

PLANNING COMMITTEE – 1 JUNE 2021

Application No:	21/00535/FUL		
Proposal:	Erection of four two bed semi-detached bungalows		
Location:	Land At Coghill Court, Southwell		
Applicant:	Newark & Sherwood District Council		
Agent:	SGA Llp - Mrs Karolina Walton		
Registered:	08.03.2021	Target Date:	03.05.2021
		Extension Agreed to:	04.06.2021
Link to Application File:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QPHI63LBM6300		

This application is being referred to the Planning Committee for determination as the applicant is the Council. In addition, the local ward member Cllr Peter Harris has referred it on the grounds that the application could result in an adverse impact on highways safety and represents poor design.

The Site

The applications site comprises a parcel of land to the south of no's 9-12, 13-16 and 17-20 Coghill Court and a courtyard area in-between no's 1-4 and 5-8 Coghill Court. The site is to the south of Westgate and accessed via the access into Coghill Court and lies to the SE of Holy Trinity Church which is Grade II listed. The site is entirely located in the Southwell Conservation area and is to the north of the Potwell Dyke that spans the length of the southern boundary running broadly east to west. Footpath no. 26 runs along the western site boundary linking Halloughton Road to the Holy Trinity Church and Westgate. The land to the south has been developed recently for 34 residential properties and associated infrastructure including a balancing pond.

Relevant Planning History

None for the application site.

The Proposal

The application seeks permission for the erection of 4no. 2 bed semi-detached bungalows, and re-landscaping of the remaining shared garden areas to Coghill Court.

The site layout plan shows the new dwellings would be positioned c. 11.5m from the rear of Coghill Court on a north-south alignment as two semi-detached bungalows with their principal elevations facing each other within the site. Each block would have a footprint of c. 150m², measuring approx. 16.4m x 9.1m, 6.2m to the ridge and 2.4m to the eaves.

The proposed dwellings are designed to reflect traditional alms-houses and to that effect would be

faced with rust red brick with a voussoir detail over the front windows, a plank and render gable with timber finial to the front elevation and exposed sprockets to the eaves. The roof is to be plain 'Rosemary' tiles with bonnet hip details and brick slip false chimneys. The doors are of a timber plank construction with a fanlight window above and the windows will be painted timber frames with flush casements.

Each unit would comprise a kitchen/dining room, living room, two bedrooms and a bathroom. The units would have c. 63m² GIA and c. 70m² private amenity space which would be provided to the rear of each unit. Two parking spaces per unit are shown to the front of the properties with vehicular access proposed down the side of Coghill Court and into a turning head for the parking area.

The site plans shows c. 11 m separation between the side elevations of the new dwellings and the block to the north and c. 27 m separation between the new dwellings and no.21-24 shown to the south across the Potwell Dyke. Landscaping is shown down to the Potwell dyke where the land level decreases. A number of trees are shown as being removed on the plan submitted to facilitate the access track and new dwellings themselves. Landscaping is also shown between the existing blocks on Coghill Court to provide enhanced external amenity space for these residents.

7 trees or tree groups would be removed, details of which are provided within the main report.

Departure/Public Advertisement Procedure

Occupiers of 30 properties have been individually notified by letter.

Planning Policy Framework

The Development Plan

Southwell Neighbourhood Plan (2016)

- Policy SD1: Delivering Sustainable Development
- Policy E1: Flood Risk Assessments and Mitigation
- Policy E2: Flood Resilient Design
- Policy E3: Green Infrastructure and Biodiversity
- Policy DH1: Sense of Place
- Policy DH2: Public Realm
- Policy TA4: Parking Standards
- Policy HE1: Housing Type and Density

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
- Core Policy 14 – Historic Environment

Allocations & Development Management DPD

DM1 – Development within settlements central to delivering the spatial strategy
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 2019
Planning Practice Guidance
National Design Guide
Housing Needs Survey 2020
Residential Parking Standards and Design Guide SPD

Consultations

Southwell Town Council – Object - by majority for the following reasons:

- It contravenes the Southwell Neighbourhood Plan Policy DH2 7.5 Public Realm -Space between buildings
- over intensification of the land in front of the existing flats, loss of parking spaces, urbanising the rural aspect of the Potwell Dyke,
- out of keeping in the conservation area of Holy Trinity Church
- loss of amenity space
- positioned in an area which flooded in 2013
- no public consultation pre the application

NSDC Conservation Officer – No objection subject to conditions -

Historic England – No objection

Trent Valley Internal Drainage Board – There are no Board maintained watercourses in close proximity to the site. Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed.

NCC Highways – No objection subject to conditions

Rights of Way – No comments received at the time of writing the report.

Tree Officer – No objection subject to conditions.

Comments have been received from **one** interested party that can be summarised as follows:

- The arboricultural dwg. indicates sorely needed additional residents parking for neighbouring units to the south of 13 – 16 Coghill Court. Is this to be incorporated in the revised site plan? Currently only 6 off-road car parking spaces are allocated for the 20 current properties.

