue to seek a community facility contribution.

These matters do not affect the planning balance such that the original recommendation of approval subject to the below remains.

Revised Recommendation

That planning permission is approved subject to:

- a) the conditions shown on the original report (with plan references updated where appropriate, condition 8 to have the words ‘Unless the bungalow is demolished before 18th May 2021’ removed and condition 16 amended to:**

Revised Condition 16:

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the *principles* put forward by the approved Dice Flood Risk Assessment (FRA) dated July 2021 ref 100334/LD/November-19/01 Rev B has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and retained in accordance with the approved details prior to first occupation of the development.

Due to the inherent complexities of the surface water proposals it is crucial that all elements of any surface water condition are discharged prior to commencement on site. The final surface water scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Evidence STW approval for connections to existing network and adoption agreement of site drainage infrastructure including pumping stations and associated rising mains.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

And

- b) the completion of the section 106 agreement to secure the developer contributions set out in the original report (except the community facility contribution which is no longer sought) and the maintenance of the on-site pumping stations/drainage infrastructure where necessary within 3 months of the date of Planning Committee; and**
- c) failure to do so would result in a refusal on the grounds that the scheme fails to secure sustainable development by failing to provide for the necessary infrastructure by way of developer contributions.**

APPENDIX - Report as previously reported to Planning Committee on 02.03.2021

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as Newark Town Council has objected to the application which differs to the professional officer recommendation and given that Members have refused two previous schemes for up to 19 dwellings and then up to 17 dwellings on this site at Planning Committee in August and November 2020 respectively.

The Site

Located on the southern side of Barnby Road, the site comprises a well-proportioned attractive brick built bungalow set centrally within its long plot. Vehicular access to the site is from the eastern side of the frontage via a gravel/brick track. There are mature attractive trees that front the remainder of the highway. Mature vegetation and hedgerows bound the large front garden area.

To the rear of the bungalow is a lawn area with a number of mature trees which take on the appearance of an orchard. There are a number of low lying outbuildings to the east of the bungalow within its curtilage.

The remainder of the site to the east of the bungalow (outside of its curtilage) and to the rear of the dwellings fronting Barnby Road, is overgrown, vacant and accommodates a number of trees and vegetation.

Compared to surrounding dwellings, the host bungalow is set back within its plot. A detached modern dormer bungalow lies to the north-west, whilst to the north-east is a row of historic two storey cottages (Grove Cottages) which sit gable end on with the highway and have windows facing the site. On the other side of the highway (north) are a number of large modern dwellings and beyond that is the east coast railway line.

A Biological SINC (Ballast Pit) lies circa 200m to the west across fields which is recognised as 'a long disused ballast pit supporting open water and carr communities'.

The site lies within the defined built up part of Newark Urban Area.

Relevant Planning History

20/01720/OUTM - Residential development of up to 17 no. new dwellings (following removal of Grove Bungalow and existing outbuildings) (Resubmission of 19/02158/OUTM). Refused at committee in November 2020 for the following summarised reasons:

- 1) *Failure to demonstrate the maximum quantum of development proposed would be in keeping with the character, general grain or density of development in the surrounding area. As such, the proposal is considered to represent over intensive development of the site and would lead to a cramped development compared with surrounding plot sizes and does not minimise the loss of trees/hedgerows with a consequential detrimental impact on the visual amenity of the area; and*
- 2) *Failure to secure an appropriate drainage scheme/solution for the site as it relies on the crossing of third-party land outside of the red line boundary which has not been secured by way of a S106 Agreement. No mechanism at the time of decision making to secure the developer contributions needed to mitigate the harm.*

19/02158/OUTM - Residential development of up to 19 No. new dwellings (following removal of Grove Bungalow and existing outbuildings). This was presented to the Planning Committee in August 2020 with a recommendation for approval (subject to conditions, a section 106 agreement and a resolution to the drainage) however the application was refused for the following (summarized) reasons:

- 1) *Failure to demonstrate the maximum quantum of development would be in keeping with the character, general grain or density of development in the surrounding area representing an over intensive development of the site, leading to a cramped development compared with surrounding plot sizes and wouldn't minimise the loss of trees/hedgerows with a consequential detrimental impact on the visual amenity of the area; and*
- 2) *The proposal fails to secure an appropriate drainage scheme/solution for the site as it relies on the crossing of third-party land outside of the red line boundary which has not been secured by way of a S106 Agreement. In addition there was no mechanism at the time of decision making to secure the developer contributions needed to mitigate the harm.*

20/000006/TPO – A (blanket) group Tree Preservation Order (no. N376) was made in June 2020. Following full inspection only two cherry trees to the site frontage were found to meet the criteria for protection and the Order was confirmed on that basis in December 2020.

PREAPP/00239/19 – Pre-application advice was sought for a scheme of around 20 dwellings. The advice was positive albeit a lower density was suggested.

Adjacent Site

There have been 3 notable applications located on land immediately to the south; known as land at Highfields School. In brief these were for:

- 17/00357/FULM – Residential development comprising 95 houses and associated infrastructure including removal of 26 TPO trees, Refused 15.09.2017. Issues related to impacts (visual and crime/disorder) from MUGA and viability having regard to dis-proportionate development costs and that the development couldn't mitigate the impact it would have upon infrastructure. Appeal Dismissed.
- 16/01134/FULM - Residential development comprising 89 dwellings and associated infrastructure, including the relocation of the school access, car parking area and sports pitches, the provision of a Multi-Use Games Areas (MUGA) and the removal of 8 TPO trees. (Resubmission of 14/01964/FULM). Refused 15/09/2019. Issues related to ecological impacts and viability having regard to dis-proportionate development costs and that the development couldn't mitigate the impact it would have upon infrastructure. Appeal Dismissed.
- 14/01964/FULM - Residential development comprising 91 units and associated infrastructure, including the relocation of the existing school car park and sports pitches, the provision of a MUGA and the removal of 8 TPO trees. Refused 14.07.2015 on grounds that the number of compromises (such as noise from MUGA, privacy, failure to maximise community use, lack of infrastructure including affordable housing) meant it was unsustainable development. Appeal Dismissed.

Land immediately to the east (of the southern part of the site)

- 19/01331/FUL - Proposed development consisting of 3 no. detached dwellings together with associated outbuildings and landscaping. (Resubmission of application 18/01609/FUL). This was approved under delegated powers on 1st April 2020.

The Proposal

Outline planning permission with all matters reserved, except for the means of access, is sought for residential development. The quantum of development now sought is for 10 dwellings.

An indicative block plan has been submitted to demonstrate how this quantum of dwellings might be achieved on site.

The Submission

- Covering letter dated 18th December 2020
- Existing Elevations of Grove Bungalow
- Highway Ownership Extent Plan
- Site Block Plan – drawing no. 1506G/003 Rev G
- Site Block Plan – 1506G-001 Rev H
- Site Location Plan – 1506G-004
- Topographical Survey – Job No. 3394
- Arboricultural Report & Impact Assessment, by AWA Tree Consultants dated January 2020
- Combined Planning and Design & Access Statement, September 2020 (NB. relates to 17 dwellings)
- Ecological Appraisal Report by JJH Consulting, November 2019
- Flood Risk Assessment, Rev A by Dice Consulting Engineers Ltd, November 2019
- Supplementary Bat Report, JJH Consulting Ltd, May 2020
- Photographs of the site
- Amphibian Mitigation Strategy, JJH Consulting Ltd, May 2020
- Proposed Drainage Strategy, Sheet 1 of 1, drawing no. 100334-01-0500-01

Departure/Public Advertisement Procedure

Occupiers of eleven properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

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 6 – Infrastructure for Growth

Spatial Policy 7 - Sustainable Transport

Core Policy 1 – Affordable Housing Provision

Core Policy 3 – Housing Mix, Type and Density

Core Policy 9 -Sustainable Design

Core Policy 10 – Climate Change
Core Policy 12 – Biodiversity and Green Infrastructure
NAP1 - Newark Urban Area

Allocations & Development Management DPD

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM3 – Developer Contributions and Planning Obligations
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2019
- Planning Practice Guidance
- Affordable Housing SPD 2013
- Developer Contributions and Planning Obligations SPD 2013
- District Wide Housing Needs Assessment, by ARC4 December 2020

Consultations

Newark Town Parish Council – Object for reasons as follows:

- 1) Over-intensive;
- 2) 10 dwellings would be detrimental to character of the area and existing properties near the site;
- 3) Would have significant negative impact on amphibian migration route and the mitigation strategy is believed to be inaccurate and insufficient;
- 4) Lack of visual amenity for residents of the new dwellings;
- 5) Unsuitable for this type of development due to drainage issues which haven't been addressed.

NCC Highways Authority – (18.01.21) Based on the plan ref. drawing no. 1506G/001 rev. G, titled: Site Block Plan, dated November 2019, the Highway Authority has no objection to the proposed access detail submitted with this outline application subject to conditions. The conditions would require; 1) details of the internal road layout, including turning facilities, lighting, structures and drainage; 2) provision of an appropriate bound access and 6m radius kerbs, 3) provision of visibility splays, 4) provision of new footway along Barnby Road, 5) provision of pedestrian dropped kerb crossing on Barnby Road and 6) measures to prevent debris from entering the public highway during the construction period.

NCC Lead Local Flood Authority – Whilst they have no concerns in principle to the drainage strategy advanced, they are unable to recommend approval as it relies on crossing third party land outside of the application site and recommend that the LPA withhold the permission until an agreement is reached between the applicant and third-party land owner that allows the drainage strategy to be implemented in perpetuity. They also recommend a condition should an agreement be reached and permission is granted.

Environment Agency – No objection. For added clarity the site lies fully within flood zone 1 and therefore we have no fluvial flood risk concerns. The applicant also confirmed, in the 2019 application and in the 2020 application that foul sewage will be disposed of via the Severn Trent Water mains network. This is also confirmed for this latest application and therefore we have no further comment to make.

NCC Policy/Developer Contributions – Make general comments and set out justification for a Transport and Travel Services Contribution of £13,000 for new bus stops on Barnby Road and confirm no education contribution is being sought. They also comment that archaeological potential is high and that if permission is granted it should be conditional on mitigation which should focus on strip, map and record exercise.

Cadent (Gas) – Previously advised that an assessment has been made and request a note to applicant be included in the event of an approval.

Network Rail – No objection in principle but there are requirements that must be met. They go on to request that an informative is added to any approval which is included in the 'note to applicant' section of this report.

NSDC, Tree Consultant – 'The amended proposal is broadly acceptable. I have some reservations that the proposed pruning back to boundary of vegetation on north and south boundaries is achievable without detriment to these trees and may result in loss of valuable screening. Sympathetic pruning would be the preferred option in these cases. Any reserved matters will need to include robust mitigation soft landscaping options for removals with ample room give in any final layout to allow for full tree development.' Conditions are then recommended to protect the trees which are captured in the recommendation section below.

Natural England – No comments received and previously referred the LPA to Standing Advice.

Nottinghamshire Wildlife Trust – Previously confirmed that their comments of 15/09/20 still stand, that the reports remain up to date and provided the mitigation and site enhancements are secured and implemented there should be no negative impact upon wildlife species.

Trent Valley Internal Drainage Board – Previously advised that the site is outside of the Trent Valley Internal Drainage Board district but within the Board's catchment. There are no Board maintained watercourses in close proximity to the site. Other general observations were made.

NSDC – Parks and Amenities – Previously advised that a commuted sum towards off-site provision/improvement and maintenance will need to be provided. The nearest appropriate site for such provision is Barnby Road Community Park however this site is c500m away along a fairly busy road.

Representations have been received from 3 local households raising the following summarized concerns:

- Development still too intense for the area;
- Not complimentary to surrounding housing development;
- Concern that hedgerows might not be preserved, important for habitat and privacy;
- Concern about flooding and drainage with no form plan in place to deal with water from the development;

- Concern about impact on privacy and overlooking;
- Concern about traffic noise and pollution;
- Barnby Road itself is narrow, in a state of disrepair and large vehicles have to mount the footpaths or verges – fear it would worsen if development goes ahead without improvements
- Concern about the extra traffic;
- Plan doesn't show hedge along northern boundary;
- The Arboricultural Report is inaccurate as it indicates two trees (T42 and T43) are within the development site when they are owned by a third party.
- G41 is more extensive than shown, it would not be acceptable to fence and replant this.
- Object to loss of G41 due to loss of habitat for wildlife if lost and for privacy reasons
- Trees are subject to a preservation order;
- Concerned at impact on wildlife observed on the site boundaries including grass snakes, weasels, bats, toads, frogs and birds;

Comments of the Business Manager

Preliminary Matter

This scheme is based on the same site area and is similar to the two schemes previously considered save for the reduced quantum of proposed development. Members will therefore note that the assessment undertaken below remains largely as previously presented.

The Principle

The Council is able to robustly demonstrate a 5 year housing land supply and the Development Plan is up to date for decision making. In accordance with DM12 and the NPPF, the starting point for decision making is with the statutory Development Plan.

Spatial Policies 1, 2 and NAP1 of the adopted Amended Core Strategy, identify Newark as a Sub Regional Centre where the focus, as a sustainable settlement, is for housing and employment growth.

The site is located within the defined main built up area of Newark as identified on Map 2 of the Allocations and Development Management DPD. In principle therefore, housing development could be appropriate subject to other considerations which I shall discuss below.

The proposal also seeks to demolish the existing bungalow. This was present on site in 1965 according to historic maps and is an attractive bungalow. However I do not consider this to be of such architectural or historical merit that its loss could reasonably be resisted. The principle of its demolition is therefore accepted.

Appropriateness of the Development, including Character, Density and Housing Need & Mix

As all matters except for the means of access are reserved for subsequent approval, consideration is confined to whether in the view of Members, the scheme at this reduced quantum is capable of being developed without detrimental impacts. To aid with this assessment the applicant has provided an indicative layout plan to demonstrate how 10 units could successfully be accommodated on the site.

Below are extracts of the 2 refused schemes and the proposal now before members so that you can appreciate the likely impacts and see how the proposal has evolved.

Indicative Layout for 19 dwellings (Refused)



Indicative Layout for 17 dwellings (Refused)



Proposed Indicative Layout for 10 dwellings



The site is located on Barnby Road with part of the site fronting the highway and the remainder falling behind existing ribbon development that is a main characteristic of the area/suburb. Development in the vicinity is generally low density interspersed with areas of open green space giving it a semi-rural feel and visual appearance.

I am aware that planning permission has been granted (our reference 19/01331/FUL) on land to the east for residential development comprising 3 detached dwellings. I am also aware that 3 applications have been submitted relating to land immediately to the south (land rear of Highfields School) which have been refused and subsequently dismissed on appeal. More detail is contained within the site history section of this report. None of the reasons for refusal related to an 'in principle' concern or one relating to the character and/or appearance of the backland type of development.

As indicatively shown, Plot 1 would be broadly aligned with the neighbouring dwellings fronting Barnby Road which I consider would help retain the ribbon development character and grain, with the other units tucked back into the site. Whilst developing the site would introduce a new type of development character, this need not be fatal and I remain of the view that a carefully designed scheme could be successfully assimilated into the area. The retention of the mature frontage trees helps to retain this rural open feel to the street-scene and on the revised indicative layout more space has been shown around the retained trees.

The quantum of development would now be a maximum of 10 dwellings in an attempt to demonstrate to Members that the scheme is of an appropriate quantum for the site. Core Policy 3 provides that development densities should normally be no lower than 30 dwellings per hectare net. It goes on to say that development densities below this will need to be justified, taking into account individual site circumstances. At c0.65 hectares in area, the density proposed is lower than the 30 dph advocated by the Development Plan. However given the low density of development in the area and its suburban area and character, I consider that this level is acceptable for the context.

The latest drainage strategy now indicates the need for a foul pumping station to the site frontage, behind the trees which are to be retained. No details as to what this would look like have been provided, however I am satisfied that a scheme could be designed to be sensitive to its prominent position within the site which could include additional landscaping to soften its impact. This would be a matter to resolve at reserved matters stage.

The most up-to-date housing need information for Newark is contained within the 2020 HNA by ARC4 and indicates that the greatest need is for 3 bedroom dwellings (30.7%) followed by 4 or more bedroom dwellings (25.5%) followed by two bedroom dwellings (19.5%) with the remainder of the need being for 2 or more bedroom bungalow (7.4%) 3 or more bed bungalows (6.7%), 2 or more bedroom flats (4.9%), 1 bedroom flats (4%) with 1.3% being 'other'.

This outline application is not considering the mix per se, but it is important that an appropriate layout and mix to meet local need could be accommodated. I note the plan for 10 units indicates a mix to comprise 2 x 3 bed units (20%), 6 x 4 bed units and 2 x 5 bed units (80% combined).

Whilst this indicative layout does not align with the newly published housing need, nevertheless I am satisfied a similar layout of a different mix could be capable of achieving a mix to meet the amended local housing need. This will need to be carefully considered at reserved matters stage. The applicant has been made aware of the newly published housing need and doesn't wish to amend the indicative layout given that this is a reserved matter.

Taking all of this into account, I am satisfied that development could be undertaken sensitively with an appropriate mix to meet the housing need in such a way that the character and appearance of the area is not unacceptably affected in line with the requirements of CP3, CP9 and DM5.

Residential Amenity

Safeguarding the residential amenity for both existing and any new dwellings will be paramount in order to comply with policies CP9 and DM5 of the Development Plan. Given that the layout and appearance are reserved, this is a matter best considered in detail at reserved matters stage.

Grove Cottages to the east have windows facing the application site at first floor level and are located relatively close to the boundary. Any development to the west of these would need to be carefully designed in order to safeguard against loss of privacy and overlooking issues. The indicative layout does however suggest that a scheme is capable of being achieved that would avoid unacceptable impacts on these dwellings. Given the distance between the remainder of the site and the existing dwellings on Barnby Road, which have generous sized gardens, I am satisfied that a scheme could be achieved that adequately respects the living conditions and privacy of existing dwellings.

Given the proximity of the railway line, consideration would need to be given to managing noise levels. As such I would expect a reserved matters application to be accompanied by a noise assessment and mitigation scheme. I would expect this would likely comprise any identified mitigation by way of the types of glazing to be used in windows for plots nearest to the railway line. This can be controlled by condition.

Highway Impacts

Policy DM5 requires that provision should be made for safe and inclusive access to new development whilst Spatial Policy 7 encourages proposals which place an emphasis on non-car modes as a means of access to services and facilities.

Part of Barnby Road has an 'advisory' 20mph limit due to its proximity of Barnby Road Primary School, however, these are not legally enforceable. This section of Barnby Road is restricted to 30mph. The proposal seeks to take access from the eastern side of the frontage and would provide access and egress for all 17 units. Appropriate visibility splays at the access point have now been demonstrated such that vehicles emerging could do so safely.

NCC Highways Authority in their response have raised some issues with the internal road layout in that vehicle tracking information would need to be submitted as well as internal footways. As the layout is not for formal consideration however, these are matters that can be resolved at reserved matters stage. NCC Highways raise no objections to the proposed new access to the site subject to conditions which are included within the recommendation section albeit some have been amended for clarity and to ensure they pass the tests of the NPPF.

Parking is a matter best considered at reserved matters stage but it is anticipated that the off-street parking quantum is capable of being met on site without risk of leading to on-street parking elsewhere.

The comments by residents of the proximity to bus stops and indeed the requirement of SP7 to minimise the need to travel and to enhance local services and facilities are noted. In order to serve the development hereby proposed (and indeed better the provision for the wider community) NCC previously requested a developer contribution towards bus stop infrastructure on Barnby Road. The requested £13,000 would go towards provision of new bus stops for both Newark and Lincoln bound routes. I consider this request to be reasonable and it would assist with compliance with SP7 in terms of mitigation and in terms of sustainability.

There are no reasons to resist the application on highway safety grounds.

Flooding and Drainage

Core Policy 9 requires developments to be pro-actively manage surface water and Policy DM5 builds upon this requiring developments to include, where possible, appropriate surface water treatments in highway designs and Sustainable Drainage Systems.

The site lies within Flood Zone 1 (at lowest risk of flooding) according to the EA Flood Maps albeit is in an area identified as being prone to surface water flooding.

The application has been accompanied by Flood Risk Assessment and Drainage Strategy to show how both surface water would be managed and foul sewage would be disposed of given the lack of public sewers along Barnby Road and the failure of infiltration testing to sufficiently drain surface water away.

The strategy proposes a foul pumping station to the site frontage (indicatively located behind the existing frontage trees (which are to be retained and are now protected) which would pump waste south to a public sewer on London Road in Balderton via the Highfields School site referred to in the site history section of this report.

The surface water drainage strategy comprises a system of surface water sewers (tanks are indicatively shown under the gardens of plots to the west of the site) that will collect run off from the developable area, drain into an existing pond to the west as well as permeable paving below parking areas and some of the un-adopted private driveways. The scheme has been designed so as not to increase flood risk elsewhere.

Members may note that as with both previous schemes NCC LLFA have raised concern that there is currently no viable means of draining surface water from the site. This is because the drainage strategy relies on land not within the application site nor within land currently within the applicant's control. Officers have been advised by the LLFA that if this were resolved, there would be no reason to object to the drainage strategy otherwise.

The applicant has been in negotiations with the relevant third party land owners to secure this drainage route and there appears to be an informal agreement in principle/progress on this matter. The agent has confirmed they have absolute confidence this agreement can be secured but that solicitors won't be instructed until there is a resolution to grant. This is a matter that can be dealt with through an appropriate s106 legal agreement (thus within the Council's control) which the third party land owners would need to enter into requiring the drainage strategy to be undertaken before any development takes place on site. This would need to be in place before any planning permission is granted.

If the relevant land owners/parties do not join in to the agreement within a reasonable timeframe (I would suggest a long stop date of four months from the date of committee) the application should be refused on the grounds that the scheme is unable to provide satisfactory surface water drainage scheme. This is included within the recommendation to you, set out below.

It is worthwhile noting that the drainage route across the third party land would require an easement over which no built development could take place. However no planning permission currently exists on this land (see the site history section of this report - planning permission has been refused and dismissed on appeal for major housing schemes on land at Highfields School) and the land owners are aware of this so as not to blight any future plans for the site.

The drainage strategy would require its ongoing maintenance to be put into the control of an appropriate management company which can be secured by s106 agreement. Subject to a reserved matters approval being developed in accordance with the strategy, which can be secured by the s106 agreement, I am satisfied that the proposal would accord with the policy requirements. It should also be noted that the Environment Agency raise no objection to the proposal.

Impacts on Trees and Landscaping

The starting point for development is that trees and features such as hedgerows should be retained where possible as set out in CP12 and DM5.

There are a number of trees and hedgerows within the site. As such an Arboricultural Report and Impact Assessment has been submitted in support of the application. This identifies 40 trees and 8 groups of trees and hedges as being present on site. The majority of these trees are graded as C quality (low to average), 2 are U graded (poor trees) and 9 are B graded (good quality and life expectancy). The most significant trees are two early mature Cherry trees (T4 and T5) located at the site frontage which are B graded and now protected by preservation order. These are shown to be retained on the indicative layout plan which is welcomed. The other good quality trees are all located around the periphery of the site and are indicated as being retained.

A number of trees (C and U graded) mainly to the rear of the existing outbuildings would likely need to be removed to facilitate the development shown. It is possible that a less intense development could see more of the trees retained albeit some of the C graded trees will ultimately not be worthy of on-going protection. The blanket Tree Preservation Order that was initially made to protect the trees pending assessment by our independent tree consultant has now been amended to include only the trees to the site frontage. However this is not to say that other trees will be not be retained; indeed it appears to be the applicant's intention to retain the majority of the trees.

The Council's tree consultant has raised no objection subject to conditions.

Having considered the outline nature of the scheme and the indicative layout, notwithstanding that there are some reservations regarding the level of pruning along the boundaries (a matter which can be dealt with by the reserved matters application), I consider that a layout similar to that presented would be acceptable in terms of the impact on trees. It would be necessary to require mitigation and compensation for lost trees with replacement planting which could be secured via a condition at reserved matters stage.

Ecological Impacts

The site itself has the potential to provide habitat for wildlife and as such the application was supported by an Ecological Appraisal and further surveys and strategies have been provided upon request. These remain up to date.

CP12 (Biodiversity and Green Infrastructure) seeks to conserve and enhance biodiversity whilst Policy DM7 specifies that: "On sites of regional or local importance, including previously developed land of biodiversity value, sites supporting priority habitats or contributing to ecological networks, or sites supporting priority species, planning permission will only be granted where it can be demonstrated that the need for the development outweighs the need to safeguard the nature conservation value of the site. All development proposals affecting the above sites should be supported by an up-to date ecological assessment, involving a habitat survey and a survey for protected species and priority species listed in the UKBAP."

The scheme has been assessed against Natural England's Standing Advice.

Amphibians

Common toads are recognised as being of principal importance for consideration and biodiversity under the relevant legislation and are listed as a priority species in the UK Biodiversity Action Plan, which is material for planning decisions.

A common toad migratory route and toad patrol access is located c400m to the north-west of the site. A further migratory route to Balderton Lake is located 900m to the south-west. Therefore upon request, an amphibian mitigation strategy has been submitted which seeks to mitigate any impacts upon local populations of amphibians.

The submitted mitigation strategy sets out that ground clearance would need to be undertaken at a suitable time of the year (either early spring/late autumn or during winter) to decrease the likelihood of amphibians being present on site. If clearance is undertaken in active season, this would be undertaken east to west to direct toads towards suitable habitat. A number of precautions are also recommended. The mitigation strategy is acceptable (NWT have raised no objection to this) and provided the development proceeded in accordance with it, I am satisfied that adequate mitigation would have been employed. This can be subject of a condition.

Bats

The ecological appraisal undertaken in 2019 identified potential for bats to utilise the site and a need for further surveys during the bat season. This has resulted in a delay to the consideration of this application in order that the appropriate surveys be carried out.

Nocturnal bat surveys have been undertaken in May 2020 and no bats were observed entering or leaving the existing building on site and bat activity within the vicinity of the site was low, with two bats observed foraging in an adjacent garden during the emergence survey and only one bat noted as being in the vicinity during the dawn survey. The findings therefore suggest that bats should not be a constraint to the development. However demolition would need to proceed with caution and any delays of longer than 12 months would require a repeat survey given the transient nature of bats. I am satisfied that this could be controlled and suitably mitigated with an appropriately worded condition. Other mitigation in the form of retaining trees along the periphery of the site is recommended and low level lighting should be employed to prevent any unnecessary light spill on adjacent habitats.

Badgers and Reptiles

No evidence of badgers or reptiles on the site was found and there is a lack of suitable areas and habitat for badger sett creation or habitat suitable for reptiles in the area. No mitigation is therefore necessary.

Breeding Birds

Existing hedgerows, trees and scrub on site offer resources for breeding birds which would have a minor negative impact but mitigation in the form of avoiding clearance during breeding season would afford some protection.

Great Crested Newts

Some habitat suitable for GCN was noted within the site albeit no breeding ponds are present and its isolation from potential breeding sites by roads were considered a barrier to movement. The ballast pit 200m from the site is unlikely to be suitable for GCN and no mitigation is considered necessary.

Ecological Enhancements

In line with the requirements of the Development Plan and the NPPF, consideration of how the scheme would contribute towards habitat creation and improvement has been considered.

The ecologist recommends that grassland areas within the development should be seeded using a species rich meadow or neutral grassland seed mix in preference to a species poor amenity grassland seed.

Existing unmanaged hedgerows could be managed and enhanced by being gapped up using native species that provide fruit and nectar sources for birds, small mammals and insects. Suggested species include holly, hazel *Corylus avellana*, field maple *Acer campestre* and elder. This planting will improve the diversity and structure of the hedgerow. In addition, the hedgerow could be extended along the rest of the southern site boundary and along the western boundary both of which are currently delineated by a wire fence. This would improve the wildlife corridor across the site and buffer the site from the grassland to the south and west. Other recommendations were also suggested are best considered at reserved matters stage.

It is noted that NWT raise no objection to the scheme now that the additional mitigation strategy for amphibians has been received. Subject to a number of conditions to safeguard the ecological interest of the site and to secure enhancements, I consider that the scheme is acceptable and complies with the Development Plan.

Developer Contributions

Spatial Policy 6 and Policy DM3 set out the approach for delivering the infrastructure necessary to support growth. They states that infrastructure will be provided through a combination of the Community Infrastructure Levy, developer contributions and planning obligations and where appropriate funding assistance from the District Council. It is critical that the detailed infrastructure needs arising from development proposals are identified and that an appropriate level of provision is provided in response to this. The Developer Contributions and Planning Obligations SPD provides the methodology for the delivery of appropriate infrastructure.

Contributions required by this development are set out below. For the avoidance of doubt the applicant has agreed to these being secured through a section 106 agreement.

Affordable Housing

No affordable housing is required for a scheme of 10 units; Core Policy 1 is clear that the requirement relates to schemes of 11 or more dwellings.

Public Open Space (Provision for children and young people)

Applicable to scheme of ten or more dwellings, this application would ordinarily need to make provision for on-site public open space at 18m² per dwelling as set out in the Developer Contributions SPD. However I would not expect this to be provided on site given its modest size and instead would expect that a financial contribution should be provided in lieu of this which would be spent to upgrade the existing parks in the area. This is based on £927.26 per dwelling based on 2016 indexation (which would need to be uplifted).

Community Facilities

Community facilities are defined as including Community Halls, Village Halls, Indoor areas for sport, physical activity, leisure and cultural activity and Halls related to places of worship. The Council's SPD provides where existing infrastructure exists or where small scale developments do not warrant new infrastructure, a contribution may be appropriate to support the existing infrastructure such as a village or community hall or other community asset. It goes on to say that 'it is further recognised that some community facilities are not fulfilling their potential to meet the needs of residents and thus may appear to be underused. In such circumstances qualitative improvements to such facilities would increase their ability to make a positive contribution to meeting the needs of the community.'

The site itself is too small to provide community facilities on it and therefore any additional pressure upon community facilities that this scheme would place upon the community should be met off-site by way of a financial contribution. This contribution is triggered at 10 units or more and therefore a financial contribution toward community facilities which is based on £1,384.07 (figure from SPD but indexed at 2016) per dwelling is sought.

Primary Education

The Developer Contributions and Planning Obligations SPD indicates that development of 10 or more dwellings which generate a need for additional primary school places will be secured via a legal agreement. The number of primary places required is based on a formula of no. of dwellings x 0.21 to establish the number of child places required. The Local Education Authority have confirmed there is existing capacity available to accommodate occupiers of the dwellings and therefore no education contribution is necessary. In terms of secondary education, the development would be covered under CIL regulations.

Other Matters

NCC have now advised that the site has a high archaeological potential and say that the RCHME identified the Line of Circumvallation as running through the site in their volume on the Civil War siegeworks of Newark. There has been limited opportunities of identifying this earthwork, which would probably be of national significance once firmly located. The County Council strongly recommend that if planning permission is granted this should be conditional upon a scheme of archaeological mitigation which is captured within the conditions set out below.

Planning Balance and Conclusions

The site lies within the defined built up part of Newark, where the principle of residential development is acceptable in accordance with the spatial strategy.

I have concluded that the quantum of up to 10 dwellings could be accommodated on site without unacceptable harm to the character, appearance or density of the area and that this could be achieved whilst retaining the best quality trees. The ecological value of the site, with appropriate mitigation strategies in place secured by conditions, would be safeguarded and enhanced overall.

The applicant has demonstrated there is a safe means of vehicular access from Barnby Road with appropriate visibility splays and subject to relevant parties entering into a s106 agreement an acceptable means of draining the site for both surface water and foul sewage can be achieved.

I am also satisfied that an appropriate housing mix could be secured and that the pressure on infrastructure (such as bus services, community facilities etc) from the development could be mitigated by developer contributions to enhance existing local facilities. The living conditions of existing residents could be safeguarded with a carefully designed scheme advanced at reserved matters stage.

RECOMMENDATIONS

That outline planning permission is approved subject to:

- a) the conditions and reasons shown below; and**
- b) the completion of a section 106 legal agreement within 4 months of the date of this Planning Committee (failure to do so would result in a refusal on the grounds that the scheme fails to secure an appropriate drainage scheme and developer contributions):**

Summary of Matters to be secured via a s.106 Agreement	
Bus Stop Infrastructure	£13,000 for 2 new bus stops on Barnby Road
Community Facilities	£1,384.07 per dwelling (£13,840.70)
Children’s Play Space	£927.26 per dwelling (£9272.60)
SUDS/drainage features	To be maintained for the lifetime of the development and that drainage strategy be implemented on third party land (with relevant land owners joining in) prior to any other development being carried out on the site
Monitoring contributions for all contributions will also be sought along with appropriate standard triggers for all	As per SPD

Conditions

01

Application for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

02

Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

03

No development shall be commenced until a scheme for archaeological mitigation has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out by a qualified archaeologist or archaeological body approved by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, within 3 months of completion of the excavation works, a summary report shall be submitted to The Local Planning Authority and the results of the 'Watching Brief' shall also be made available for inclusion in the archive of information of Nottinghamshire County Council's 'Sites and Monuments Record'.

Reason: To ensure that satisfactory account is taken of the high potential archaeological interest of the site.

04

Any reserved matters application pursuant to this outline consent shall either be accompanied by a new Arboricultural Impact Assessment or be made in accordance with the Arboricultural Impact Assessment by AWA Tree Consultants (dated November 2019) and in either case shall be accompanied by an Arboricultural Method Statement (AMS) which shall include:

- a. A plan showing details and positions of the ground protection areas.
- b. Details and position of protection barriers.
- c. Details and position of underground service/drainage runs/soakaways and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
- d. Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing).
- e. Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. Details of working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. Details of any scaffolding erection and associated ground protection within the root protection areas
- h. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

All works/development shall be thereafter be carried out in full accordance with the approved AMS.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

05

The following activities must not be carried out under any circumstances.

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.
- b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
- c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
- e. No soak-aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

06

No site clearance, hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to end of August inclusive).

Reason: To ensure that adequate provision is made for the protection of nesting birds on site.

07

The development shall proceed in full accordance with the Amphibian Mitigation Strategy dated May 2020 by JJH Consulting Ltd.

Reason: In order to afford adequate protection to amphibians.

08

Unless the bungalow is demolished before 18th May 2021, no demolition shall take place until repeat bat surveys are undertaken by a suitably qualified ecologist or organization and details of the findings and any required mitigation strategy have been submitted to and approved in writing by the Local Planning Authority. The demolition shall thereafter be undertaken in line with the agreed mitigation scheme.

Reason: In line with the recommendations of the Supplementary Bat Report undertaken by JJH Consulting Ltd in the interests of protecting bats that could be present on site.

09

Prior to first occupation of any dwelling hereby approved, a Habitat Creation and Enhancement Scheme (HCES) shall be submitted to and approved in writing by the Local Planning Authority. This scheme should build upon the ecological and arboricultural reports submitted with the outline

permission and shall contain details of long term management plus a timetable for implementation. The approved HCES shall be implemented on site in accordance with an agreed timetable and retained for the lifetime of the development.

Reason: In the interests of maintaining and enhancing biodiversity.

010

Prior to first occupation of any dwelling hereby approved, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution for nocturnal wildlife and amenity such as low level lighting. The approved external lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual and residential amenity and nocturnal wildlife such as bats.

011

Prior to commencement of any development, the formal written approval of the Local Planning Authority is required with regard to road layout, parking and turning facilities, street lighting, structures, and drainage (hereinafter referred to as reserved matters). All details submitted to the Local Planning Authority for approval shall comply with the County Council's current Highway Design and Parking Guides and shall be implemented as approved.

Reason: To ensure the development is constructed to adoptable standards.

012

No part of the development hereby permitted shall be brought into use until the access to the site show on drawing no. 1506G/001 rev. D, titled: Site Block Plan, dated November 2019 has been completed and surfaced in a bound material for a minimum distance of 5 metres behind the highway boundary with 6.0m radius kerbs on both sides of the access.

Reason: To enable vehicles to enter and leave the public highway in a slow and controlled manner and in the interests of general highway safety.

013

No part of the development hereby permitted shall be brought into use until the new footway fronting the site along Barnby Road has been designed and installed along the whole width of the site's frontage, to the width of the area from the back of the carriageway to the site's boundary, with no planting permitted in this area in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interest of pedestrian and general highway safety.

014

No part of the development hereby permitted shall be brought into use until a new pedestrian dropped kerb crossing has been provided on Barnby Road, as shown for indicative purpose only on drawing no. 1506G/001 rev. D, titled: Site Block Plan, dated November 2019, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of pedestrian safety and to promote sustainable travel.

015

No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6m in height.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.

016

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Dice Flood Risk Assessment (FRA) ref 100334/LD/November-19/01 Rev A and Drainage Strategy dwg. Ref 100334_01_0500_01, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753. (note at present the proposals do not demonstrate this requirement)
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

017

The submission of any reserved matters application pursuant to this outline consent shall be accompanied by an up to date Noise Assessment to be undertaken by a suitably qualified person or company. This shall include background noise modelling data where appropriate and where necessary, a Noise Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority which considers noise arising from the railway in close proximity to the site and how this can be mitigated for the proposed occupiers of the dwellings hereby approved. The approved scheme shall be implemented on site prior to first occupation of any dwelling subject of the reserved matters application.

Reason: To ensure that noise levels, specifically from the railway line and level crossing are appropriately mitigated and that the mitigation measures are implemented in a timely manner in the interests of residential amenity.

Notes to Applicant

01

This application should be read in conjunction with the section 106 legal agreement which secures a range of contributions to mitigate the impacts of the development.

02

Network Rail advice of the following:

Barnby Level Crossing

The site entrance will be in proximity to Barnby Level Crossing which has in excess of 250 trains a day crossing through, many at high speed (125mph). The Signaller at the location from where the crossing is controlled has an obligation to initiate the Barrier Lowering Sequence in sufficient time (at least three minutes) ahead of the arrival of a train at the crossing without compromising its punctuality at maximum operating line speed.

The safety of railway level crossings and of all crossing users is of paramount importance to us. We would ask that level crossing safety leaflets are included in information/welcome packs provided to the new homeowners at the site. These can be provided by ourselves upon request from the developer. Alternatively, information is available online at <http://lxresource.co.uk/campaigns/distraction-campaign>.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. In particular, during construction work, the crossing must remain clear and unobstructed at all times to ensure crossing users can enter and leave the crossing area safely. Vehicles associated with works must not be parked in a way that obstructs the crossing approaches or warning signage/lights at any time.

03

Cadent Gas advise the following in relation to Low and Medium Pressure Assets. You may be contacted separately by our engineers regarding High/Intermediate Pressure Pipelines.

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

04

The applicant is reminded that bats are protected species and this means a criminal offence would be committed if anyone:

- Deliberately takes, injure or kill a wild bat
- Intentionally or recklessly disturbs a bat in its roost or deliberately disturb a group of bats.
- Damages or destroys a place used by bats for breeding or resting (roosts) (even if bats are not occupying the roost at the time)
- Possesses or advertises/sells/exchanges a bat of a species found in the wild in the EU (dead or alive) or any part of a bat.
- Intentionally or recklessly obstructs access to a bat roost.

05

Nottinghamshire County Council Highways Authority wish to make the applicant aware of the following:

Reference to other documents

Reference in any condition contained in this permission to any Statute, Statutory Instrument, Order, Regulation, Design Guide or other document shall be taken to include any amendment, replacement consolidation or variation that shall from time to time be in force and any reference to anybody or organisation (public or private) shall be taken to include any successor-body or organisation exercising relevant functions in place of or alongside the body named.

Works in the highway / Section 278 Agreement (Highways Act 1980)

In order to carry out the off-site works required the applicant will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which the applicant has no control. In order to undertake the works the applicant will need to enter into an agreement under Section 278 or obtain appropriate licence to carry out any works in the highway. Please call 0300 500 8080 to enquire about installation/amendments to vehicular access.

Building Works shall not project over the highway

No part of the proposed building/wall or its foundations, fixtures and fittings shall project forward of the highway boundary.

Prevention of Mud on the Highway

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such the applicant should undertake every effort to prevent it occurring.

Network Co-Ordination

The applicant must contact Nottinghamshire County Council as the Highway Authority on 0300 500 8080 for road space approval prior to any works commencing.

Private street information

As a private street, the Advance Payments Code (APC) under the Highways Act 1980 will apply unless an exemption is made. To be exempt the following conditions should be met:

- The deposit of a map with the Highway Authority under Section 31 (6) of the Highways Act 1980 identifying the roads which are to remain private.
- The erection and maintenance of a road sign(s) indicating that the road is private.
- The provision of evidence that potential purchasers of the dwellings have been/will be made aware of the unadopted status of the road and what this will mean to them in practice;
- The provision of evidence that future maintenance of the road has been secured. For example, a unilateral undertaking under Section 106 of the Town and Country Planning Act to set up a maintenance company; the boundary between the private road and the publicly-maintained highway should be clearly marked by a concrete edging, boundary posts or similar.

Please seek further information in Nottinghamshire Highway Design Guide available online on <https://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide> - For the APC procedure, please see Part: Adopting new roads and the advance payment code section. - For Section 278 works, please see Part 6: Working on existing highways – Section 278 and Section 184 procedures. - For the highway design, please see Part 3: Design Guidance.

06

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

07

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. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

BACKGROUND PAPERS

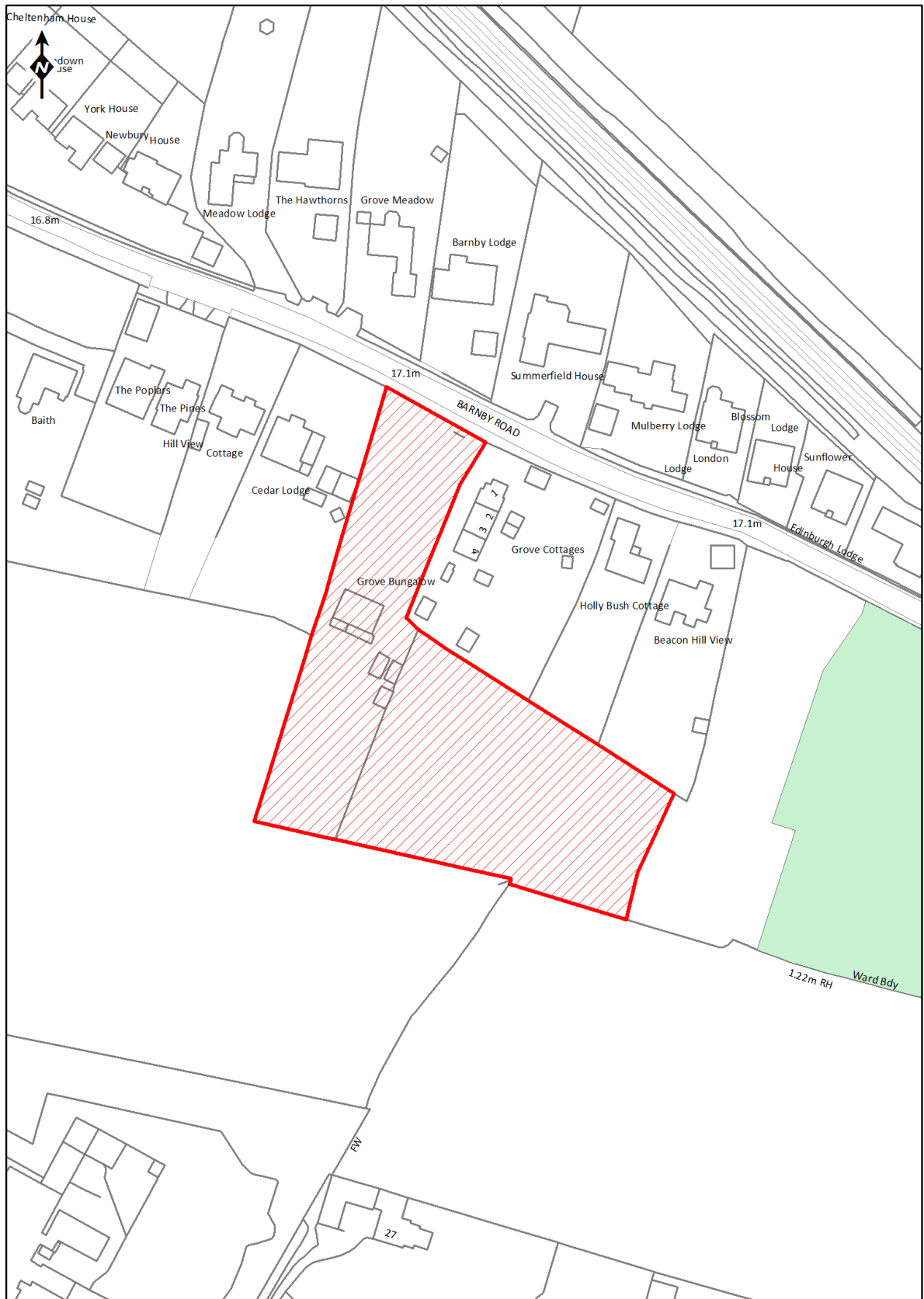
Application case file.

For further information, please contact Clare Walker on ext 5834.