Comments of the Business Manager

Principle of Development

Southwell is defined as a Service Centre with a good range of local facilities, good public transport and local employment, as set out in the Settlement Hierarchy defined by Spatial Policy 1 of the Core Strategy. New housing is therefore supported in principle within Service Centres where services are focused to provide for a large local population and a rural hinterland. I am satisfied that the site is located within the urban boundary of a sustainable settlement which is defined as a 'service centre' and as such, there is no objection in principle to the residential development at the site. However, this is subject to an assessment of the impact upon the character of the area, residential amenity of neighbouring properties, ecology and highway safety.

Housing Mix and Density

I note that this proposal is for affordable housing which is part of a wider capital programme for investment and delivery of affordable housing provisions within this District over the next 5 years. For the avoidance of doubt, there is an affordable housing need across the District, which includes Southwell. Policy So/HN/1 also seeks to secure, subject to local site circumstances and the viability of development, the majority of new housing on allocated or windfall sites as one or two bedroom units in line with identified housing need. This drive to secure smaller units is a significant material consideration and must remain so given that this policy is just one of two policies of its type in our district whereby it was felt necessary to intervene in the market to secure smaller dwellings. This remains the case with the more up to date district wide Housing Needs Survey which confirms the most needed housing type remains as two bedrooms. In addition, affordable housing is welcomed in line with CP1, particularly when it could assist in meeting the needs of the aging and less mobile population by providing ground floor accommodation as identified as an objective of Core Policy 3.

I therefore have no objection to the provision of these types of units, which would align with the most up to date evidence in accordance with CP3.

Impact upon Character of Area and Heritage Matters

Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complimenting the existing built and landscape environment. Policy DM5 of the DPD sets out the criteria by which all new development should be assessed. It includes (but is not limited to): safe and inclusive access; parking provision; impact on amenity; local distinctiveness and character; and flood risk. In relation to the character of the area it states, '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.'

Section 12 of the NPPF (Achieving Well Designed Spaces,) paragraph 127 states inter-alia that development should be visually attractive as a result of good architecture, should be sympathetic to local character and history, and should maintain or establish a strong sense of place. Paragraph 130 of NPPF reinforces the above local policies, making clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

However, Chapter 11 of the NPPF emphasises that planning decisions should promote 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 (para. 117). This chapter goes on to state how planning decisions should also promote and support the development of under-utilised land especially if this would help to meet identified needs for housing (para.118.d). Para. 119 explains how LPA's should take a proactive role in identifying and helping to bring forward land

that may be suitable for meeting development needs, such as the supply of affordable housing with para 120 reiterating that planning decisions “need to reflect changes in the demand for land”.

Given that the site is located within the Conservation Area and within the setting of a Grade II listed church, regard must also be given to the distinctive character of the area and proposals must seek to preserve and enhance the character of the area in accordance with Policy DM9 of the DPD and Core Policy 14 of the Core Strategy. 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 200 of the National Planning Policy Guidance states that, 'Local planning authorities should look for opportunities for new development within Conservation Areas...to enhance or better reveal their significance.' Section 72 of the Planning (Listed Building and Conservation Areas Act) 1990 states, in relation to the general duty as respects conservation areas in exercise of planning functions that, 'special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area'. Paragraph 194 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).

The application utilises a parcel of land currently used as external amenity space for Coghill Court for the development of 4 dwellings. The site plan shows the new dwellings would be positioned to the south of nos 9-12, 13-16 and 17-20 Coghill Court with their principal elevations facing into the site (east and west). New vehicular access, turning heads and parking spaces would be provided in addition to enhanced landscaping between the two Coghill Court blocks and within the remaining land to the south. Coghill Court itself is a modern two storey development that makes, at best, a neutral contribution to the area and the setting of the grade II listed church to the NW. However, I note that the new development to the south has a strong focus on enhancing the character of the conservation area with good design principles. This application would introduce development into an area which is currently devoid of built form and utilised as external amenity space and thus the scheme will undoubtedly impact the existing appearance of the site. The development, by virtue of being behind Coghill Court, would result in back land development, however Coghill Court itself is designed as stacked rows such that the proposed development would not be out of context with the wider area. Nevertheless, I am mindful that the spaciousness of the land around the Potwell Dyke makes a positive contribution to the character of the area, albeit this has been eroded and enclosed through the development of the land to the south off Nottingham Road.

I note the proposal incorporates an enhanced landscaped area between the northern blocks of Coghill Court, which would compensate for the loss of the area where the new dwellings are proposed. The proposal also incorporates new landscaping to the south of the new dwellings to provide seating adjacent to the dyke. Nevertheless there would still be a significant loss of the existing communal garden area as a result of this proposal. Also included on the plans is the removal of a number of trees as set out in the description of the proposal, which is likely to have a further short term impact on the green character of the area here in addition to the proposed dwellings. The implications on ecology will be considered in a separate section below, however notwithstanding the conclusions of the Conservation Officer I consider the loss of existing vegetation here and the erosion of this green space is likely to have a negative impact on the

character of the area in design terms, particularly in the short term (given any mitigation planting would take time to fully establish), which would weigh negatively in the overall balance.