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 - 20/02499/OUTM



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PLANNING COMMITTEE – 5 OCTOBER 2021

Application No:	20/02498/FUL		
Proposal:	Change of use and internal and external alterations to warehouse to new business hub, co-working office space and cafe (Classes E(b) and E (c)(ii)).		
Location:	Warehouse, The Wharf, Newark On Trent		
Applicant:	Cartledge		
Agent:	Benoy		
Registered:	15 March 2021	Target Date: 10 May 2021	Extension of Time Agreed to 08 October 2021
Link To Website:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QLJAQMLBL0900		

The application is before the Planning Committee for consideration as it would involve a departure from the statutory development plan, by virtue of permitting main town centre uses that could be accommodated within Newark Town Centre in an 'edge-of-centre' location.

The Site

The application relates to a vacant historic warehouse and associated buildings located on the north side of Dobsons Quay, which connects The Wharf to Bar Gate, within the main built up urban area of Newark and its defined Conservation Area. The original building features red brick facades, cornice brick detailing, recesses and a pitched pantile roof. The frontage has a uniform appearance with squared double-height recesses and round-headed arched windows and an off-centre large cart door opening. With reference to the Council's 'Non-Designated Heritage Asset Selection Criteria', the building is an industrial building that has historic and architectural interest and significant due to its association and representativeness of the Town Wharf development and association with the Handley family.

To the north/rear of the site is Handley House, which is a prominent Grade II Listed Building. Handley House is a large house dating from the late-17th century and early-18th century with red brick and hipped slate roof. The house is significant due to its association with the Handley family who were prominent figures in the growth of Newark's brewing industry in the late-18th and 19th century. Whilst the application site/warehouse is historically associated with Handley House, it was in separate ownership at the time of listing, so is not considered to be curtilage listed but part of the wider setting of the listed house. 1a Town Wharf is immediately adjacent to the site and is a Grade II Listed Building.

Relevant Planning History

None relevant.

The Proposal

The application seeks planning permission for change of use to a café and offices with associated WC and kitchen facilities, social areas and external courtyard. The vacant historic warehouse is proposed to house a 10ft shipping container fitted out to a café with mezzanine seating above and an additional associated seating area opposite the container. A glazed entrance would be installed to the rear of the historic warehouse to form secure access to the proposed office space, which would operate as a shared coworking space¹. A new platform lift, raised floor and steps would be installed to improve access between the adjoining spaces and an accessible WC installed within the proposed café area.

The proposed external alterations are described in detail in the submitted Heritage Statement and would include the following:

- Repointing damaged brickwork
- Refurbishment/replacement of windows and doors
- Replacement of damaged roofs
- Erection of new infill wall to west elevation, installation of new roof and rooflights
- Installation of timber decking

Departure/Public Advertisement Procedure

Occupiers of 31 properties have been individually notified by letter. Two site notices have also been displayed near to the site and adverts placed in the local press (first to advertise the application and second to advertise the departure).

Planning Policy Framework

The Development Plan

Newark and Sherwood 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 8 – Retail & Town Centres
Core Policy 9 – Sustainable Design
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 14 – Historic Environment
Newark Area Policy 1 – Newark Urban Area (NAP1)

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 DM9 – Protecting and Enhancing the Historic Environment

¹ <https://drop-desk.com/what-is-coworking>

Policy DM11 – Retail and Town Centre Uses

Policy DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021

Planning Practice Guidance

Town and Country Planning (User Classes) Order 1987, as amended.

Town and Country Planning (General Permitted Development) (England) Order 2015, as amended

Consultations

Newark Town Council – NOT TO OBJECT to this application subject to a thorough Bat Survey being undertaken and provided that suitable mitigation was put in place regarding parking.

Newark Business Club – Support

Nottinghamshire Wildlife Trust The following facts from the report need to be addressed further prior to the works commencing. As a bat roost was confirmed within the building, it is necessary to obtain European Protected Species Licence from Natural England and further nocturnal bat surveys need to be completed. The bat report (RammSanderson, October 2020) gives further guidance on completing these requirements and we fully support the need for this action.

Environment Agency – No fluvial flood risk concerns

Nottinghamshire Lead Local Flood Authority – recommended note to applicant regarding surface water drainage.

NSDC Conservation – In summary, the proposal would involve works which would improve the condition of the building and reinstate traditional sympathetic features and materials. This will be an enhancement to the character and appearance of the Conservation Area and to the significance of the NDHA (par.192 of NPPF and policy DM9 & CP14). There are a few modern additions and alterations, but these have been designed to reflect the industrial character of the building and its setting. These modern additions will still conserve the overall significance of the designated and non-designated heritage assets. We are supportive of the proposal from a conservation perspective. For any consent granted, a number of conditions are suggested.

Economic Development – No objection, do not consider proposal will affect the Town Investment Plan

Environmental Health – Support, recommended note to applicant regarding food business registration

Environmental Services – Contaminated Land – recommend note to applicant regarding potential contamination.

One local resident has commented in objection citing concerns regarding loss of amenity and privacy from

- Overlooking from upper ground floor window, terrace and glazed

- Noise and disturbance from café and/or business hub

They have also queried the repainting of the 'Maltby's' sign, which is proposed to be refurbished as part of the scheme.

Comments of the Business Manager

Principle of development

The National Planning Policy Framework sets out a core planning principle that in decision-taking, Local Planning Authorities should encourage the effective use of land by re-using land that has been previously developed, provided that it is not of high environmental value.

The application site is located in Newark Urban Area, which is the Sub-Regional Centre for the District, as defined under Spatial Policy 1 of the Amended Core Strategy (adopted 2019). Newark Urban Area functions as the focus for residential, commercial and leisure activity within the District.

Impact on Newark Town Centre

Both the proposed office and café uses are classed as a main town centre uses. In accordance with the NPPF, a sequential test should be applied to applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. The focus of main town centre uses is firstly they are to be located in town centres, then in edge of centre locations and only if sites are not available should out of centre sites be considered. The sequential test evaluates available sites with this priority order.

The application site lies just outside (30 metres from) the boundary of Newark Town Centre, which runs along the opposite side of Bar Gate, and, as such, is considered to constitute an 'edge-of-centre' location as defined in the NPPF. Based on a recent survey of vacant units within Newark Town Centre by the Council, it is unlikely the proposal would pass the sequential test, as there are units that could accommodate both uses together or separately within Newark Town Centre. The proposal therefore constitutes a departure from this policy.

Notwithstanding, there are locational factors that weigh in favour of supporting the proposed development. The proposal would provide coworking office space, which is becoming increasingly popular with freelancers, remote workers and small businesses/enterprises, as it is a flexible, low-cost alternative to working from home or leasing traditional office space. It is therefore vital that such office space is in a location that can be commuted to/from easily. Not only is the site within a short walking distance from Newark Town Centre, but it is also a 5-minute walk from Newark Castle Railway Station and a 7-minute walk from Newark Bus Station. It is also close to the A1 corridor, with pay and display parking available along The Wharf and Riverside. It would therefore be highly accessible to those who wish to work remotely or within a coworking space and contribute positively to the diversity of uses within and around Newark Town Centre. It is also close to restaurants, cafes and food stores, some of which are located within Newark Town Centre, so the development would still, albeit indirectly, support the vitality and vibrancy of Newark Town Centre. Finally, the proposal would bring an empty historic building back into use, providing environmental enhancement for public benefit whilst also preserving an important part of Newark's industrial heritage.

Impact on character and appearance of the Conservation Area

Core Policy 14 'Historic Environment' of the Newark and Sherwood Core Strategy DPD (adopted March 2019) requires the continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, in line with their identified significance; and the preservation and enhancement of the special character of Conservation Areas including that character identified through Conservation Area Character Appraisals which form the basis for their management.

In accordance with Core Policy 14, development proposals should take account of the distinctive character and setting of individual conservation areas including open space and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing (Policy DM9 'Protecting of the Historic Environment' of the Allocations & Development Management DPD). Development proposals for development affecting or within the curtilage of listed buildings will be required to demonstrate that the proposal is compatible with the fabric and setting of the building (Policy DM9').

The application property is located within Newark Conservation Area and the setting of Handley House, which is a prominent Grade II listed building. Consequently, special regard should be given to the desirability of preserving or enhancing the character or appearance of that area in accordance with the duty contained within Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Additionally, development which affects a listed building or its setting, preserving the building or its setting or any features of special architectural or historic interest which it possesses should be undertaken in accordance with the duty contained within Section 66(1) of the 1990 Act.

The application is supported by a Heritage Statement. The Council's Conservation Officer has considered the application and raised no objections to the proposed change of use on the basis that it would improve the condition of the building and reinstate traditional sympathetic features and materials. Subject to the recommended conditions, the proposal would therefore accord with the aforementioned policy framework.

Impact on residential amenity

Policy DM5 of the Allocations & Development Management DPD requires development proposals to have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact.

The application property is located within a mixed area, with the nearest residential properties located to the north at Brewer's Wharf.

One local resident has raised concerns regarding loss of amenity and privacy from potential overlooking and noise and disturbance from the proposed uses.

The applicant's architect has provided additional information on the management, monitoring and security of the premises, including a full time employee being on site during opening and access control system for the proposed offices. The rear courtyard would be accessible to office users only and provide external space for comfort breaks, so would not be in use for prolonged periods. This equally applies to the associated terrace, which would essentially be a refurbished version of the the existing platform and steps that provide access to the rear courtyard. Existing vegetation along the boundary is proposed to be retained and planters added for additional screening.

Regarding potential overlooking from the west elevation window (shown on drawing no. MA 21 AL02 A). This window is currently boarded up with timber sheet and does not form part of the proposal i.e. there is no proposed change of use of this area. The applicant's architect has indicated that they may infill the window with brickwork to match existing, recessed visually to maintain the original form, which would be acceptable.

The proposal will therefore have no detrimental impact on the amenity of surrounding land uses, including residential properties.

Impact on highway safety and parking

Spatial Policy 7 requires development proposals to provide appropriate and effective parking provision in line with Highway Authority best practice and ensure that vehicular traffic generated does not create new, or exacerbate existing on street parking problems, nor materially increase other traffic problems.

No additional parking is proposed as part of the proposed development. However, as stated above, pay and display parking is available along The Wharf and Riverside. In addition, the site is sustainably located within walking distance of Newark Town Centre and its bus and railway stations. It is therefore considered the proposal would not have detrimental impact on highway safety and capacity.

Impact on ecology

Core Policy 12 of the Amended Core Strategy DPD seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the Allocations & Development Management DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

During the application process, bat surveys were requested, to ensure adequate consideration of whether the proposed development is likely to affect bats, who are a protected species.

RammSanderson Ecology undertook a Bat Building Assessment in October 2020. Due to the late stage in the bat activity season in which the works were instructed, RammSanderson were only able to complete one nocturnal emergence survey and, therefore, advised that two further surveys would be required during the 2021 activity season to determine use of the site by bats. Further bat activity surveys were carried out in June and July 2021, and confirmed the presence of a possible bat roost and one common pipistrelle within and around the large modern steel framed structure forming the north boundary of the application site. This building does not form part of the proposal and, as such, the report details the development would not result in negative impacts to bats or result in destruction or disturbance of the roost location identified during the surveys. A protected species licence is therefore not required to undertake the works.

Notwithstanding the above, the report acknowledges that the brick buildings on site contain suitable roosting opportunities, which may be lost as a result of the works. Consequently, the report recommends the provision of two bat boxes and three bird boxes as compensation/mitigation. It is therefore considered appropriate to impose a condition on an approved application requiring details of any compensation/mitigation measures to be agreed with the Local Planning Authority prior to their installation. Therefore, subject to appropriately worded conditions, the proposed development is considered to meet the relevant provisions of Core Policy 12 and Policy DM5 of the DPD.

Other matters

Finally, the proposal indicates the existing 'Maltby's' sign to the west elevation would be repainted, which one local resident has queried, as it would not relate to the proposed change of use. The July 2021 update to the NPPF introduces a new paragraph (198) on historic statues, plaques, memorials and monuments, which states, when considering any application to remove or alter such features, local planning authorities should have regard to the importance of the retention in situ, where appropriate. The restoration of the existing sign would serve to acknowledge the historic use of the building and would enhance the building's character, which would remain distinctly industrial, despite the proposed change of use.

Conclusion

The proposed change of use is considered acceptable and would support economic growth in Newark, in accordance with Spatial Policy 1 of the Amended Core Strategy DPD. The proposal would preserve the special architectural and historic interest of nearby listed buildings and the character and appearance of Newark Conservation Area in accordance with the duties contained within Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; and the requirements of Core Policy 14 of the Core Strategy DPD and Policy DM9 'Protecting of the Historic Environment' of the Allocations & Development Management DPD and relevant guidance contained within the National Planning Policy Framework. In addition, the proposed change of use is not expected to create new, or exacerbate existing on street parking problems, nor materially increase other traffic problems, in accordance with Spatial Policy 7 of the Amended Core Strategy DPD. Nor is it expected to result in any adverse impact on the amenity or operation of surrounding land uses, in accordance with Policy DM5 of the Allocations & Development Management DPD.

RECOMMENDATION

That planning permission is approved subject to the conditions and reasons shown 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 complete accordance with the following approved plans:

MA 20 0002 A Proposed GA Ground Floor Plan
MA 20 0102 A Proposed GA First Floor Plan
MA 20 0202 A Proposed GA Roof Plan
MA 21 AL02 A Proposed South and West Elevations
MA 22 AL02 A Proposed GA Sections
SA 20 0001 A Proposed Site and Block Plan

Reason: So as to define this permission.

03

Notwithstanding the submitted details, no development in relation to the following details shall be commenced until samples 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.

Roof tiles/materials
Matt metal cladding
Railings

Reason: In the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

04

Notwithstanding the submitted details, no development shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken and retained in accordance with the approved details.

External windows and doors, including glazed entrance, and their immediate surroundings (i.e. cills, lintels and any recesses), including details of glazing and glazing bars
Ridge, verge and eaves details (new/replacement roofs)

Reason: In the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

05

No development shall be commenced in respect of rooflights until a detailed specification of all new rooflights has been submitted to and agreed in writing with the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details. The rooflight(s) specification shall include details of:

- Size;
- Material;
- Colour;
- Method of opening;
- Method of fixing; and
- Appearance.

Reason: In the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

06

Any new bricks required for the purposes of repairs shall match as closely as possible the size, colour, form and texture of the existing bricks.

Reason: In the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

07

Any areas of new brickwork shall match the existing in brick bond, mortar and pointing technique. Re-pointing should be undertaken only where necessary and the mortar used should be consistent with the lime-based mortars used in the original construction.

Reason: In the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

08

No part of the development shall be brought into use until a scheme of compensation/mitigation in accordance with the submitted Bat Survey Report (July 2021) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be thereafter carried out in accordance with the approved details and retained for the lifetime of the development.

Reason: In the interests of maintaining and enhancing biodiversity.

09

No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill, light pollution and impacts on nocturnal wildlife. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development.

Reason: In the interests of visual, residential amenity and ecology.

10

Notwithstanding The Town and Country Planning (Use Classes) Order 1987 (as amended), and The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any succeeding orders, the respective areas of premises shall be used for E(b) Sale of food and drink for consumption (mostly) on the premises and E (c)(ii) Other appropriate services in a commercial, business or service locality only.

Reason: To define the permission.

Informatives**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) (England) Order 2015 (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 not payable on the development given that there is no net additional increase of floorspace as a result of the development.

03

This application includes the conversion of warehouse buildings to residential use and there lies the potential for these to have been used for a variety of activities. It would depend on what specific activities have been carried out to consider the implications, if any, for contamination of the site. The applicant/developer will need to have a contingency plan should the construction/conversion phase reveal any contamination, which must be notified to the Pollution Team in Public Protection at Newark and Sherwood District Council on (01636) 650000.

04

The development should not increase flood risk to existing properties or put the development at risk of flooding.

Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.

SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.

Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council

05

Food businesses need to register the proposed food business with this Authority not less than 28 days before the business commences its operations. The following link directs you to an online form <https://www.gov.uk/food-business-registration>

BACKGROUND PAPERS

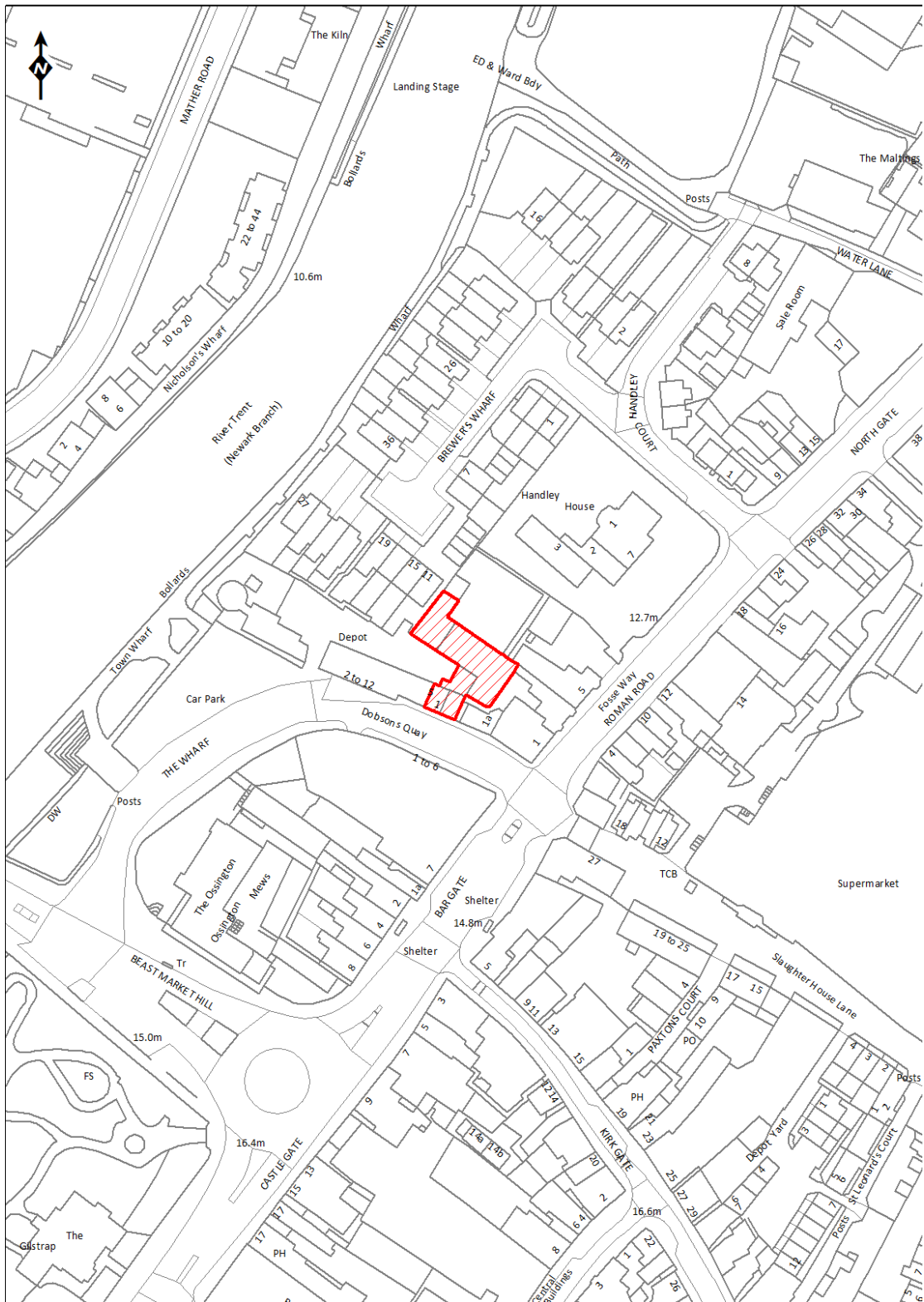
Application case file.

For further information, please contact **Amy Davies** on ext 5851.

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 - 20/02498/FUL



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PLANNING COMMITTEE – 5 OCTOBER 2021

Application No:	21/01704/FUL	
Proposal:	Erection of 1 No. Dwelling (resubmission of 21/00851/FUL)	
Location:	The Bothy, Mill Lane, Caunton, NG23 6AJ	
Applicant:	Mr Joe Cook	
Agent:	Mr George Machin – GraceMachin Planning & Property	
Registered:	10.08.2021	Target Date: 05.10.2021
Link to Application File:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QX0HR7LBGRW00	

The application has been referred to Planning Committee by Councillor Mrs. S Saddington on 'Health and Safety' grounds due to the access of the site running over an existing private sewer.

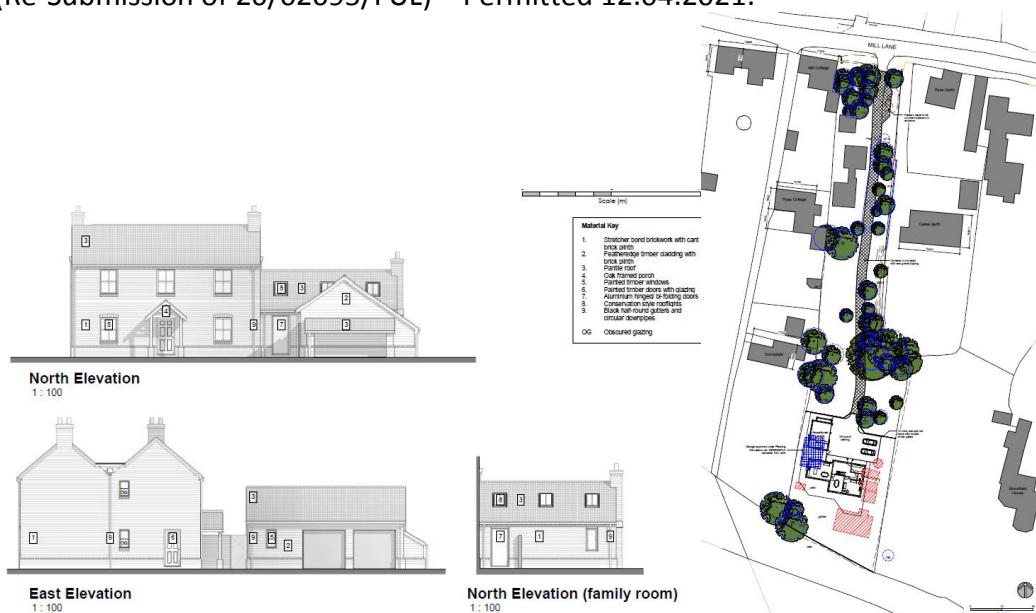
The Site

The application relates to a section of residential curtilage associated to 'The Bothy', a detached dwelling located in a back land position and accessed via a private drive off of Mill Lane. Immediately to north of the site is Orchard Croft, a detached dwelling set back from the highway. There are detached dwellings to the east and west of varying scale, design and age that also occupy back land positions in relation to the Mill Lane highway. The site falls within the village of Caunton and the Conservation Area. To the rear of the site, beyond 'The Bothy' is open countryside with a public footpath to the south offering views into the site from the public realm. A Grade II listed windmill is situated approx. 40m to the west of the site.

Relevant Planning History

21/00851/FUL - Erection of 1 No. dwelling – Withdrawn 08.07.2021

21/00289/FUL - Demolition of existing dwelling and outbuildings and erection of a replacement dwelling (Re-Submission of 20/02095/FUL) – Permitted 12.04.2021.



Approved Elevations and Site Plan of application 21/00289/FUL

20/02095/FUL - Demolition of existing dwelling and outbuildings and erection of a replacement dwelling – Withdrawn

20/00583/FUL - Householder application for detached double garage with log store and office – Granted Permission

The Proposal

The proposal seeks planning permission for the erection of a 3 bedroom detached dwelling. The proposed dwelling would have an L-shape layout and consist of both single storey and two storey design. Access would come via the existing private drive off Mill Lane which also serves The Bothy, however this is shown to be amended in layout with a widened access and spaces within the site for parking and turning.

The proposed dwelling would measure approximately 12m in width at the widest point and run for a total length of 23.5m including the attached car port. The roof design would be dual pitched with a maximum ridge height of 5.9m along the two storey section. The external finish would be red brickwork on the elevations and red clay pantiles on the roof.

An amended parking layout has been received showing an extended driveway with 3 parking spaces and a single parking space within the proposed carport. The dwelling would be positioned approx. 2m from the boundary with Rose Cottage to the NW. There would be an area of grass between the new dwelling and the dwelling to the north and the new replacement dwelling to the south.

For the avoidance of doubt, owing to ownership queries an amended site location plan has been submitted clarifying the extent of land within the applicant's ownership as per Title Deed plans.

Plans/Documents Deposited

- Site Location Plan – Ref. 1954.001 (deposited 15.09.2021)
- Existing Site Plan – Ref. 1954-050
- Proposed Site Plan – Ref. BMLC 2021 BP2 (deposited 20.09.2021)
- Elevations as Proposed - Ref. BMLC 2021 E1
- Floor Plans and Proposed - Ref. BMLC 2021 P1
- Proposed Delivery Vehicle Swept Path Analysis for internal site turning head – Ref. MA11480 600
- Drainage Strategy – Ref. 3080/02 P1
- Planning, design and Access Statement
- Arboricultural Report and Impact Assessment - Ref. AWA3741, Dated: April 2021

Departure/Public Advertisement Procedure

Letters have been sent to 15 neighbouring residents. A site notice has also been displayed at the entrance to the site and a notice has been printed in the local press.

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 3 – Rural Areas

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

Core Policy 13 – Landscape Character

Core Policy 14 – Historic Environment

Allocations & Development Management DPD

DM5 – Design

DM7 – Biodiversity and Green Infrastructure

DM9 – Protecting and Enhancing the Historic Environment

DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework (NPPF) (2021)

Planning Practice Guidance

The Planning (Listed Buildings and Conservation Areas) Act 1990

NSDC Parking and Design Standards SPD

Consultations

NB: As the scheme has been amended to address consultee comments only the most relevant comments have been included below. Full comments can be found on the online planning file.

Caunton Parish Council – No comment.

NSDC Conservation Officer – No objection - “Site Analysis: The site is located within the boundary of Caunton Conservation Area, which was designated in 1974. The area was designated due to its special architectural and historic interest. The boundary is drawn around the historic development of Caunton and its landscaping setting to the south. Close to the site is Caunton Windmill (LEN

1178722) which is Grade II listed. The windmill dates to the 19th century, identified in blue.



Mill Lane has many lanes running perpendicular, with many dwellings, cottages and buildings set away from the road. This follows the village’s historic development form. The site is identified in the red outline. As well as the 19th century, development there has been some 20th century development.

Assessment of Proposal

This application relates to the withdrawn application 21/00851/FUL. The conservation team had no concerns in relation to the proposed dwelling. However there were great concerns with the alteration to the access and turning head. This submission looks to address the access to the site. The width of the access has been reduced and this addresses conservations concerns. It is therefore considered the proposal will cause no harm to the character and appearance of the conservation area. The proposal therefore is in accordance with the objective of preservation required under section 72 of the Act. In addition the proposal follows the heritage objectives contained within the Council's LDF DPDs and section 16 of the NPPF."

Relevant comments from the previously withdrawn application: "The proposal is for a one and half storey dwelling designed to look like a barn conversion. The design of the building reflects something that traditionally may have been in this location. Although the site has not been previously developed the proposal follows the general pattern of development this area of Caunton. The scale of the proposed development and relation to existing development in the area is not considered the proposal will impact the listed Caunton Windmill. The success of the scheme is reliant on the detail of the scheme. I therefore recommend the following conditions which relate to trickle vents, windows/door heads/cills, external materials, roof lights and architectural features. It is considered that the proposal preserves the rural character of conservation area and setting of listed building and therefore reflects the objectives of preservation required under section 16 and 72 of the Act. In addition, the proposal follows the heritage objectives contained within the Council's LDF DPDs and section 16 of the NPPF."

Tree Officer – No objection subject to conditions - "Although the scheme has been slightly revised the submitted Arboricultural Method Statement refers to the previous layout and therefore does not take into account the further impact of the hard surfacing/footpath on north and west of the proposed dwelling or amended parking and turning area to the south. Recommend revisions are carried out to the AMS to reflect changes." Conditions suggested relate to an arboricultural method statement and a scheme for protection of the retained trees/hedgerows, prohibited activities and a replacement planting scheme.

NCC Highways – No objection subject to conditions - the number of parking spaces has been increased to 3 and the width of the access has been set at 5m for 7.5m back from the end of the carriageway which has been agreed following negotiations.

- Condition 1: that the access as indicated on the drawing is provided prior to occupation
- Condition 2: that the parking and turning areas are provided and kept solely for the parking and turning of vehicles for the lifetime of the development

Environmental Health – "You should be aware that the driveway where it curves will run over a private sewer which takes septic overflow waste from a significant number of properties on Mill Lane and so the construction of the driveway must be compliant with current building regulations and not impede in any way the flow of the sewer."

The Environment agency – No objection - "The site lies fully within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site. There are no other environmental constraints associated with the site. However as previously indicated on our response to 21/00851/FUL the applicant will need to consider how they dispose of foul sewage. As such please refer the applicant to the below advisory note [...]"

Comments have been received from **4** interested parties that can be summarised as follows:

- Flood risk concerns: there are drainage gates on the right hand side of the lane but these are insufficient to cope with the volumes of water when heavy or prolonged rainfall occurs. Development should be directed to areas that are not at risk from flooding.
- Drainage: Gates Garth has a steep incline from Mill Lane – the proposed drawings now show rainwater and foul and sewerage waste discharging into the small existing drainage pipe which already takes rainwater and foul and sewerage waste from several properties. The proposed system for rainwater is a cellular storage system which will have little or no impact on rainwater volumes. As this part of Caunton is on a clay bed this storage system would soon fill up and run off would be as normal.
- Concerns that this dwelling will be in addition to the replacement dwelling recently approved at the south of this site.
- Concerns that the existing sewerage pipe will be damaged due to hard surfacing over its length.
- The increased driveway will increase noise disturbance to surrounding properties.
- The turning area will result in light nuisance to surrounding properties
- The widening and removal of the existing kerb will cause problems for drivers and pedestrians as Mill Lane is narrow and cars will wait along the dropped kerb to allow vehicles to pass.
- The previous planning permission granted on the Bothy site replaces a bungalow of little architectural value with another dwelling. Though overly large, it is a replacement, one dwelling for another. It was considered on its own and not as part of a bigger development plan on this site.
- This is a conservation area because it is rurally attractive and historically important – adding another dwelling will spoil the attractive leafy character of the area.
- The development proposed would be cramped, with a higher ridge than surrounding properties which would have a negative visual impact.
- Concerns over increased traffic on Mill Lane and parking congestion.
- Impact on the drainage running through the site resulting in flood sewerage issues.
- Over development of the site
- Further loss of trees
- The village is an unsustainable village with very little amenities.
- The proposed dwelling would result in an imposing structure along the full length of the neighbouring dwelling
- Harm to heritage assets and no public benefits to the scheme to offset them
- No precedent for backland development in open spaces in the conservation area.
- Confusion over ownership on land north of Orchard Croft.
- Concerns raised over the piecemeal approach to submitting planning applications and development the entire site.

Comments of the Business Manager

Principle of Development

The Council's Core Strategy sets out the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 1 (Settlement Hierarchy) of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. Applications for new development beyond Principal Villages as specified within Spatial Policy 2 will be considered against the 5 criteria contained within Spatial Policy 3 (SP3). Caunton is considered to be an 'Other Village' in the settlement hierarchy and I consider

the site to be 'within the village' for the purposes of this policy and as such, policy SP3 is applicable. SP3 requires proposals to be assessed against five criteria: location, scale, need, impact and character:

Location - SP3 requires that in terms of location 'new development should be in villages, which have sustainable access to Newark Urban Area, Service Centres or Principal Villages and have a range of local services themselves which address day to day needs. Local services include but are not limited to Post Office/shops, schools, public houses and village halls.' I consider the site is located within the village of Caunton which benefits from a church (St Andrew's Church), a primary school (Dean Hole C of E), two public house (Caunton Beck and Plough Inn Caunton) and a shop (Caunton County Supplies). There is also a bus service to Newark Town Centre which provides further services as well as easy vehicular access to the A1. As such the location of the site would be considered to be in accordance with SP3.

Scale - The scale criterion relates to both the amount of development and its physical characteristics, the latter of which is discussed further in the Character section of the appraisal. I note the proposal is for one new dwelling which would be small scale and, notwithstanding comments received from local residents, I consider it unlikely to significantly affect local infrastructure. The proposal would therefore be considered appropriate for this settlement and meets the scale criteria of SP3.

Need - The wording of the 2019 Core Strategy requires new housing to demonstrate that it would help to support community facilities and local services. Given the facilities within Caunton itself, I am satisfied that the occupiers of the proposed dwelling would have sufficient opportunity to support and help sustain the longevity of the existing local services in the area and therefore the application would comply with this criterion of SP3.

Impact - In some respects, the impact criterion lends itself to discussion in the context of other material consideration such as the impact on the highways network and neighbouring amenity (which are discussed in further detail below but in short have been found to be acceptable). However, in respect of local infrastructure, I am satisfied that one new dwelling could be accommodated within existing infrastructure without causing a detrimental impact. Therefore subject to the more detailed highways and neighbouring amenity appraisals below the proposal could also satisfy this criteria of SP3.

The wider impact of the development on the character of the area will be discussed in further detail in the following section of this appraisal. However, it is concluded that the development would not result in any adverse impact on the character of the area. Therefore, having considered the five criteria of SP3, I consider the proposed development would be acceptable in principle in accordance with SP3 subject to considering the more site specific impacts as set out below.

Impact upon Character of Area and Heritage Matters

SP3 requires the scale of new development to be appropriate to the proposed location and the character of new development to be in keeping with the character of the location or its landscape setting. CP9 states that new development proposals should demonstrate a high standard of sustainable design that both protects the natural environment and contributes to and sustains the rich local distinctiveness of the District. Policy DM5 of the DPD states that new development should respect the rich local distinctiveness of the District's landscape and character of built form and this should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

The site lies within the Conservation Area and to the NW of the site is the Grade II listed Caunton Mill, as such the relationship with this designated heritage asset is an important consideration. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF). Paragraph 206 of the NPPF, for example, advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 8.c).

I note the new dwelling would be set behind an existing property that fronts on to Mill Lane, between it and the replacement dwelling that has recently been approved to the rear of the site. The dwelling has been designed with an L-shape and would be constructed out of traditional materials. I note the comments from the conservation officer and concur with the view that the location and position of the proposed development, while within a backland position, would follow the general pattern of development within this section of Caunton. Furthermore, it is considered that the modest height dimensions and use of traditional materials and detailing give the appearance of a traditional outbuilding which would have been found within this area.

The proximity to the listed windmill is noted, however given the level of separation and presence of intervening properties, I am satisfied that the proposal would not result in any adverse impact on the setting of the listed building.

As such, I agree with the overall conclusion made by the conservation officer, in that the proposal would preserve the rural character of the conservation area and setting of the nearby listed building subject to conditions which have been suggested by the CO and are considered appropriate and proportionate to attach to any grant of planning permission. I therefore consider the proposal would accord with the requirements of policies SP3, CP9 and DM5 in this respect. I also consider a scheme to comply with the objective of preservation set out under Sections 66 and 72, part II of the 1990 Listed Building and Conservation Areas Act, as well as the heritage policies and advice contained within the Council's LDF DPDs and section 16 of the NPPF.

Impact upon Residential Amenity

Policy DM5 of the DPD states that development should have regard to its impact upon the amenity of surrounding land uses and neighbouring development to ensure that the amenities of neighbours and land users are not detrimentally impacted. The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.

I am mindful of the relationship with the closest neighbouring properties, in particular Rose Cottage to the north-west of the application due to the close proximity to the shared boundary with this property. The proposed dwelling would be sited approx. 2m from the shared boundary. When considering the relative positioning, relationship and the modest height dimensions of the proposed dwelling, which range between 4.65 and 5.9m, I am satisfied that the proposal would not result in any material overbearing or overshadowing impact on neighbouring amenity which would warrant the refusal of planning permission. Similarly, given separation distances I do not consider there would be any adverse overlooking, overbearing or overshadowing impact on the property directly to the north, north-east, the replacement dwelling to the south or the property directly to the west, particularly given the design of the new dwelling, window to window relationships and the positioning of the dwelling relative to neighbouring properties private amenity spaces. The roof lights proposed on the west elevation are noted, however as these would be set at 1.8m above finish floor level, it is considered that there would be no material overlooking impact on the property to the west.

Nevertheless, acknowledging the close relationship between the proposed dwelling, the site boundaries and the positioning of neighbouring properties I do consider it reasonable to restrict the properties permitted development rights to restrict the installation of further windows/roof additions and extensions to ensure no unacceptable overlooking relationship could be introduced.

Noting the comments from local residents I am mindful that the private driveway is shown close to the boundary with Gates Garth to the north-east. However, whilst the proposal would see an intensification of the use of this driveway, as the driveway already serves an existing dwelling with vehicles already travelling along the driveway, it is considered that the slight change in layout from existing and an addition of one additional dwelling being served by this driveway would not give rise to such impact by virtue of noise and light disturbance to result in a material impact on neighbouring amenity.

I am also satisfied that there is a sufficient level of separation to the other neighbouring properties surrounding the site, to the proposed dwelling for the proposal to not result in any material impact on neighbouring amenity and that a sufficient level of external amenity space would be provided for the new dwelling (subject to restricting permitted development rights for the erection of outbuildings within the curtilage of the dwellinghouse). As such, the proposal is considered to be acceptable in this respect, in accordance with Policy DM5 and the guidance in the NPPF.

Impact upon the Highway

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems and Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.

An existing access point currently serves the site and the property known as The Bothy (to the south). The submitted amended layout plan shows 3 off street parking spaces to serve the proposed dwelling (which includes the undercover carport) which accords with NSDC Parking Standards and Design SPD. I am satisfied that the proposal would include an adequate level of off street parking amenity to serve the proposed dwelling without relying upon on street parking along Mill Lane (noting the amended plans have taken on board advice from the Highways Authority) and that there would also be sufficient space to turn and manoeuvre within the application site. Initially concerns were raised by the Highway Authority about the design of the

access into the site however following negotiations and the submission of an amended layout plan the Highways Authority have confirmed their support for the scheme (subject to conditions). Whilst I note other comments have been made from interested parties raising concerns relating to highway safety I note that the Highways Authority do not raise any objection in this regard. I therefore consider the development would accord with Spatial Policy 7 and Policy DM5 in terms of highway safety considerations.

Impact on Trees

Policy DM7 of the AMDDPD aims to protect, promote and enhance green infrastructure in line with Core Policy 12 of the Amended Core Strategy which seeks to conserve and enhance the biodiversity and geological diversity of the District.

A tree survey has been submitted in support of the proposal. From the submitted survey I note the trees shown for removal are T19 Blackthorn which is classified as low amenity value, T22 Elder which is classified as dead, T24 Apple with low amenity and G18 Hawthorn, Blackthorn and Elder with a moderate amenity value. While the loss of trees on site in order to accommodate the proposed development is regrettable, I am mindful that these trees have been assessed as being either, low amenity value or dead. I am also mindful that the hedge (G18) is a garden boundary hedgerow which could be removed without consent from the local planning authority. As such, this is outside of the control of this application.

In light of the above, it is considered that a condition which requires replacement planting would adequately mitigate the harm from the loss of the trees and also provide an opportunity to enhance the site through the provision of trees with a higher amenity value than those identified for removal. I also note the comments from the Tree Officer which raise no objection to the development subject to conditions relating to construction measures for tree protection.

I note comments from the tree officer were received on the previously withdrawn application in relation to the initial and repeat pruning works of Trees T17 and T3. However, I am of the view that the regular maintenance of these trees would not be an unreasonable burden for the future occupiers of the proposed dwelling and would also not be a justifiable reason for withholding planning permission.

In conclusion, with a suitably worded landscaping condition, I am of the view that the proposed development would not result in any adverse impact on the green infrastructure at the site. Furthermore, the provision of replacement planting with a high amenity value would enhance the sites biodiversity and geological diversity in accordance with the aims of Core Policy 12.

Drainage

The concerns raised by local residents in relation to the drainage running through the site and the change in layout of the private drive are noted. So too are the concerns of the local ward member. For clarity, the existing driveway runs over a private sewer which takes septic overflow waste from a number of properties on Mill Lane and discharges into an open drain. Concerns from local residents relate to altering the access into the site over this private sewer and potential implications on its capacity. However, the relevant changes in this application are limited to the realignment of the access track and the addition of 1 dwelling. Noting there is already a dwelling (The Bothy) to the south of the site which utilises this existing access point which crosses the sewer, the impact of this application would be limited to minor hard surfacing changes and adding one additional dwelling to the site.

Comments received from interested parties raise concerns about the existing capacity of the sewerage/foul water drainage in the area citing problems with overflow, smell and noise pollution and concerns that this proposal would further contribute to this issue. To this I would note that this proposal need only mitigate its own impact on the existing infrastructure (rather than alleviate existing issues). Comments from the Environment Agency and Environmental Health note the presence of the existing drain within the site and raise no objection to the proposal subject to the improved driveway being constructed in accordance with building regulations. It is considered that one additional dwelling could be accommodated at the site (in addition to the existing and approved replacement dwelling) without unduly compromising the existing drainage network. In any event, a drainage strategy can be controlled by condition to ensure an appropriate drainage strategy for the site.

I also note that the site lies within Flood Zone 1 and thus there is no requirement to assess the flood risk to the development or to apply the sequential test, despite comments received from neighbouring residents. A drainage plans has also been submitted with the application which details the drainage system that would be put in place to adequately deal with the demand of the new dwelling.

Other matters

The concerns raised over the piecemeal approach to the submission of applications on different areas of the wider site owner by the applicant are noted. However, it is within the applicant's gift to submit stand-alone applications. Each application is considered on its own merits and takes into account the previously approved development which also have the potential to come forward within the same time frame.

CIL

The site is located within the High Zone of the CIL charging schedule where the CIL rate is £70. The CIL charge on this application would be £11,533.82 (based on 116.8m² at GF and 45m² at FF).

Conclusion

The principle of the proposed development is considered acceptable and the location sustainable in accordance with the requirements of SP3. The design of the proposed development would preserve the character and appearance of the Conservation Area in line with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is also not considered that the dwelling would impact the setting of any nearby listed buildings in line with Section 66 of the Act. There have been no material adverse impacts identified in relation to neighbouring amenity, highway safety, and the green infrastructure at the site in accordance with the Development Plan and the NPPF which is a material consideration. There are also no other material considerations which indicate that the proposal should not be approved, I therefore recommend that planning permission is granted.

RECOMMENDATION

That full planning permission is approved subject to the following conditions;

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 complete accordance with the following approved plan references:

- Amended Site Location Plan – Ref. 1954-001 (deposited 15.09.2021)
- Proposed Site Plan – Ref. BMLC/2021/BP2 (deposited 20.09.2021)
- Elevations as Proposed - Ref. BMLC/202/E1
- Floor Plans and Proposed - Ref. BMLC/2021/P1

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 following external materials (including colour/finish) have been submitted to and approved in writing by the Local Planning Authority:

- Bricks
- Roof Covering
- Windows and Doors

Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

04

No development shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken and retained for the lifetime of the development in accordance with the approved details.

- External windows including roof windows, doors and their immediate surroundings, including details of glazing and glazing bars.
- Treatment of window and door heads and cills
- Verges and eaves
- Rainwater goods
- Extractor vents (if required)
- Flues (if required)
- Meter boxes
- Airbricks
- Soil and vent pipes (if required)

Reason: In order to preserve or enhance the character and appearance of the conservation area.

05

Trickle vents shall not be inserted into the windows/doors hereby permitted.

Reason: To ensure the development preserves the character and appearance of the Conservation Area.

06

Prior to first occupation/use of the development hereby approved full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction;
- car parking layouts and materials;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials.

Reason: In the interests of visual amenity and biodiversity.

07

The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest, unless otherwise agreed in writing with the Local Planning Authority. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

08

No works or development shall take place until an arboricultural method statement and scheme for protection of the retained trees/hedgerows has been agreed in writing with the Local Planning Authority. This scheme shall include:

- a. A plan showing details and positions of the ground protection areas.
- b. Details and position of protection barriers.
- c. Details and position of underground service/drainage runs/soakaways and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
- d. Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing).

- e. Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. Details of working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. Details of any scaffolding erection and associated ground protection within the root protection areas
- h. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

All works/development shall be carried out in full accordance with the approved arboricultural method statement and tree/hedgerow protection scheme during construction.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

09

Prohibited activities

The following activities must not be carried out under any circumstances.

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.
- b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
- c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
- e. No soak- aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

10

No development shall be commenced until details of the means of foul drainage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out thereafter in accordance with the approved details.

Reason: To ensure the provision of satisfactory means of foul sewage/surface water disposal.

11

No part of the development hereby permitted shall be brought into use until the access to the site has been completed and surfaced in a bound material with the highway boundary clearly demarcated in accordance with approved plan reference 'Proposed Site Plan' BMLC/2021/BP2 (deposited 20.09.2021).

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

12

No part of the development hereby permitted shall be brought into use until the parking and turning areas are provided in accordance with the approved plan reference 'Proposed Site Plan' BMLC/2021/BP2 (deposited 20.09.2021). The parking and turning areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems in the area and enable vehicles to enter and leave the site in a forward direction, all in the interests of Highway safety.

13

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of:

Class AA: Enlargement of a dwellinghouse by construction of additional storeys.

Class A: The enlargement, improvement or other alteration of a dwellinghouse.

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Class C: Any other alteration to the roof of a dwellinghouse.

Class D: The erection or construction of a porch outside any external door of a dwellinghouse.

Class E: Buildings etc incidental to the enjoyment of a dwellinghouse.

Unless consent has firstly be granted in the form of a separate planning permission.

Reason: To ensure that the local planning authority retains control over the specified classes of development normally permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 or any amending legislation) in order to safeguard the amenity of neighbours and future occupiers.

Notes to Applicant

01

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

03

Note from the EA:

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not. Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: <https://www.gov.uk/permits-you-need-for-septic-tanks> and <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-the-ground>

04

The development makes it necessary to alter/improve a vehicular crossing over a footway/verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Agent, Via East Midlands to arrange for these works to be carried out. Email: licences@viaem.co.uk Tel. 0300 500 8080 and further information at: <https://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

BACKGROUND PAPERS

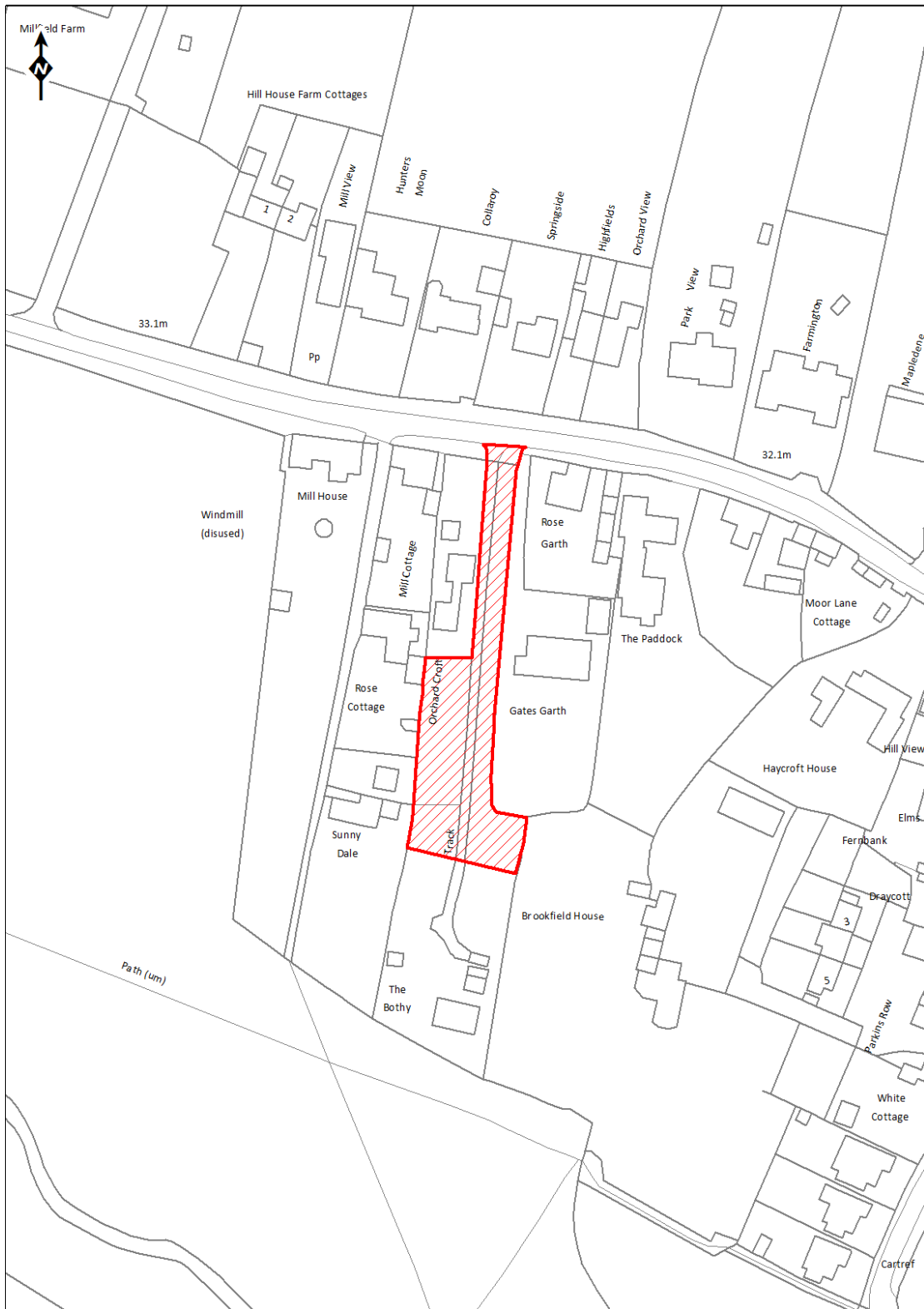
Application case file.

For further information, please contact Honor Whitfield on ext 5827

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 - 21/01704/FUL



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PLANNING COMMITTEE – 5 OCTOBER 2021

Application No:	21/01667/FUL	
Proposal:	Erection of dwelling and detached garage (Revised application of 21/01250/FUL)	
Location:	Plot 3, Land At 10 Epperstone Road, Lowdham, NG14 7BU	
Applicant:	Mr Chris Pycroft - CP Developments (Nottingham) Ltd	
Agent:	Mr Anthony Northcote	
Registered:	03.08.2021	Target Date: 28.09.2021
		Extension of Time Agreed Until 08.10.2021
Website Link:	21/01667/FUL Erection of dwelling and detached garage (Revised application of 21/01250/FUL) Plot 3 Land At 10 Epperstone Road Lowdham NG14 7BU (newark-sherwooddc.gov.uk)	

This application is being referred to the Planning Committee for determination by the local ward member Cllr Wendels on the grounds of over intensive use of the site and impact on the residential amenity of neighbours.

The Site

The application site relates to an irregularly shaped plot of land approximately 0.06 hectares in extent. The site originally formed the extended residential curtilage of no. 10 Epperstone Road. It falls within the village envelope of Lowdham.

The site location plan shows the adjacent land also within the ownership of the applicant which as explored further below is currently being developed in line with recent planning approvals on the site.

The wider site is surrounded entirely by residential curtilages. Land to the north east (intervened by the curtilage of 12 Epperstone Road) was allocated in the Development Plan for around 5 dwellings which have now been built (Lo/Ho/2).

The original host dwelling, 10 Epperstone Road, is currently undergoing renovation having been vacant for some time. The site has recently been entirely cleared with aerial imagery showing it was previously heavily vegetated.

The gradient of the site rises significantly from the highway in a north eastwards direction with the rear of the site being around 3m higher than the road boundary. The original host dwelling is built on the higher ground and accessed by steps towards the front of the site. There is a grass verge in front of the host dwelling but this is outside of the application site.

The south eastern boundary is shared with 8 Epperstone Road. The north eastern boundary with 12 Epperstone Road is formed by a hedge.

The site is within Flood Zone 1 according to the Environment Agency maps.

Relevant Planning History

21/01250/FUL - Erection of dwelling and detached garage. *Application refused under delegated powers for the following reason:*

The proposed development site sits adjacent to and would be read in the context of a recently approved residential scheme for 4 residential units. The proposed development for a two storey dwelling has failed to appropriately respond to the site specific constraints leading to a contrived design which would appear odd and overly cramped adjacent to the previously approved plots. Moreover, the two storey height of the proposed dwelling, with a blank rear elevation at first floor would lead to unacceptable amenity impacts to the existing neighbouring plots namely an overbearing impact and at the very least a perceived loss of privacy through overlooking from the first floor side windows.

The benefits of the proposal, namely the delivery of additional housing in a sustainable settlement are not considered to outweigh the identified harm.

The proposal is contrary to Core Policy 9 (Sustainable Design) of the Amended Core Strategy 2019 and Policy DM5 (Design) of the Allocations and Development Management DPD as well as the overall design intentions of the NPPF which form a material planning consideration.

20/02253/FUL - Application for 4 no. residential units along with associated parking, amenities, access road and boundary treatments (Resubmission of 20/02024/FUL). *Application approved 2nd February 2021.*

20/02199/HOUSE - Proposed first floor extension to rear and internal alteration (resubmission of 20/01654/HOUSE) Render of existing house and proposed extension. *Application approved 10th December 2020.*

20/01654/HOUSE - First floor rear extension and internal alterations *Application withdrawn.*

20/02024/FUL - Application for 7 no. residential units along with associated parking, amenities, access road and boundary treatments. *Application withdrawn.*

The following application relates to land to the north east referred to above as housing allocation Lo/Ho/2:

16/01501/FUL - *Proposed* erection of 3no. 2-bedroom dwellings and 2no. 4-bedroom dwellings. *Application approved December 2016 and now built on site.*

The Proposal

The application seeks full planning permission for 'Plot 3', referred to as such in acknowledgment of the above planning history whereby the consideration of this plot was removed during the life of the application reference 20/02253/FUL. More recently and as detailed above, planning permission has been refused for a two storey dwelling on the plot. The current application forms a re-submission in an attempt to overcome the previous reason for refusal.

The plot is positioned in the north eastern corner of what was originally an extensive residential curtilage for 10 Epperstone Road but is now a development site under construction.

The dwelling proposed is a chalet bungalow with a bedroom; en-suite and dressing area served by roof lights and a gable end window on the south western gable end.

The dwelling proposed is two stories with four bedrooms with a total floor area of approximately 139m². The maximum pitch height proposed would be around 6.3m with an eaves height of around 2.9m. Materials proposed are predominantly white render with red brick detailing and a slate grey roof tile.

A single detached garage is also proposed.

The application has been considered on the basis of the following plans and documents:

- Existing Site/Block Plan and Location Plan – 2119(08)001;
- Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H;
- Proposed Street Context – 2119(08)005 Rev. F;
- Topographical Survey – 2018(08)006;
- Drainage Layout – LV019-CIV-500 Rev. C;
- Planning Statement dated July 2021;
- Materials Schedule dated 26th July 2021;
- Landscaping Schedule received 11th August 2021.

Departure/Public Advertisement Procedure

Occupiers of 25 properties have been individually 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 10 – Climate Change
Core Policy 10A – Local Drainage Designations
Core Policy 12 – Biodiversity and Green Infrastructure

Allocations & Development Management DPD

Policy Lo/HN/1 – Lowdham Housing Need
DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM3 – Developer Contributions and Planning Obligations
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021

Planning Practice Guidance (online resource)

National Design Guide – Planning practice guidance for beautiful, enduring and successful places
September 2019

Consultations

Lowdham Parish Council – Object. Council believe that the proposed dormer bungalow is too large for this plot.

NSDC planners should inspect the almost completed dormer bungalow at 72 Main Street which is of a similar height to the one proposed to see how overbearing a bungalow of this nature can be on adjacent residential properties. The site at 10 Epperstone Road already appears cramped and overcrowded as a result of the 4 additional properties currently under construction. The proposed dormer bungalow would be too overbearing on adjacent properties.

It is, as we decided in relation to the main application, an over intensive development of a site at the edge of the village. We object to this on the same basis, together with the overbearing nature of the proposed building so close to the boundary.

We suggest that the planning committee be consulted.

Also, we ask that planning / building control follow up over the narrow pavement as it was required to be made wider.

NCC Highways Authority – No objections subject to conditions.

NSDC Environmental Health – Advisory note in relation to potentially radon affected area.

Ramblers Association – No comments received.

Trent Valley Internal Drainage Board – No Board watercourses in close proximity to the site.

In relation to the original plans, representations were received from 6 local residents/interested parties which can be summarised as follows:

- The re-submissions are getting tiresome – it needs sorting once and for all;
- Previous comments have not been taken on board;
- It will look the same visually to the neighbours as the previous application that was refused;
- The dwelling is closer to the neighbouring boundary than the previous application;
- The neighbouring property will be looking at a gable end which is a solid brick wall and as high as a house;
- The dwelling will be overbearing and affect sunlight;
- It should be a small bungalow to match plots 4 and 5;
- The property will stand out at the edge of the Green Belt;
- The roof should be lower and hipped so it's less intrusive and less over bearing;
- The property would be an over intensification of the site;

- The developer has created an eyesore with a lack of space around the properties and a lack of green space where once there was plenty;
- The land should be used for a block of garages for the properties which don't have them;
- The development has been a disaster for Lowdham and ruined the village character;
- The builder is welcome to look from the neighbouring garden;
- There is road safety / congestion near the school and the bus stop;
- The ill thought out development impacts negatively on the previously tranquil and peaceful part of the village;
- The plans are lacking in important measurements;
- The real need in Lowdham is affordable housing;
- The plans show the house closer to the boundary of no.12 and will have the same overbearing impact to the last application which was refused;
- Plots 4 and 5 are already too close to the boundary and sound can be heard;
- The planners are bending over backwards to help and advise the builder with very little support for surrounding residents;
- Climate change has been underestimated in terms of the adequacy of drainage in future years;
- Kitchen window will be 2ft from a fence and 8ft from the other fence leading to a claustrophobic plot;
- Comments regarding the design and construction of Plots 1 and 2;
- The hedge will be sandwiched between fences;
- Not enough parking;
- The Council has declared a climate change emergency and this development should never have been allowed;
- There are cars parked on the pavement with no space to park legally;
- Lowdham PC are to ask NCC to put double yellow lines down to prevent parking;
- There will be extra drainage adding to the already overloaded system;
- Loss of privacy to 2 Pasture View and 12 Epperstone Road;
- Site does not complement surrounding properties.

A further round of consultation has been undertaken on the revised plans received 2nd September 2021 (showing the part hipped roof). A total of 4 letters of representation have been received which can be summarized as follows:

- Slight improvement to the roofline;
- What are the measurements from buildings to boundaries – Plot 3 is closer to the boundary of no. 12 than Plots 4 and 5 but it should be further away;
- It is not necessary to erect a garage;
- The property is still too large and the site would only suit a small bungalow;
- Objecting because it's closer to the neighbouring boundary;
- The previous application was further away from the boundary;
- Will still add to the crowding of the site and parking issues;
- Overdevelopment;
- Overcrowding;
- Overbearing;
- Too close to boundary plot 4 and 8 Epperstone Road no amenity;
- Out of character;
- Urbanisation;
- Cars will have to park on Epperstone Road causing blind spots;

- Three roads exits on top of one another;
- Too near a school;
- Footings already dug for a four bed house, even though no planning permission;
- Plans and drawings are artistic license;
- Noise and carbon footprint.

Comments of the Business Manager

Preliminary Matters

As above, the application forms a re-submission of a recently refused scheme. There are elements of the appraisal below which remain unchanged from the assessment of the previous scheme but have nevertheless been repeated given that this application must be considered on its own merits.

There is a suggestion from a neighbouring party that the design presented for consideration has already been refused. To confirm, whilst a similarly proposed dwelling was originally presented through application 20/02253/FUL, 'Plot 3' was removed from consideration during the life of the application and therefore the design of the dwelling now proposed for consideration has not previously been formally considered.

Principle of Development

The starting point for development management decision making is S.38(6) of the Planning and Compulsory Purchase Act 2004, which states that determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

The Adopted Development Plan for the District is the Core Strategy DPD (2019) and the Allocations and Development Management Policies DPD (2013). The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 1 (Settlement Hierarchy) of the Council's Core Strategy defines Lowdham as a Principal Village which is expected to act as a secondary focus for service provision.

The principle of residential development within the site is therefore acceptable subject to an assessment against the remainder of the Development Plan.

Housing Mix, Type and Density

Policy Lo/HN/1 confirms that the majority of new housing on windfall sites in Lowdham should be two bed units to meet the needs of the community. Essentially, due to the constraints which affect Lowdham (notably the adjacent Green Belt designation and large areas at risk of flooding) it is not possible to accommodate the amount of housing development required for the village. This makes it all the more important to ensure that any windfall sites contribute towards the needs of the village. It is notable that a village specific housing need policy only exists for two settlements in the whole District (Southwell and Lowdham) and therefore it must be given due weight and consideration.

The proposed dwelling would have three bedrooms, rather than the previously refused scheme which was for four bedrooms and therefore would still be contrary to Policy Lo/HN/1. The Planning Statement contends that the evidence base for this policy is now out of date and

therefore cannot credibly be relied upon. Irrespective of this local policy, the Council has recently published up to date housing needs information for the District which is split into sub-areas. Lowdham falls within the Nottingham fringe sub area where the majority need (46.7%) is for 3 bed houses. There is a meaningful need (22.7%) for four bed houses.

It is notable that the previous scheme for four dwellings is set to deliver 3 two bedroom dwellings (and 1 three bedroom dwelling). If this plot had been included as part of the wider development then the percentage delivery of 2 bed units would be 60% and therefore the majority. Given the close association with the wider development it is not considered reasonable to resist the current application purely on the basis of a lack of compliance with Policy Lo/HN/1.

Comments have been received from neighbouring parties and the Parish Council regarding the density of development. Whilst this application is for a single dwelling, again it is considered appropriate to consider the site as part of the wider recently approved development.

The area within the applicant's ownership amounts to approximately 0.21 hectares. If this application were to be approved then the total area would accommodate 6 dwellings which would represent an approximate density of 29 dwellings per hectare.

Core Policy 3 seeks to secure densities of around 30 dwellings per hectare (higher for the Strategic Sites). Although the proposal would be marginally below these aspirations, given the site specific circumstances (namely that the site is landlocked by residential curtilages over a varying gradient) the density is considered acceptable.

There is nevertheless a requirement to assess the character implications of the additional dwelling proposed.

Impact on Character and Design

The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive. Core Policy 9 states that new development should achieve a high standard of sustainable design that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development.

Although the development of the site would represent backland development which is generally resisted by Policy DM5, I am conscious that this has already occurred in the immediate vicinity of the site to a degree that the precedent has already been set (and indeed the aforementioned allocated site is also a backland plot). The risk of further development would be restricted by the Green Belt constraint surrounding the village and therefore the backland nature of the proposal is not considered harmful in character terms.

The recent planning approval has already been commenced on site allowing a thorough character assessment as to how 'Plot 3' as it is referred to would fit into the overall site context.

As is detailed in the description of the site above, there are significant gradient changes across the site. The submitted topographical survey shows that the steepest gradient rise is towards the front of the site with the host dwelling being approximately 2.5m higher than the edge of the highway. The back of the site, where development is proposed is relatively flat.

The previous application for a two storey dwelling was refused on the basis of its contrived design (notably the blank second storey gable to the north eastern elevation) which was considered overly cramped in the context of the surrounding development.

The dwelling now proposed is a chalet bungalow which would sit alongside the bungalows at Plots 4 and 5 with a marginally higher roof by around 0.65m (albeit the same angle pitch) as shown on the submitted section below:



SECTION THRU' SHARED DRIVE LOOKING TOWARDS PLOTS 3-5

The dwelling would however have a greater footprint than the approved plots 4 and 5 and sit further south westwards within the site. Nevertheless the reduced scale in terms of height and mass leads me to conclude that the dwelling would not appear overly cramped in the plot.

The revised scheme now shows a part hipped roof to the rear which would have a materially different impact to the previous refused scheme (the agent has been asked to provide the below extracts to scale for a comprehensive comparison):



SECTION TO REAR GARDEN PLOTS 3-5
Refused application



SECTION TO REAR GARDEN PLOTS 3-5

The revised design is a far less contrived approach. Whilst the part hipped / part gable roof design is unusual, the north eastern elevation would be facing towards the neighbouring boundary and would not be visible in the street scene. To some degree even the south western elevation with the window on the gable end (as per street scene extract above) would be discrete in the wider surroundings given that it would be positioned behind Plot 2 in the corner of the wider site.

Officers remain of the view that a bungalow replicating the design of Plots 4 and 5 would be the preferable option for Plot 3 but clearly the application must be assessed on its own merits. It is not appropriate to refuse an application purely because a better design solution may exist. The proposal as submitted is considered acceptable in design and character terms against Core Policy 9 and Policy DM5 and has therefore successfully overcome the previous reason for refusal in this respect.

Impact on Amenity

Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development.

Amenity is clearly a cause for concern locally as was the case with the recent approval on the wider site. The advantage of the recent approval being under construction is that it is possible to assess the amenity implications as built and in doing so gain a better understanding for how this plot would sit within the wider site context.

In reaching an amenity judgement, Officers have taken the opportunity to visit the neighbouring garden to the north east (12 Epperstone Road) at the request of the neighbouring occupier. This property already shares a boundary with the rear boundaries of the single storey Plots 4 and 5.

The orientation of 12 Epperstone Road is such that the principal elevation faces north westwards. There are two small windows at first floor on the side elevation of no. 12 (one at high level) but these both appear to be secondary.

The dwelling now proposed would be closer to the shared boundary with no. 12 at approximately 8.2m away (the refused two storey dwelling would have been around 10m away). However, the schemes are clearly materially different evidenced through the comparisons included above (which would be the elevation visible from the neighbouring garden. The dwelling would broadly follow the rear building line established by Plots 4 and 5 adjacent.

Whilst on face value it appears that the dwelling would affect the least sensitive part of the neighbouring plot (i.e. their very rear garden) in reality it is clear that this part of the neighbouring garden is actively used for amenity purposes (there are two different areas where at the time of the Officer site visits tables and chairs were positioned).

The scheme has been revised during its lifetime to revise the roof to a part hip, part gable end. Although this is slightly odd in design terms it does have the advantage that the impact on neighbouring amenity would now be similar to that established by the roof design of Plots 4 and 5. The reason the whole roof cannot be hipped is because it would compromise the internal layout and mean that the bedroom would not be able to be served by the gable end window which is a necessary feature in terms of adequate amenity for the proposed occupiers.

The lower eaves height and part hipped roof would mean that there would be notably less built form in comparison to the previously refused scheme and in my view this tips the scheme to no longer having a detrimental overbearing impact on 12 Epperstone Road which would justify refusal of the scheme.

The proposal would feature a total of 5 roof lights. The agent has been asked to provide a section through the dwelling to understand the impact that these rooflights would have on neighbouring amenity (noting that the dressing area would be entirely reliant on these). The section shows that the rooflights would be above 1.7m in height from the floor level which would give them minimal outlook.

The dwelling would be less than a metre away from the shared boundary with 8 Epperstone Road. However, it would be adjacent to the rear extremes of their garden some distance from the rear elevation of the dwelling. Moreover, the pitched roof design would mean that the closest element would be the eaves height with the main height moving away from the boundary. There are ground floor windows proposed on the elevation facing towards the shared boundary (one obscurely glazed bathroom window and one secondary kitchen window) but these would be largely screened by the 1.8m close boarded fence along the boundary.

The south westward elevation would be orientated towards Plot 2 on the previously approved scheme. The main window serving the first floor bedroom would be on this elevation. The distance between the plots would be just 11m. However the design of Plot 2 is such that the elevation facing towards the proposed dwelling features only one small roof light window in a steeply pitched roof to serve a landing area. There is a door at ground floor with a glazed element but this would serve a utility. The relationship between the proposed dwelling and Plot 2 is therefore considered acceptable.

On the basis of the above assessment, the proposal is considered to have overcome the previous reason for refusal in respect to amenity for both the existing adjacent dwellings and the proposed occupiers. The proposal as now submitted is therefore compliant with the relevant amenity provisions of Policy DM5.

Impact on Highways

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision and seeks to ensure no detrimental impact upon highway safety. The LPA have recently adopted a Supplementary Planning Document on cycle and residential car parking.

The dwelling would be served by three car parking spaces including a garage space. On the whole the spaces would meet the requirements of the emerging SPD however one of the spaces would fall marginally short in its length. Nevertheless the appropriate measurements could be achieved largely within the site and any overhang onto the private driveway would be extremely marginal. On this basis it is not considered that the parking arrangements would lead to on street parking to the detriment of highways safety.

NCC Highways as the Highways Authority have been consulted on the scheme due to concerns which they originally raised with the previous application (which were resolved prior to determination). Their comments acknowledge the site history and that the previous application has approved the access which would serve this development. No objection is raised subject to conditions.

Impact on Trees / Landscaping

Aerial imagery and previous site photographs show that the site was, up until recently, densely vegetated. However, the site has recently been cleared to bare ground with only boundary hedgerows remaining (and the grass bank in front of the host dwelling but this is outside of the applicant's ownership). Clearly it would have been preferable to see a development come forward which respected and took account of existing vegetation but the trees were not protected and it was therefore within the applicant's gift to remove them. Given the constrained size of the plot, it is not considered reasonable in this application to seek additional planting.

Impact on Drainage

The site is within Flood Zone 1 at the lowest risk of flooding from rivers and watercourses. Epperstone Road is however at risk of surface water flooding. Moreover Core Policy 10A refers to recent flood events which have occurred in Lowdham making an assessment of drainage all the more important.

The application submission includes drainage details which correspond with those approved through a recent discharge of condition application on the wider site. Colleagues at NCC have reviewed the submitted details as the flood authority and confirmed that as the proposals would connect in upstream to the rest of the development there are no issues in respect to surface water drainage.

Other Matters

The plan shows boundary treatments and where bins could be kept within the plot (a bin collection plot was included towards the front of the site on the previous approval). Clarification has been sought for the species of the new hedge shown at the end of the rear garden for the plot to avoid the need to provide details by condition. This has been provided during the life of the application through a revised plan and associated landscape schedule.

It is noted that the Parish Council comments have made reference to the required widening of the footway at the front of the site. Notwithstanding that this is a requirement of a previous application and therefore not materially relevant to the current determination, the condition is worded so that these works must be undertaken prior to occupation rather than prior to commencement. To my knowledge, none of the previously approved dwellings have yet been occupied.

The latest comments received from neighbouring parties has referenced the dwelling being moved closer to the shared boundary. For the avoidance of doubt, this is taken as a point of comparison between the current scheme and the previously refused scheme for a two storey dwelling rather than the revised plans compared to the original plans for this application. The suggestion to move the dwelling away from the boundary would not be plausible as it would infringe on the available parking space and in any case as discussed above, the amenity relationship is now considered to be acceptable.

Conclusion

The proposal represents an infill plot which was previously withdrawn from a wider residential proposal in the applicant's ownership. More recently, an application for a two storey dwelling on the plot was refused on the basis of design and amenity impacts.

Whilst Officers remain of the view that it would have been favourable to see a dwelling identical in design to Plots 4 and 5 come forward, the dwelling as proposed has satisfactorily overcome the previous reason for refusal and no specific harm has been identified through the current proposal which would justify refusal.

The proposal would lead to additional housing delivery on a windfall site in a sustainable settlement and is therefore recommended for approval subject to the conditions outlined below.

RECOMMENDATION

That planning permission is approved subject to the following 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 complete accordance with approved proposed plans and documents reference:

- Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H;
- Drainage Layout – LV019-CIV-500 Rev. C;
- Materials Schedule dated 26th July 2021.

Reason: So as to define this permission.

03

The proposed hedge shown along the north eastern boundary on plan reference Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H shall be planted in accordance with the Landscaping Schedule received 11th August 2021 within 6 months of the occupation of the dwelling or completion of the development, whichever is soonest. If within a period of 7 years from the date of planting the hedgerow is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. The approved hard landscaping scheme shall be carried out prior to first occupation.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity

04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development to any unit approved under this permission under Schedule 2, Part 1 of the Order in respect of:

Class A: The enlargement, improvement or other alteration of a dwellinghouse.

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Class C: Any other alteration to the roof of a dwellinghouse.

Class E: Buildings etc. incidental to the enjoyment of a dwellinghouse.

Reason: To ensure that the Local Planning Authority retains control over the specified classes of development normally permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any amending legislation) and in order to safeguard the amenity of neighbours

05

Prior to the occupation of the dwelling hereby approved, the boundary treatments as shown on plan reference Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H, shall be implemented on site and shall then be retained for a minimum of five years.

Reason: In the interests of visual and residential amenity.

06

Occupation of the development hereby approved shall not take place until:

- a) the access and the driveway are widened to a minimum of 5.0 metres for a minimum distance of 5.0 metres behind the highway boundary as shown on the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL.
- b) the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5.0 m from the rear of the highway boundary and 1 in 12 thereafter as shown on the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL.
- c) the private driveway shall be surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary. The surfaced driveway shall then be maintained in such hard-bound material for the life of the development.
- d) the access driveway is constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The provision to prevent the discharge of surface water to the public highway shall then be retained for the life of the development.
- e) any proposed soakaway is located at least 5.0m to the rear of the highway boundary in line with the approved drawing ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL.
- f) the parking areas are provided in accordance with approved plan ref. Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H. The parking/turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.
- g) the turning areas are provided in accordance with approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL. The turning areas shall be maintained

in the bound material for the life of the development and shall not be used for any purpose other than the turning of vehicles.

- h) the visibility splays of 2.4m x 43m at the access are provided in accordance the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.
- i) pedestrian visibility splays of 2.0 meters x 2.0 meters are provided on each side of the vehicle access as shown on the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL. These measurements are taken from and along the highway boundary. The area of land within these splays shall be maintained free from all obstruction over 0.6 meters above the carriageway level at all times.
- j) the existing footway fronting the site is widened to 2.0m wide as shown for indicative purposes only on the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL in accordance with the Highway Authority's specification to the satisfaction of the Local Planning Authority.

Reason: In the interest of the highway safety.

07

No part of the development hereby permitted shall be brought into use until a 5.0m wide vehicular crossing over the existing highway verge is available for use and constructed in accordance with the Highway Authority's specification to the satisfaction of the Local Planning Authority.

Reason: To enable the vehicles to enter and leave the site in a slow and controlled manner and in the interest of general highway safety.

Notes to Applicant

01

To avoid nuisance complaints the applicant should have regard to the following:

1. Except for emergency works, to protect the amenities of occupiers of other premises in the vicinity, the hours for deliveries or for the construction of the development should be restricted to: Monday to Friday 08:00 to 18.00hrs, Saturday 08:00 to 13.00hrs and no works on site on Sundays/Bank Holidays.
2. Suitable measures must be taken to minimise dust and dirt during the construction and operation of the site using best practice methods.

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

03

Please note that the District Council no longer provides wheeled bins for residential developments free of charge. Wheeled bins can be purchased from the District Council or any other source provided they conform to appropriate standards and requirements of the Council. Enclosed is a leaflet from the District Council's Waste Management Section entitled 'Guidance for New Development – Waste Storage and Collection' which sets out these standards and requirements. If you wish to purchase wheeled bins or discuss this matter further please contact the Waste Management Officer on 01636 655677 or email: waste.management@nsdc.info.

04

The development should not increase flood risk to existing properties or put the development at risk of flooding.

Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.

SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.

Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

The applicant should consider the use of flood resilient construction techniques and materials where possible.

05

This application has been the subject of pre-application discussions and has been approved in accordance with that advice. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

06

The proposed development is in a potentially Radon Affected Area*. These are parts of the country where a percentage of properties are estimated to be at or above the Radon Action Level of 200 becquerels per cubic metre (Bq/m³). Given the above I advise that it would be prudent for the applicant to investigate if the proposed development will be affected by radon and incorporate any measures necessary into the construction to protect the health of the occupants. Further information is available on the council's website at: <http://www.newark-sherwooddc.gov.uk/radon>

*based on indicative mapping produced by the Public Health England and British Geological Survey Nov 2007.

07

Access and footway widening:

The development makes it necessary to widen a vehicular access over a verge of the public highway and widen the existing public footway along the site's frontage. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Highway Management Section on 0300 500 8080 to arrange for these works to be carried out.

Building Works shall not project over the highway

No part of the proposed building/wall or its foundations, fixtures and fittings shall project forward of the highway boundary.

Prevention of Mud on the Highway

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

Background Papers

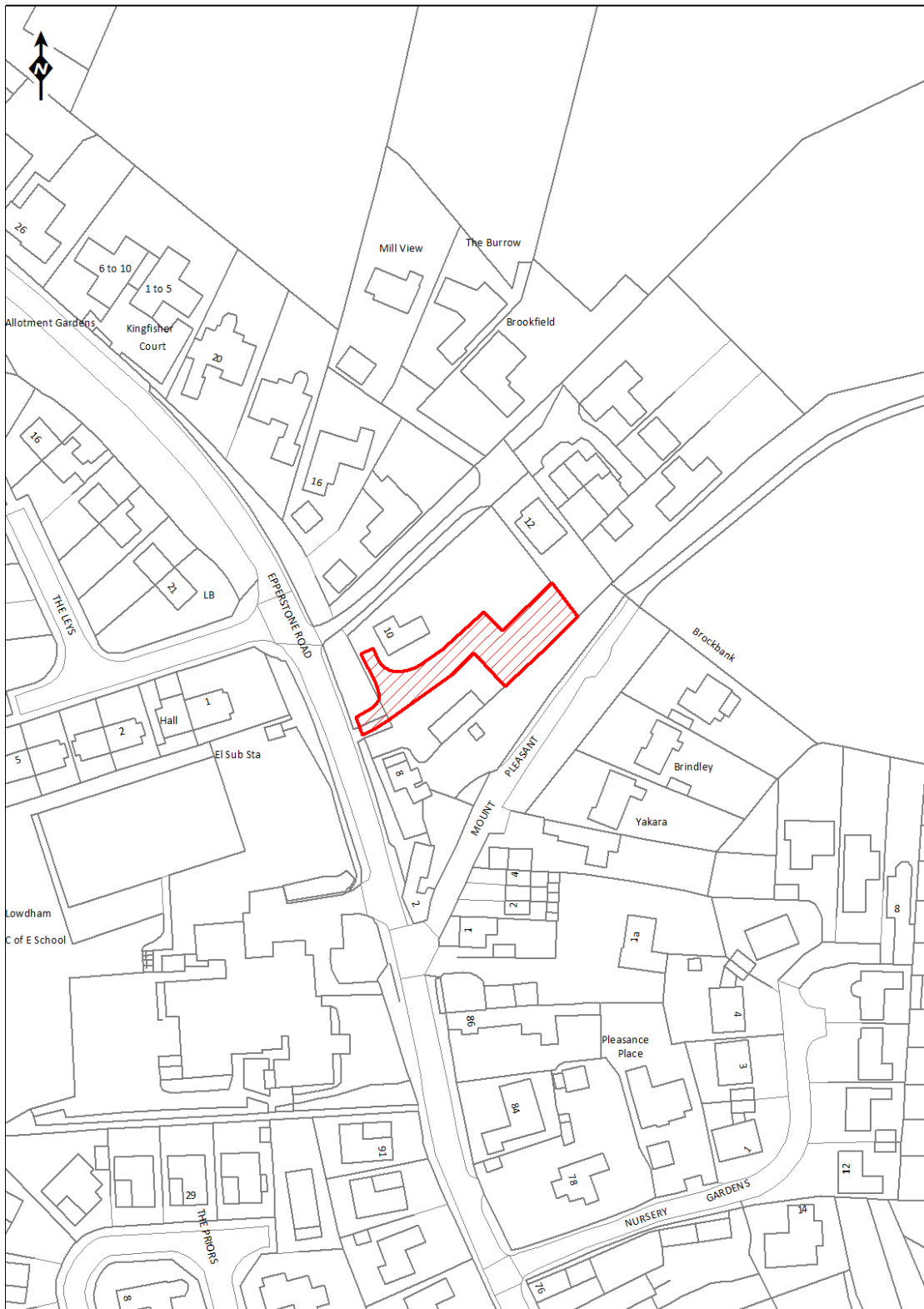
Application case file.

For further information, please contact Laura Gardner on extension 5907.

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 - 21/01667/FUL



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PLANNING COMMITTEE – 05 OCTOBER 2021

Application No:	21/01516/FUL	
Proposal:	Proposed New Dwelling	
Location:	Land Adjacent Hockerton Grange Farm, Kirklington Road, Hockerton.	
Applicant:	Mr S Christy	
Agent:	George Machin Planning & Property	
Registered:	06 July 2021	Target Date: 31 August 2021

This application is presented to the Planning Committee at the discretion of the Business Manager.

The Site

The site relates to a parcel of open vacant scrub land to the north west of Grange Cottages and the south of Kirklington Road. Hockerton Grange is a private residence and contrary to the name suggests, it is no longer a working farm, however this land is not currently used as part of the 'useable' curtilage or contain any such domestic paraphernalia.

A tree belt is sited along the western boundary and a tree is located close to the roadside adjacent to the driveway with Grange Cottages.

Grange Cottages are identified as local interest buildings.

The site is within flood zone 1 as identified by the Environment Agency data maps and at risk of surface water flooding.

Relevant Planning History

None

The Proposal

The proposal is to erect a two storey (rooms in the roof) L shaped 3 bedroomed detached dwelling with 3 parking spaces within the grounds.

The approximate dimensions of the proposed dwelling are:

10m (width) x 10m (depth) x 7.45m (ridge) x 4.75m (eaves)

(Rear projection is 6.78m wide and 4m in depth)

List of plans/documents considered

- Site location plan (30.07.2021);
- Proposed block plan (30.07.2021);
- DRWG no. GF.H/2021/P1 Floor plans as proposed (30.07.2021);
- DRWG no. GF.H/2021/E1 Elevations-As proposed;
- Combined planning and design & access statement July 2021;
- Preliminary ecological survey September 2021
- Tree Survey September 2021

Departure/Public Advertisement Procedure

6 neighbours have been consulted on the proposal.

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 3 – Rural Areas
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
Core Policy 13 – Landscape Character
Core Policy 14 – Historic Environment

Allocations & Development Management DPD

DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM8 – Development in the Open Countryside
DM9 – Protecting and Enhancing the Historic Environment
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021
Planning Practice Guidance
Residential cycle and car parking standards & design guide SPD 2021

Consultations

Hockerton Parish Council – no comments received

NCC Highways – 15/09/2021 On the basis of the available information, the Highway Authority is content with the proposed development subject to the conditions listed below. In coming to this

conclusion the Authority has considered issues of highway access, capacity and safety, available parking, servicing and sustainability. No objection subject to appropriate and suggested conditions.

Conservation comments - Hockerton is not a Conservation Area but is a historic village. No objection in relation to impact upon the setting and significance of the listed outbuilding to The Grange, or to any other historic structure in this cluster.

Tree Consultant comments – Noted that trees to the west will be adversely affected by the proposed access and likely required highway clearance on a widened entrance. However, conditions suggested

No representations have been received from local residents/interested parties.

Comments of the Business Manager

Principle of Development

The site is located outside of the defined settlements as specified within the Settlement Hierarchy within the ACS. Spatial Policy 3 applies to development in rural areas that do not have urban boundaries or village envelopes. Where a site is not considered to be 'in village' they would be considered as being sited within the open countryside whereby policy DM8 applies (Development in the open countryside) of the Allocations and Development Management DPD.

The assessment with this proposal is whether this site is considered 'in village' or not. The supporting text to Spatial Policy 3 (para 4.25) states "...*this* [sustainable accessible villages] *means locations within the existing built extent of the village, which includes dwellings and their gardens, commercial premises, farm yards and community facilities*". The policy goes on to state that it would not normally include undeveloped land, fields and paddocks or open space which form the edge of the built form.

The site is a vacant parcel of overgrown land associated with the former farm (the farm is not now operational and the house is in full residential use). Its visual characteristics is of an open field but by virtue of its location within the village, it is closely related to the main built up area. The Council's Conservation Officer has stated within their comments that 'the plot has been laid out like others where the street frontage was then developed, so development here seems quite logical in village plan form terms'. However, whilst this may or may not have been the original intention, the land does not appear to have been used for any of the uses listed within the above paragraph.

However, when travelling through Hockerton from Newark, and given its linear nature it is not considered that it is visually, physically or functionally disconnected to the village settlement. The tree belt/hedgerow to the western boundary forms a physical stop end to the site and limits the extent of the village line. Developing the site would not, in itself, further elongate the village or result in an outward expansion of the built form.

Hockerton Grange Farm is not visible from the roadside and the substantial hedgerow forms a physical barrier to its visibility and contribution to the built extent. This forms a 'break' in the built form. I am therefore of the opinion that whilst the site is within the village, it does not fall within the locational criteria specified within the supporting text to Policy SP3. However this is a very

finely balanced judgement, hence why this proposal is being presented to Planning Committee. Members need to determine whether it is considered to be 'within' or 'outwith' the village in terms of the supporting text. If it is concluded by Members that the site is in open countryside then policy DM8 must be applied instead.

Policy DM8 (Development in the Open Countryside) requires new dwellings to be of exceptional quality or innovative nature of design. The design merits are discussed below and whilst this is considered appropriate for its setting, it does not meet the threshold of being innovative. Neither is it considered to be of exceptional quality. It is therefore considered that the proposal should be refused as being contrary to Policy DM8. However, as Members might conclude the development is within the village, the criteria set out under Policy SP3 are considered below.

Spatial Policy 3 of the Amended Core Strategy (ACS) will support rural communities including the provision of new development subject to the proposal satisfying 5 criterion which are Location, Scale, Need, Impact and Character. Spatial Policy 3 has the provision to include infill development where the site is considered to be within the village.

Location

Hockerton has very limited facilities which would support further development (the Spread Eagle Pub, which is not currently operating but is the subject of an application to be listed as an Asset of Community Value; and a small village hall). There are some retail units approximately 250m west of the site, however these do not provide such day to day facilities. Hockerton is closely physically related to Southwell (approx. 6 min drive away from the town centre) however, there is no direct bus service. Newark Town Centre is approximately 6.5miles from the application site (10min drive) whereby there are more sustainable facilities. Alternatively, a bus service is in operation to Newark (from Hockerton) however this is only operational on Wednesdays and Fridays (Service 330) with one direct bus to Newark on each day. Therefore due to the very limited bus service this cannot be considered a sustainable or desirable form of transport. Nonetheless, given its close relationship to the Newark Urban Area and Southwell, although this would be reliant on the use of a car, the journey would be for a limited period and often provide linked trips, it is therefore considered in terms of accessibility (not location of the actual site) the principle is acceptable.

The agent has directed Officers to an appeal decision on Caunton Road Hockerton (dated 31 December 2020), which was Dismissed, whereby it is stated by the agent to be in a similar siting outside of main built up area and on undeveloped land. Within the appeal decision (see paragraphs 6 – 8 in Appendix A), the Inspector stated there are existing residential properties to either side of the appeal site. It is not considered that the appeal raises any new information outside of the scope of Spatial Policy 3, specifically relevant to the Member's consideration of the application. The Inspector concluded that the site was visually distinct from the rest of the settlement and that although Spatial Policy 3 allows for the infilling of small gaps, this should not extend the built extent of the village boundary.

Another application which the agent has cited is in Syerston (20/00249/FUL) and relates to a site at the junction with Hawksworth Road and Moor Lane (see appendix B). This was deemed to be within the built up area by Officers and the Planning Inspector and result in the infilling of a small gap with 2 dwellings. This application was a resubmission following an approval in 2018.

The considerations with this application are very different in terms of the wider context whereby the appeal site is surrounded by built form in all directions, bar the west. Officers therefore consider very little weight should be attributed to this as a material consideration.

Scale

The proposal is for one dwelling which is considered small scale and acceptable.

Need

The proposal is for a 3 bedroomed detached dwelling. The site is located within the Southwell sub-area within the Housing Needs Assessment 2020. This states the greatest need within this area is for 4 bedroomed dwellings (44.1%) followed by 3 bedroomed (34.4%). Although the proposal does not meet the most 'in-need' according to the survey, the proposal would still meet a high need in order of hierarchy.

Therefore the proposal in regard to need, is considered acceptable.

Impact

The proposal is for one dwelling which is not expected to have a detrimental impact upon the surrounding area. No objection has been received from NCC Highways, subject to the imposition of conditions and the site is not within an area at risk of flooding.

Character

The matter of character is discussed in the design and heritage section below.

Therefore the development would comply with the criteria within Spatial Policy 3. Members need to determine whether it is considered 'within' or 'outwith' the village. If out of the village then Policy DM8 of the Allocations and Development Management DPD applies, then the design should be of exceptional quality or innovative nature. This is broadly in compliance with the updated NPPF, para 80 which requires proposals to be of exceptional quality and truly outstanding and able to enhance its immediate setting. As discussed above, this is not considered to be the case.

Design and heritage impact

Policy DM5 states that the rich local distinctiveness of the District's landscape and character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. Policy DM9 of the ADMDPD states proposals affecting heritage assets will be expected to secure their continued protection or enhancement, contribute to the wider vitality, viability and regeneration of the areas in which they are located and reinforce a sense of place. In addition proposals should, where they form or affect heritage assets, utilise appropriate siting, design, detailing, materials and methods of construction. Particular attention should be paid to reflecting locally distinctive styles of development.

Core Policy 14 states the Council will secure the continued conservation and enhancement of the character, appearance and setting of non-designated heritage assets including buildings of local interest.

The proposed three bay design with rear gabled wing traditionally detailed cottage windows detailing is reflective of the local interest buildings at Grange Cottages. The general form and appearance is traditional and reflects local houses. The structure also has the first floor windows set within gablets, which mirrors the current form of Grange Cottages. The proportions are also modest in comparison to surrounding buildings and the materials, generally speaking, are reflective of the locale.

The plot, from reviewing the historic mapping, does not have any historical significance in terms of the use, and it would still retain the intervisibility, although somewhat masked by the existing vegetation, to the Grange. Therefore the proposal would not result in any harm to the significance of surrounding historic buildings. Therefore the proposal accords with Core Policy 14 of the ACS, Policy DM5 and DM9 of the ADMDPD and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as Section 16 of the NPPF.

Highway and parking impact

Spatial Policy 7 of the ACS states that proposal should provide for safe and convenient access and avoid highway improvements which harm the environment and character of the area. These are also reflected in the policy DM5 of the ADMDPD.

The proposal has been amended following an initial objection from Highways. Revised plans have been submitted which now meet their satisfaction subject to the imposition of conditions. The proposal is for a single access off the main highway to solely serve the dwelling, and includes sufficient manoeuvrability within the site to exit in a forward gear.

The Council adopted Parking SPD states that a minimum of 2 parking spaces should be provided for a dwelling of 3 bedrooms. The plans show the provision of 3 spaces which is considered sufficient to meet the requirements.

The proposal therefore accords with Spatial Policy 7 of the ACS and policy DM5 of the ADMDPD as well as the SPD.

Trees

The proposal includes the submission of a tree survey which has been assessed by the Council's Tree Consultant. Whilst 3 of the ash trees are classified as U category, one of these he believes is incorrect and the presence of ivy on the trunk could just be removed. Nonetheless there are no trees on the site which are of outstanding or sufficient quality to consider for a Tree Preservation Order and the impact from construction could be mitigated for by condition. In addition the loss of the 3 trees on the road frontage (one is already a stump) could be replaced by landscaping within the site.

Therefore the proposal is considered acceptable on the impact upon trees.

Ecology

Core Policy 12 of the ACS and policy DM5 of the ADMDPD all seek to ensure there is no harm to the ecological, biological and geological assets of particular sites. Proposals should seek to secure development that maximises opportunities to conserve, enhance and restore biodiversity.

The proposal has been submitted with an ecological survey which states there are no trees on the site which would support roosting bats, and there is limited commuting and foraging habitat within the site. Although the rear of the site has high potential for foraging and commuting. A recommendation has been made to install bat bricks and bat roosts/boxes to improve the conservation status of the bat population.

The site has potential to be used for nesting birds by species of common birds and works should commence outside of nesting season (March – late August). A recommendation has been suggested to include sparrow nest boxes which can be controlled by condition.

Any proposed lighting on the site should be placed as far from the boundary as possible and that light spillage to the surrounding landscape (especially to the rear) is avoided by using shields. The height of lighting columns should be as short as possible and sensors should also be used.

No evidence of badgers were found on site.

As such the proposal, subject to the imposition of conditions, is not likely to have a harmful impact upon the local ecology.

Neighbour amenity

Policy DM5 states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure neither suffers from an unacceptable reduction in amenity including overbearing, loss of light and privacy.

The dwelling is sited approximately 12m west of the existing Grange Cottages and features one small secondary bedroom window facing the cottage. It is considered that due to the layout and design, the proposal would not result in detrimental harm to neighbor amenity from overbearing, loss of light or privacy.

Flood Risk

The site is in area at risk of surface water flood risk. Core Policy 9 requires that all new development should, through its design, pro-actively manage surface water including, where feasible the use of Sustainable Drainage Systems. The proposal does not include any information about surface water drainage. The proposal would result in an increase in impermeable surface due to an increase in hardsurfacing on the virgin site. Therefore suitable measures should be incorporated (managed by condition) such as permeable paving, landscaping and other such improvements to reduce the water run-off.

Conclusion

In terms of impact, need, character and scale, the proposal is considered acceptable. Members will need to decide if, given the above discussion, it is considered the siting to be located in village whereby Spatial Policy 3 would apply. If not then it must be considered as open countryside and refused as the proposal would not satisfy the criteria for being acceptable development in the open countryside as it is not on previously developed land, form an exception site, a conversion nor is it of exceptional quality which would accord with the requirements of paragraph 80 of the NPPF (2021). Officers are of the view, due to the use of the site that the land falls to be considered under Policy DM8 and thus the development should be refused.

The proposal does not harm the significance of the adjacent non designated heritage assets (local interest buildings) due to its juxtaposition, scale, mass, design and use of materials.

The proposal would if approved and subject to the imposition of conditions, not result in harm to highway safety, longevity of trees or impact on local ecology. The proposal would also be acceptable to neighbour amenity and thus accords with the relevant aims of the NPPF and local

development plan policies in this regard.

RECOMMENDATION

That planning permission is refused for the following reason(s)

In the opinion of the Local Planning Authority, due to its open and undeveloped character of the land, the site would appear more akin to the open countryside as opposed to being in village. Therefore policy DM8 of the Allocations and Development Management DPD applies. New dwellings in the open countryside should be of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area. Para 80 of the National Planning Policy Framework (NPPF) 2021 states proposals should be truly outstanding and significantly enhance its immediate setting.

The proposal is neither exceptional or innovative or truly outstanding and thus would not comply with paragraph 80 of the NPPF (2021) or policy DM8 of the Allocations and Development Management DPD.

Notes to Applicant

01

Refused Drawing Numbers

- Site location plan (30.07.2021);
- Proposed block plan (30.07.2021);
- DRWG no. GF.H/2021/P1 Floor plans as proposed (30.07.2021);
- DRWG no. GF.H/2021/E1 Elevations-As proposed;
- Combined planning and design & access statement July 2021;
- Preliminary ecological survey September 2021
- Tree Survey September 2021

BACKGROUND PAPERS

Application case file.

For further information, please contact Lynsey Preston on ext 5329.

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

Appendix A 21/01516/FUL – Hockerton Grange Farm, Hockerton

Extract from Appeal Decision APP/B3030/W/20/3258461

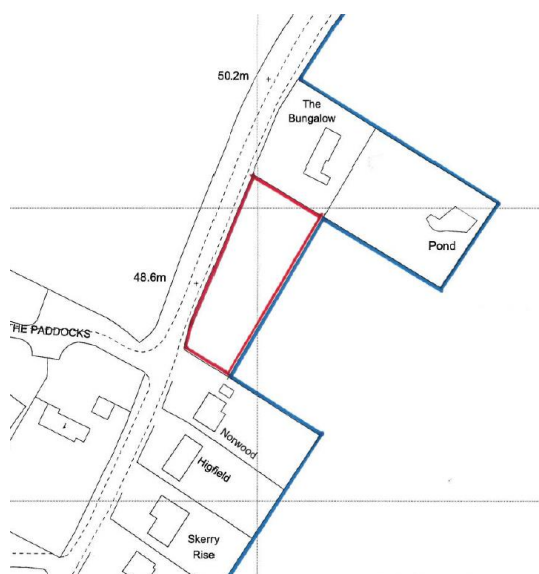
20/00225/OUT Caunton Road Hockerton

6. Spatial Policy 3 of the ACS sets out a number of sustainability criteria for the consideration of development in 'other villages' which includes location, scale, need, impact and character. The supporting text explains that the locational criterion supports the development of sites in sustainable accessible villages which means locations within the existing built extent of the village. The policy does not define village envelopes but states that the built extent of the village would not normally include undeveloped land, fields, paddocks or open space which form the edge of built form.

7. There are existing residential properties to either side of the appeal site. However, there is only one property directly to the north. I observed on my site visit that Norwood and The Paddocks to the south of the appeal site denote the end of the main built up area of the village. The cottage to the north is clearly distinct from the main settlement visually and in terms of its location on account of the intervening agricultural land. Beyond The Bungalow to the north, which is a modest single storey dwelling, built development becomes extremely limited. There is no built development adjacent to the site to the east or west. For these reasons, the development would not meet the locational criterion because the site is undeveloped and forms part of an open agricultural field at the edge of the built form of Hockerton.

8. Spatial Policy 3 also states that within settlements which do not meet the locational criterion of this policy but are well related to villages that do, consideration will be given to the infilling of small gaps with 1 or 2 dwellings so long as this does not result in the joining of outlying areas into the village in question.

9. The width of the plot is large in comparison to other residential plots to the eastern side of Caunton Road. The Bungalow to the north of the appeal site currently reads as visually separate to the main built up area. In the context of the adjacent plot sizes, the development would not infill a small gap and the development would result in the joining of The Bungalow into the built extent of the village. Therefore, for the purposes of Spatial Policy 3, I consider that the site is located within the open countryside and would not represent infilling 'within' a village.



Site location plan

Appendix B 21/01516/FUL – Hockerton Grange Farm, Hockerton

Extract of Officer report 20/00249/FUL – Hawksworth Road Syerston

Location

The first criterion of Spatial Policy 3 of the Amended Core strategy details that ‘new development should be in villages, which have sustainable access to Newark Urban Area, Service Centres or Principal Villages and have a range of local services themselves which address day to day needs.’

The application site is located close to the junction of Hawksworth Road and Moor Lane with residential curtilages immediately to the north, south and west and further residential properties to the east beyond the paddock. The site is therefore considered to fall within and not outside of the village, **a view shared by the Planning Inspector in determining the appeal.**

With regards to local services Syerston has only a church and village hall (which from the village hall website does hold some regular community events). The village itself is therefore considered to have some but very limited amenities.

The nearest village with services and facilities is Elston approximately 2.4km by road from Syerston which has, according to the latest figures District Councils Monitoring Report dated June 2108, a church, shop, primary school and public house.

Syerston is serviced by a bus route between Balderton and Nottingham on the Fosse Way (the old A46) with the nearest bus stop approximately 0.7k from the centre of the village. The bus service to Newark and Nottingham and adjoining villages runs between a 30minute -1 hourly service during the day and 2 hourly in the evenings during the week, hourly on a Saturday and 2 hourly on a Sunday for part of the day.

Whilst there is this bus service I would still expect that residents of Syerston to rely on the use of a private car. Despite this there are nearby villages which can be accessed through the existing highway network which contain services which could be used by the residents of Syerston. Matters of sustainability which were raised in the previous decisions for development at this site are discussed later in this report.

The revised supporting text of Policy SP3 within the Amended Core Strategy states that ‘within settlements which do not meet the locational criterion of this policy but are well related to villages that do, consideration will be given to the infilling of small gaps with 1 or 2 dwellings so long as this does not result in the joining of outlying areas into the village in question, or the coalescence with another village. Such development will need to comply with the scale, need, impact and character criteria of this policy.’

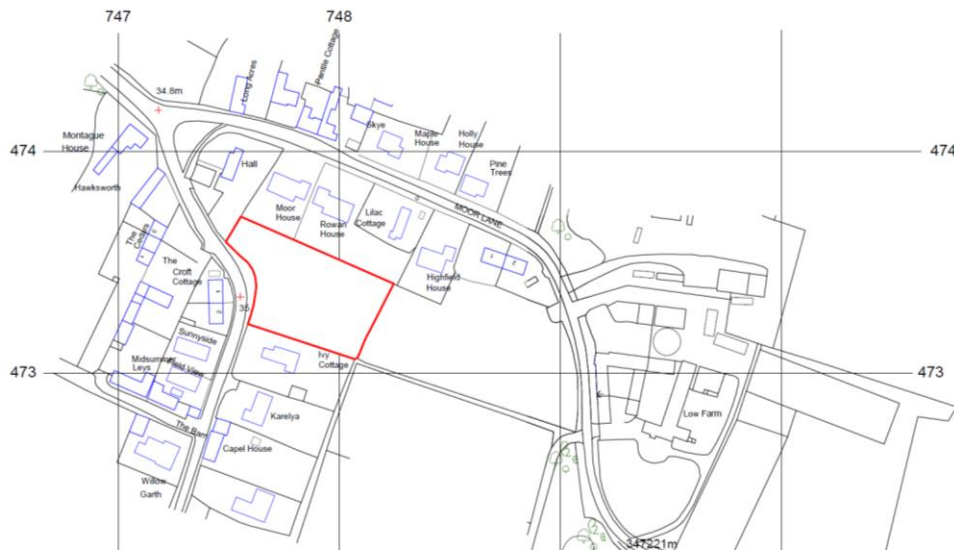
Therefore SP3 does not now preclude limited development within villages that do not meet the locational criterion providing they are well-related to villages which do provide local services. This also reflects the guidance within the provision of paragraph 78 of the NPPF which states that to promote sustainable development within rural areas housing should be located where it will enhance or maintain the vitality of rural communities.

I am mindful of the less restrictive provisions of Spatial Policy 3 of the Amended Core Strategy and guidance within the NPPF compared to those within the policy against which the previous refusal and the subsequent appeal was assessed.

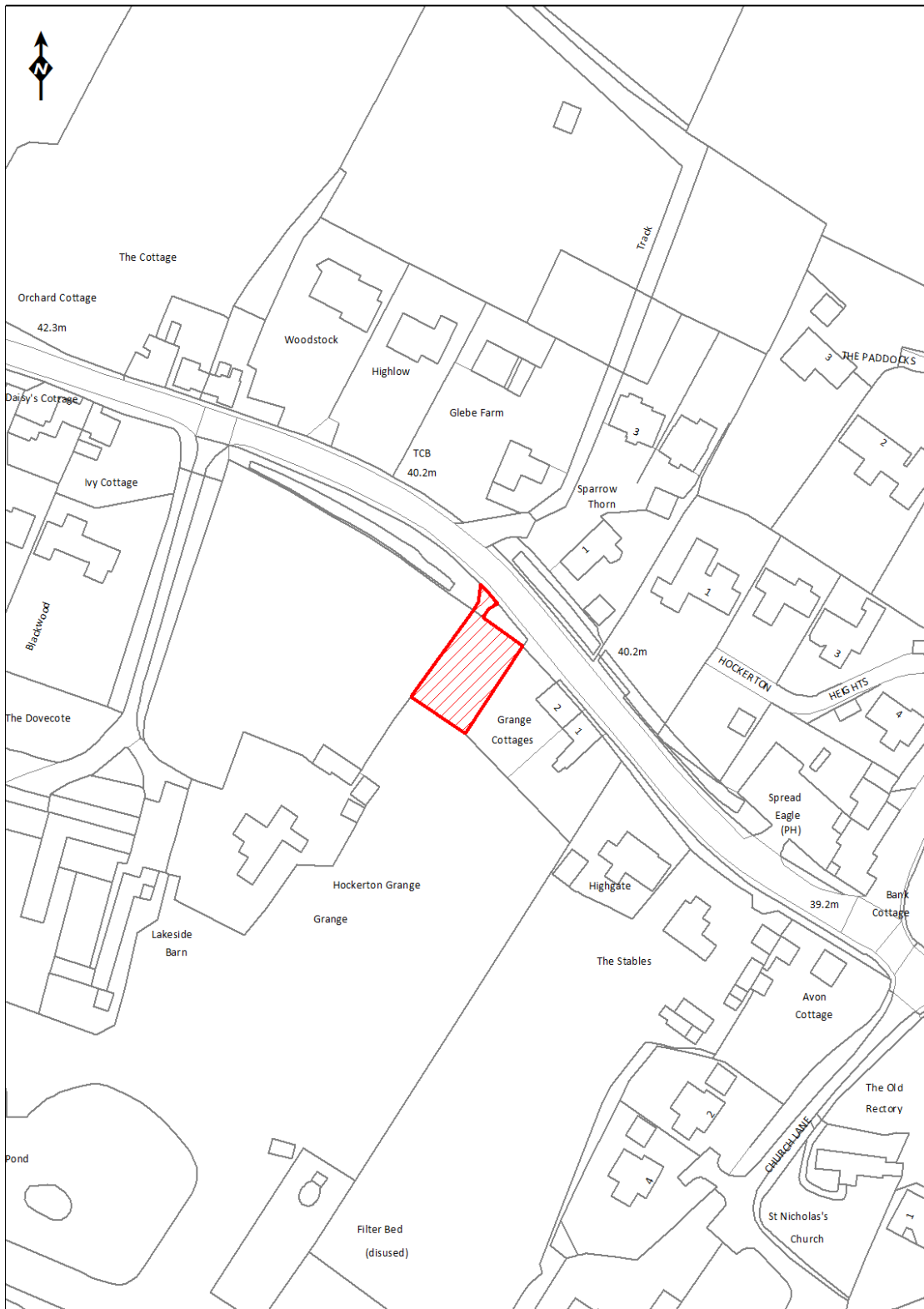
The application site does fall within the village and that would result in the infilling of a small gap which would not result in the joining of outlying areas into the village in line with the revised policy.

There are also several small villages which are within a 3km radius of the site, namely Elston, Flintham and Sibthorpe which in terms of the assessment against the revised policy are reasonably well related to and accessible from Syerston and which could serve the day to day needs of the occupiers of the proposed development.

Therefore when assessed against the locational criterion of Spatial Policy 3, it is considered that the principle of 2 new dwellings on the site would accord with the location provision of this policy.



Committee Plan - 21/01516/FUL



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PLANNING COMMITTEE – 5 OCTOBER 2021

Application No:	21/02002/HOUSE	
Proposal:	Proposed two storey side extension (resubmission of 21/01283/HOUSE, to change bricks to white render on front and east (side) elevations)	
Location:	1 Beacon Hill Road, Newark on Trent, NG24 1NT	
Applicant:	Clare Walker	
Registered:	15 September 2021	Target Date: 8 November 2021
Link To Application:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QZGY70LB04M00	

In line with the Constitution the application is referred to members of the Planning Committee for determination as the applicant is an officer of the Council.

The Site

The application site comprises of a two storey detached dwelling within the defined Newark Urban Area. The dwelling is set back from the highway by approximately 16 metres, allowing for off road parking, it also benefits from modest front and rear garden areas. The site is adjoined by residential garages to the east and north with other residential properties beyond. The Grade II Listed '21 Friary Road' is located to the site's western boundary and the Newark Conservation Area is located to the south.

Relevant Planning History

21/01283/HOUSE- Proposed two storey side extension and alterations to existing front entrance porch. Approved by Planning Committee on 6 July 2021 with the decision being issued on 9 July following the expiry of the consultation period.

21/00936/HPRIOR- Householder prior approval for single storey rear extension. The length that the extension extends beyond the rear wall of the original house: 6.38 metres Eaves height of the extension: 2.4 metres Maximum height of the extension: 3 metres. Prior Approval Not Required- Approved by Planning Committee 1 June 2021.

The Proposal

The application is a resubmission of a previously approved application, reference 21/01283/HOUSE, which was approved by the Planning Committee on 6 July 2021.

This application again seeks permission to erect a two storey side extension off the eastern elevation, however, it is now proposed to render the whole of the front (south) elevation, the side (east elevation) and part of the rear (north) elevation in white. Alterations to the existing front porch are also proposed. The plans also show the single storey rear extension approved by Committee in June 2021 (21/00936/HPRIOR).

Approximate dimensions of the two storey extension are as follows; 7.4 metres in length, 4.4 metres in width, 4.7 metres to the eaves and 6.6 metres in total height.

Submitted Documents (Proposed)

The application has been submitted with the following documents:

Site Location Plan-Layout #4 received 15 September 2021
Proposed Plans and Elevations # 3 received 15 September 2021
Proposed Materials Schedule received 17 September 2021

Departure/Public Advertisement Procedure

Occupiers of 9 properties have been individually notified by letter. A site notice has been displayed (17/09/21) nearby to the site and a notice has been placed in the local newspaper.

Earliest decision date- 14th October 2021

Planning Policy Framework

The Development Plan

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

Core Policy 9 -Sustainable Design
Core Policy 14 – Historic Environment

Allocations & Development Management DPD

DM6 – Householder Development
DM9 – Protecting and Enhancing the Historic Environment
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021
Planning Practice Guidance
Householder Development SPD Adopted 2014
Sections 66 and 72 of the Town and Country Planning (Listed Buildings & Conservation Areas) Act 1990.

Consultations

Newark Town Council: No representations received to date.

Tree Officer: No objections.

Historic England: No representations received to date.

NSDC Conservation Officer: No objection from Conservation- it is a modern building, and the proposal has a neutral impact on historic environment, it is not unduly prominent.

Comments of the Business Manager

Principle of Development

Policy DM12 of the DPD states 'A positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Development Plan is the statutory starting point for decision making. Planning applications that accord with the policies in the Development Plan for Newark and Sherwood (including, where relevant, policies in Neighbourhood Development Plans) will be approved without delay, unless material considerations indicate otherwise.'

Policy DM6 of the DPD states that planning permission will be granted for the alteration and extension of dwellings provided that the development meets a number of criteria regarding access, impact on amenities of neighbouring users, layout and separation distances, the design and the character of the area.

With the above in mind the proposal is acceptable in principle subject to a site specific assessment, this is carried out in the following report.

Impact on Visual Amenity

Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment.

Policy DM6 states that proposals should respect the design, materials and detailing of the host dwelling. The Householder Development SPD reflects this policy; paragraph 7.23 highlights the importance of the choice of external materials for householder developments and states that materials which are unsympathetic to the host dwelling will detrimentally affect the appearance of the property and potentially local distinctiveness.

The proposal is for a two storey side extension as well as alterations to an existing porch area to the front.

The host property is two storey in scale and is set back into the site by approximately 16 metres, its set back position means that it is not read in line with other properties along Beacon Hill Road. The two storey side extension does not necessarily follow the guidance within the SPD for Householder Development, which advises that side extensions ideally should be set down from the main ridge of the host dwelling whilst also being stepped at the front and rear, however, given that the property is detached and sits within a large plot I am satisfied there will be no harm to the wider area nor will there be a negative impact on the character and appearance of the host dwelling.

The alterations to the existing front porch consist of a new front door to the front gable end. These alterations are purely aesthetic with no increase in the footprint of this area. There are no concerns arising from these alterations which respect the host dwellings appearance.

It is proposed to render the whole of the front (south) elevation, the two storey side (east elevation) and part of the rear (north) elevation of the proposed extension in chalk white or similar. As previously stated the dwelling is set back from the highway and does not form part of the wider street scene. Given this, I do not consider that the proposed render would make the dwelling more prominent within the area or cause any harmful visual impact, I therefore find its use to be acceptable.

To conclude, I consider that the proposal will have no harmful visual impact on the wider area and therefore meets the aims of the policies within the Development Plan.

Impact on Conservation Area and Listed Building

Core Policy 14 states that the Council will aim to secure the continued preservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment and the preservation of the special character of Conservation Areas – including such character identified in Conservation Area Character Appraisals. This is also reflected in Policy DM9.

Policy DM9 states development proposals should take account of the distinctive character and setting of individual conservation areas including open spaces and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing. Impact on the character and appearance of Conservation Areas will require justification in accordance with the aims of Core Policy 14.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Sections 16 and 66 require the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess.

Whilst the site is not located within the defined map of the Newark Conservation Area, the site's southern boundary, adjacent to the highway abuts the edge of the Conservation Area. The Grade II Listed 21 Friary Road is also located adjacent to the west.

The proposals, being of a minor scale would not make the dwelling any more prominent or visible within the Conservation Area than it is as existing. The proposed extension, being located off the east elevation, would not materially alter the site's relationship with the neighbouring Listed Building (21 Friary Road). It is noted that the Conservation Officer has no objections to the proposals and also finds the proposed use of the render to be appropriate within this setting. To conclude, the proposals would cause no harm to the setting of the nearby Listed Building nor would it harm the character or appearance of the Conservation Area.

Impact on Residential Amenity

Policy DM6 accepts extensions to dwellings provided that there is no adverse impact on the amenities of neighbouring users including loss of privacy, loss of light and overbearing impact, and that the host dwelling retains a reasonable amount of amenity space relative to its size.

Residential garages which serve properties along Wellington Road are located to the site's northern and eastern boundaries with residential properties beyond this at a distance of approximately 12 and 17 metres away respectively. As previously stated 21 Friary Road is located adjacent to the site's western boundary.

There will be no new proposed windows in the side (east) elevation of the extension, there is a new first floor window in the rear (north) elevation, however, first floor openings already exist in this elevation and as such I do not consider that the addition of this window will cause harm in terms of overlooking. Given the large separation distances to neighbouring dwellings there are no concerns in terms of overbearing or overshadowing impacts.

In terms of amenity for the occupiers of the application dwelling, the garden area would still be of an adequate size. As such, I do not feel there would be any negative impact for the host dwelling.

Considering the above, I do not feel that the proposal would have an unacceptable impact on neighbouring amenity in terms of loss of light, loss of privacy, or overbearing impact and therefore the proposal accords to Policy DM6, the Householder Development SPD and the NPPF.

Trees

There are three trees within the vicinity of the proposed side extension. One of the trees is dead and another is in a poor condition, these would need to be removed to accommodate the extension. There is another tree located further to the east and close to the site's boundary. In the previous application the applicant stated that it was preferable to retain this tree, however, during works at the site it has become apparent that its removal is now required. The trees roots have compromised the drainage pipe than runs across the site and under where the two storey extension is to be sited.

There are other mature trees located to the front of the site which provide screening and are located over 15 metres away from the extension.

It is noted that the site is not within the Conservation Area nor are any of these three trees protected by a Tree Preservation Order (TPO) and as such approval from the Local Planning Authority for the removal of these trees would not be required, and they could be removed at any time. The Tree Officer has confirmed that they have no objections to the removal of these trees.

A condition was placed on the previous permission which required building materials to only be stored on the hard standing areas within the site, I consider this condition to still be relevant to help protect the root protection areas of those trees to the front of the site.

Conclusion

To summarise, I do not consider that the design would be detrimental to the character of the area nor the host dwelling, and that it would not unduly impact upon neighbouring residential amenity. It is also considered that the proposal will preserve the setting of the nearby Listed Building and would not harm the character and appearance of the Newark Conservation Area. The proposals therefore accord to the policies contained within the Amended Core Strategy and the ADM DPD as well as the statutory duties contained within the Town and Country Planning (Listed Buildings & Conservation Areas) Act 1990. It is recommended that planning permission is approved.

RECOMMENDATION

That planning permission is approved subject to:

- **no new material considerations arising prior to the expiry of the consultation period (14th October 2021). Should any new matters arise within the intervening period which have not been considered within this report or by Planning Committee, then the application will be referred back to the Committee for further consideration.**
- **Otherwise subject to the conditions 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

During the construction phase all building materials shall only be stored on the existing hardstanding areas within the site.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

03

The development hereby permitted shall not be carried out except in accordance with the following approved plans/submitted documents, with the exception of the annotations relating to the materials:

Site Location Plan-Layout #4 received 15 September 2021

Proposed Plans and Elevations # 3 received 15 September 2021

Proposed Materials Schedule received 17 September 2021

Reason: So as to define this permission.

04

Notwithstanding the annotations on the proposed plans, layout # 3, the development hereby permitted shall be constructed from the materials as detailed as part of the application, including the materials schedule received on 17th September 2021.

Reason: In the interests of visual amenity.

Notes to Applicant

01

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 not payable on the development hereby approved as the gross internal area of new build is less 100 square metres.

02

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) (England) Order 2015 (as amended).

BACKGROUND PAPERS

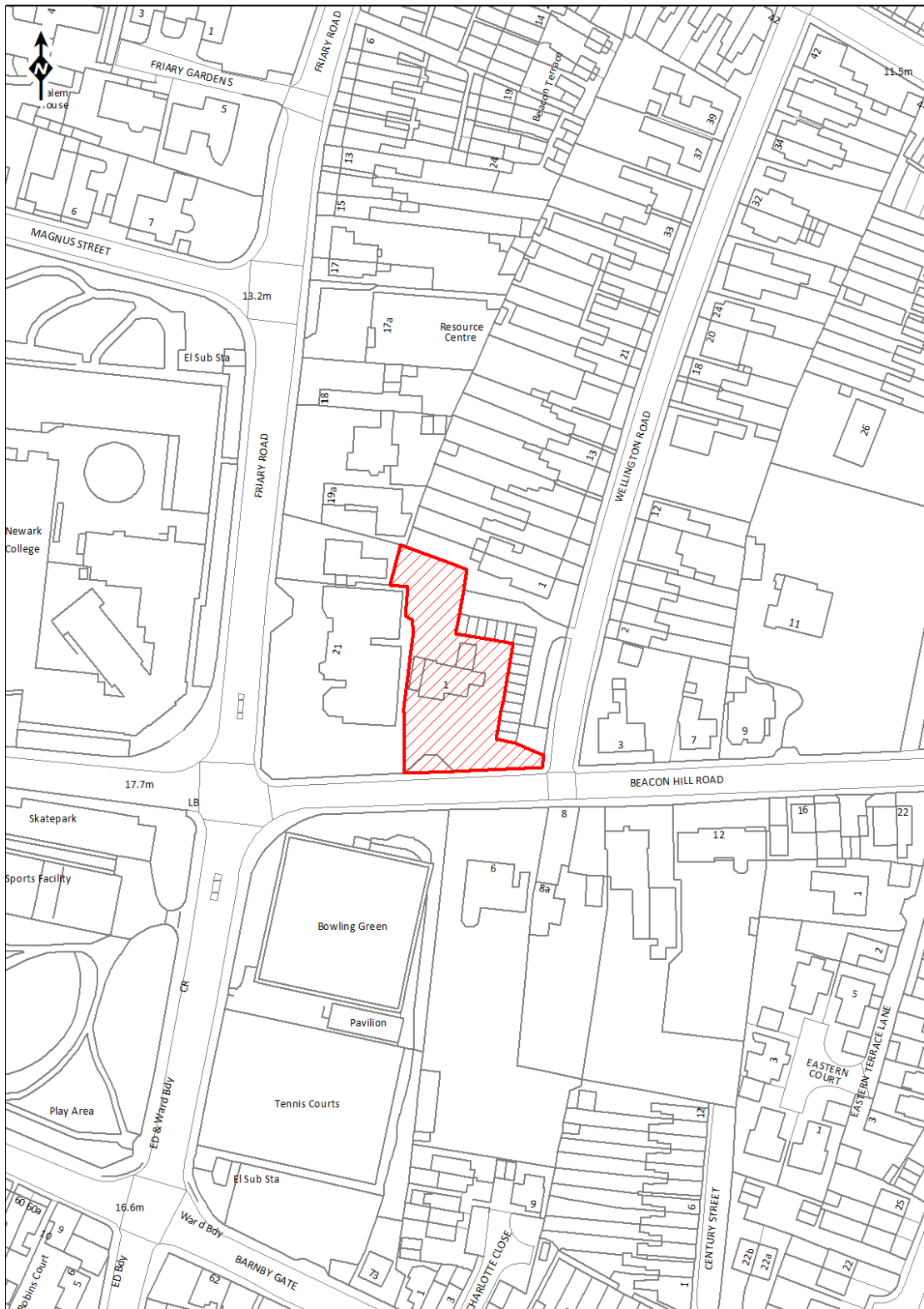
Application case file.

For further information, please contact Danielle Peck on ext 5314

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 - 21/02002/HOUSE



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PLANNING COMMITTEE – 5 OCTOBER 2021

Application No:	21/01902/DEM		
Proposal:	Notification for Prior Approval for demolition of the existing Seven Hills Community Centre and associated ancillary buildings		
Location:	Seven Hills, Quibells Lane, Newark On Trent, NG24 2FE		
Applicant:	Newark & Sherwood District Council - Mr Kevin Shutt		
Agent:	Lungfish Architects - Mr Andrew Hardcastle		
Registered:	02.09.2021	Target Date:	22.09.2021
		Extension of Time:	06.10.2021
Website link:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QYSRLCLBH8100		

The application is being referred to Planning Committee as Newark & Sherwood District Council are the applicant.

The Site

The site relates to a site containing temporary accommodation located within the urban area of Newark approximately 1km north of the town centre. The site forms part of the Housing Site 2 (Policy NUA/Ho/2) allocation within the Allocations and Management DPD.

The site is accessed to the south of Quibells Lane and contains a car park adjacent to its frontage. A warden's house is located adjacent to the car park area and the community centre/temporary accommodation predominantly consisting of a single story linear building, which wraps around the site to form a circular shape. Two mature trees are located adjacent to the site frontage and a wooded area is located to the rear of the site. A courtyard area within which pedestrian access to all of the accommodation is provided is within the central courtyard area of the site.

A public right of way runs along the eastern boundary of the site and connects to Hatchets Lane to the south. The rear gardens of residential properties located along Wolsey Road back onto this right of way. Residential properties along Hatchets Lane including those currently under construction under application no 21/00249/S73 are located to the south. Grassed areas/fields are located to the north and west of the site with the East Coast Mainline located approximately 60 metres to the south west of the site. An earth bund is located along the east boundary of the site. A freight business is also located at the bottom of Quibell's Lane to the west of the site.

In accordance with Environment Agency flood zone mapping the majority of the site is located in Flood Zone 2.

Relevant Planning History

21/02009/RMAM Application for approval of reserved matters following outline approval 20/02410/OUTM for a replacement facility – pending consideration

20/02410/OUTM Demolition of all existing buildings and replacement with new facility. To include 20 temporary accommodation units, and 1 communal building. Access to be relocated and footpath to be improved – permission 15.06.2021

01891483 Accommodation for homeless – 30 bedsits, warden house, stores and communal facilities – permission 08.01.1990

01880968 Erection of 42 houses, garages and associated engineering works – permission 08.03.1989

0181259 Housing development – permission 09.06.1981

The Proposal

Prior notification is sought for the demolition of all of the existing building on site which comprise the warden's house, community centre and temporary accommodation.

It is envisaged that the demolition would take place 8th November 2021 – 17th December 2021.

The following documents have been submitted in support of the application:

- Application Form Dated 31st August 2021
- Site Location Plan SHL-LFA-XX-ZZ-DR-A-6001 S1 P01
- Existing Site Plan SHL-LFA-XX-ZZ-DR-A-6000 S1 P01
- Copy of Site Notice
- Method Statement by Collins Demolition 24/08/2021
- Risk Assessment by Collins Demolition
- Construction Phase Health, Safety and Environmental Plan by Woodhead Group Date 27.08.21

Public Advertisement Procedure

The agent has submitted a copy of the notice of the proposed demolition, which has been posted for a period of 21 days by the applicant expiring on 30th September 2021 in accordance with the requirements of Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

Legislation

This is a Prior Notification application, submitted under Class B, Part 11, Schedule 2 of the GPDO. Therefore, the Development Plan is not applicable to this application.

Environmental Impact Assessment

Demolition is capable of being an 'urban development project' within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. The development has therefore been subject of a separate screening opinion under application no 21/SCR/00007 which concludes that that the effects of the proposed demolition would not be so significant that they would be of more than local importance and an Environmental Impact Assessment (EIA) is not required.

Consultations

NSDC Environmental Health Officer (reactive) - No objection subject to condition relating to hours of delivery and demolition works, measures to minimize dust, removal of asbestos and no burning of waste.

Comments of the Business Manager

The developer must, before beginning the development apply to the Local Planning Authority for determination as to whether the prior approval of the authority is required as to the method of demolition and any proposed restoration of the site. It is important to note that the method of demolition and any proposed restoration of the site are the only matters relevant to the consideration of this prior notification application.

The submitted application form states that demolition is required to facilitate the redevelopment of the site. This is linked to the provision of a replacement temporary accommodation facility which benefits from outline planning permission (application no 20/02410/OUTM).

The method of demolition would comprise the manual strip out of domestic structures followed by the mechanical demolition of the structures. Suitable signage, warning the general public of heavy vehicle movements and a security guard would be present at the existing site entrance. A site manager would also be present to manage the day to day activities.

The Environmental Health Officer (EHO) raised no objection to the application on the basis of the details submitted with the application subject to conditions as set out in the 'Consultations' section above.

In terms of restoration, the spoil arising would be sorted into relevant piles and sent for recycling where possible. The applicant subsequently intends to redevelop the site through the submission of a reserved matters application pursuant to outline application no 20/02410/OUTM.

Subject to conditions, the proposed method of demolition and proposed restoration of the site is considered acceptable as proposed.

RECOMMENDATION

That prior approval is required and approved for the demolition of the buildings subject to the conditions and reasons shown below.

Conditions

01

The demolition shall not begin later than five years from the date of this approval.

Reason: In order to comply with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

02

The development shall be carried out in accordance with the details and measures submitted with the application including the Method Statement by Collins Demolition 24/08/2021 and Construction Phase Health, Safety and Environmental Plan by Woodhead Group Date 27.08.21. These measures include:

- suitable measures must be taken to minimise dust and dirt during the demolition and operation of the site using best practice methods.
- any Asbestos on site should be removed by an approved contractor in accordance with current legislation.
- no burning of waste on site.

Reason: To protect the amenity of the locality, especially for people living and/or working and in order to comply with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

03

Except for emergency works, to protect the amenities of occupiers of other premises in the vicinity, the hours for deliveries or for the demolition of the site buildings shall be restricted to:

Monday to Friday 08:00 to 18.00hrs, Saturday 08:00 to 13.00hrs only and no works on site on Sundays/Bank Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working and in order to comply with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

Note to Applicant

01

The prior notification application as submitted is acceptable. In issuing written notice that at such prior approval is not required, the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

02

If crushing of demolition materials is to be carried out at the application site by the use of a mobile crusher, then under the Environmental Permitting Regulations 2016, an Environmental Permit is required. The permit would contain conditions designed to control how the crusher is operated so that any potential dust emissions are kept to a minimum. The applicant is required to submit a copy of the permit to NSDC Environmental Health for their approval prior to any crushing operations commencing on site. Furthermore, a schedule of works giving dates that crushing is intended to be carried out is also necessary so that an officer from this section is able to visit the site and observe the crusher in operation.

03

All bat species are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended). This legislation makes it illegal to intentionally or recklessly kill, injure or disturb any bat, or destroy their breeding places. If bats are disturbed during the proposed works, the legislation requires that work must be suspended and Natural England notified so that appropriate advice can be given to prevent the bats being harmed.

PAPERS

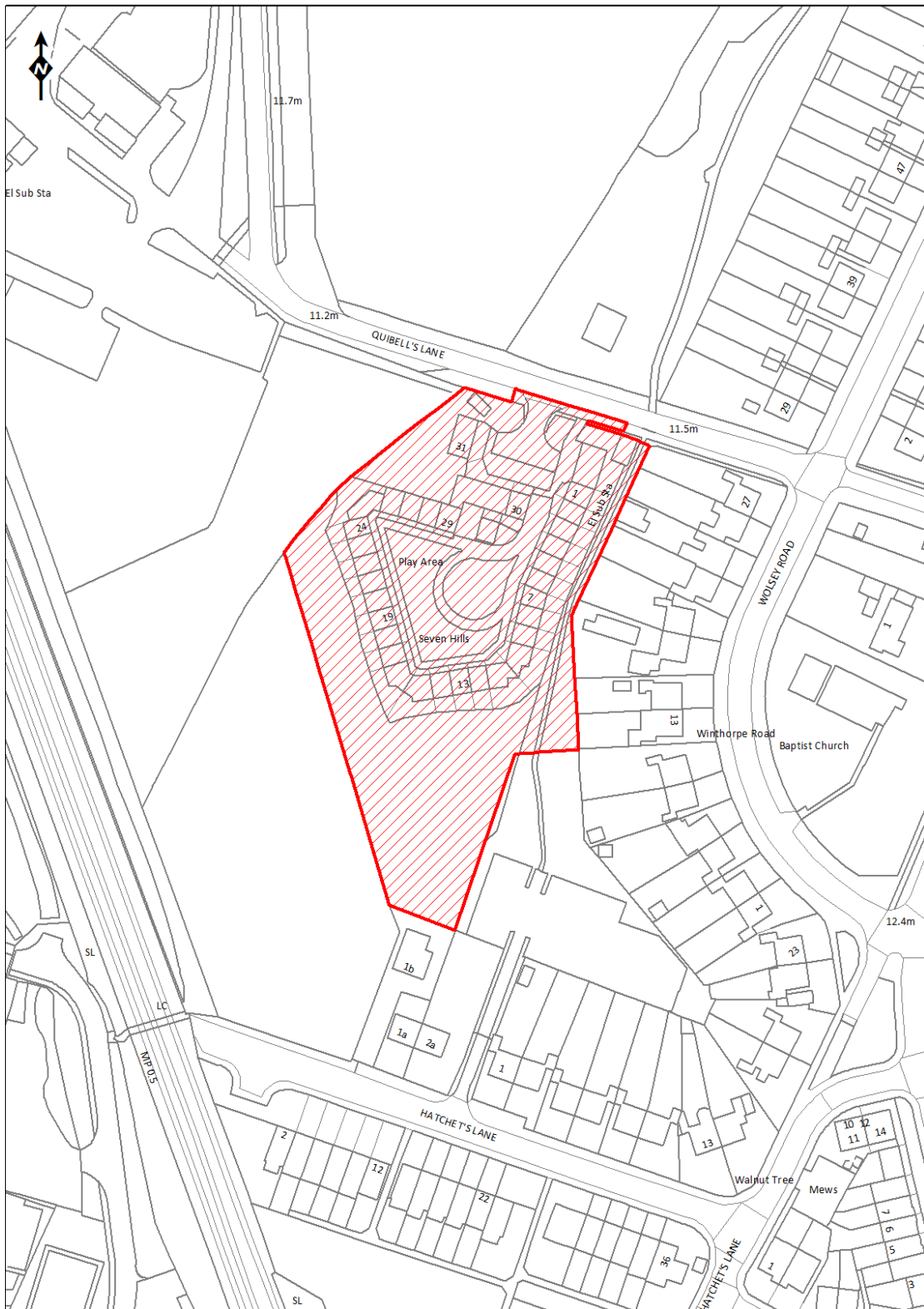
Application case file.

For further information, please contact Helen Marriott on ext 5793

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 - 21/01902/DEM



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PLANNING COMMITTEE – 5 OCTOBER 2021.

Appeals Lodged

1.0 Members are advised that the appeals listed at **Appendix A** to this report have been received and are to be dealt with as stated. If Members wish to incorporate any specific points within the Council's evidence please forward these to Planning Services without delay.

2.0 RECOMMENDATION

That the report be noted.

Background Papers

Application case files.

Further information regarding the relevant planning application and appeal can be viewed on our website at:

<https://publicaccess.newark-sherwooddc.gov.uk/online-applications/search.do?action=simple&searchType=Application> or please contact our Planning Development Business Unit on 01636 650000 or email planning@nsdc.info quoting the relevant application number.

Lisa Hughes
Business Manager – Planning Development

APPENDIX A**Appeals Lodged (received between 16 August 21 and 20 September 21)**

Appeal Reference	Application Number	Address	Proposal	Procedure	Appeal Against
APP/B3030/W/21/3277044	21/00567/FUL	Field Reference 5543 Great North Road Weston	Change of use of Land from Agricultural to Residential Garden. Residential Garage, Store & Workshop with white UPVC windows and rooflights - Retrospective	Written Representation	Refusal of a planning application
APP/B3030/D/21/3277279	21/00369/HOUSE	5 Oaktree Drive Bilsthorpe NG22 8SL	Two storey side and front extension, addition of first floor over existing bungalow and change of materials.	Fast Track Appeal	Refusal of a planning application
APP/B3030/D/21/3277892	21/00686/HOUSE	Inkersall Cottage Inkersall Lane Bilsthorpe NG22 8TL	First floor side extension with wrap-around balcony.	Fast Track Appeal	Refusal of a planning application

Appeals Determined (between 16 August 21 and 20 September 21)

App No.	Address	Proposal	Application decision by	Decision in line with recommendation	Appeal decision	Appeal Decision Date
20/00525/FUL	4 Yew Tree Way Coddington NG24 2RZ	Construction of a single detached dwelling and garage (resubmission of 19/00131/FUL)	Planning Committee	Committee Overturn	Appeal Dismissed	19th August 2021
19/00131/FUL	Land Adjacent 4 Yew Tree Way Coddington NG24 2RZ	Construction of 2no. dwellings	Planning Committee	Committee Overturn	Appeal Dismissed	19th August 2021
21/00138/FUL	Hillsborough House Boat Lane Hoveringham NG14 7JP	Erection of a new dwelling	Delegated Officer	Not applicable	Appeal Dismissed	2nd September 2021
20/01936/FUL	The Paddocks Halloughton NG25 0QP	Erect New Self Build Dwelling in side garden of Existing Property	Delegated Officer	Not applicable	Appeal Dismissed	2nd September 2021
21/00066/FUL	200 Norwood Gardens Southwell NG25 0DS	Demolition of Existing Detached Garage and Erection of a Two Bedroom Bungalow	Delegated Officer	Not applicable	Appeal Dismissed	7th September 2021
20/01582/FUL	Willow Bend 68 Station Road Collingham NG23 7RA	Construction of new dormer bungalow with a new detached double garage and a new detached double garage for Willow Bend, existing garage and timber outbuildings to be removed.	Delegated Officer	Not applicable	Appeal Dismissed	26th August 2021

Recommendation

That the report be noted.

Background Papers

Application case files.

Further information regarding the relevant planning application and appeal can be viewed on our website at <https://publicaccess.newark-sherwooddc.gov.uk/online-applications/search.do?action=simple&searchType=Application> or please contact our Planning Development Business Unit on 01636 650000 or email planning@nsdc.info quoting the relevant application number.

Lisa Hughes
Business Manager – Planning Development