In terms of a heritage assessment, given the sensitivity of this site the Conservation Officer (CO) has been involved with pre-application discussions. Following this, the properties have been re-designed to reflect traditional almshouses. The CO has reviewed the proposal and advises they raise no objection to the scheme subject to conditions. Their comments note that the existing site provides a positive green space within the setting of the Church, and accept that it would be preferable from a heritage perspective to leave it as such within the corridor of the Potwell Dyke. The spaciousness of the site and its verdant character is also noted to help alleviate the impact of the denser modern blocks to the north. Nevertheless, they conclude that the proposed development is well-considered. The dwellings proposed are single storey and modestly scaled in footprint. The architecture makes reference to traditional almshouses. The detailing and natural palette of materials ensures that the appearance of the development is positive. The tall chimneys with oversailing courses, distinctive timber magpie boarding on the front gable with finials, as well as the use of traditional timber joinery and rosemary tiles all combine to make a pleasant composition. Car parking is discreetly located between the dwellings, allowing the spaciousness and green character of the site to be sustained. The improvement of the hedge to the footpath would also help protect the setting of the Church and reduce the visual impact of the new development.

For these reasons, it is concluded that the development would have a negligible impact on the character and appearance of the CA and setting of the Church. When seen from the footpath and churchyard, only the decorative magpie work on the gable and roof will likely be visible and the modest proportions of the dwellings will ensure that the spaciousness of the site prevails. To further ensure this remains the case the CO has recommended that permitted development rights are removed for householder improvements to the exterior of the building and within the grounds to retain the intended style and design of the dwellings and the space within the site. Overall the CO has concluded that the existing site makes a modestly positive contribution to the special character of the CA and setting of the Holy Trinity Church. The new development would result in no harm to the character and appearance of the CA, nor to the setting of any listed buildings. The proposal therefore accords with the objective of preservation required under sections 66 and 72 of the Act. The proposal also accords with heritage advice contained within the Council's LDF DPDs and section 16 of the NPPF.

Overall, notwithstanding the conclusions of the CO relating to the impact on the conservation area and setting of Holy Trinity Church I consider the development of the existing communal garden area and removal of a number of trees would result in an adverse impact on the undeveloped, green and naturalistic character of the area, particularly in the short term, which would be contrary to policies DM5 of the ADMDPD, CP9 of the Core Strategy and DH1 of the SNP. This will weigh negatively in the overall planning balance.

Impact upon Residential Amenity

The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. 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 and 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 site layout allows for sufficient distance between the proposed dwellings and existing neighbours to avoid any direct overlooking, overshadowing or overbearing impacts. The distance between existing properties and those proposed being c. 11 metres to the north (which would be a rear to side elevation relationship with one window proposed on the side elevations of the dwellings) and 27 metres to the south. I am conscious that the relationship between the block to the north and Plots 1 and 3 would be close with regard to the relationship between first floor windows on Coghill Court and the gardens of the new dwellings. However given the staggered alignment I do not consider the impact would be so severe it would be fatal to the scheme. I am also mindful that any future occupiers would be aware of this relationship prior to occupation.

The units would have c. 63m² GIA and c. 70m² private amenity space. The private amenity space is considered to be sufficient and commensurate with the size of the dwellings. The National Government has published the 'Technical housing standards – nationally described space standard' in March 2015. This document deals with internal space within new dwellings and is suitable for application across all tenures. The standards have not been rigidly adopted by Newark and Sherwood District Council but they nevertheless form a benchmark which is material and should be followed in most circumstances. The units would provide c. 63m² GIA which meets the minimum GIA for a 2 bedroom, 3 person, single storey dwelling (61m²) and thus the units would be acceptable in accordance with the national space standards.

In terms of existing occupiers, I am mindful that the scheme would eat into the existing shared residential amenity space. At present, there is approx. 410m² of amenity space between the two existing blocks and approx. 2778m² to the south where the new dwellings are proposed. The area between the existing blocks is proposed to be retained and re-landscaped to provide areas of grass, benches and planting and the remaining land to the south (c. 935m²) is proposed to be re-landscaped to provide a path leading down to the dyke with seating areas. Considering the number of residents these areas would serve, I consider the communal garden would remain of a reasonable size. All existing properties within the control of the applicant would continue to have access to some external garden space that is appropriate to the unit within which they occupy and this development would not appear to deprive anyone of a garden. I therefore do not consider there would be an unacceptable amenity impact in this regard.

I have also considered issues of overbearing and overshadowing, however, given separation distances and the dwellings being single storey I am satisfied that there would not be any unacceptable impact upon existing occupiers. I am mindful that the two-storey built form of Coghill Court directly to the north could be imposing on the proposed bungalows, however given the separation distance and relative orientation I am satisfied that this relationship would not result in such a detrimental amenity relationship that would warrant withholding permission on this basis. Overall, I therefore consider the proposal to accord with policy DM5.

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. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.

8 parking spaces are proposed to be provided to the front of the proposed new dwellings via an extended access road and turning head. No alterations are proposed to the existing parking spaces associated with Coghill Court which lie to the north of block 1-8. I note the comments from the

Highway Authority (HA) state that parking provision should take account of the needs of existing Coghill Court residents/visitors as well as for the new dwellings (and I note a comment from an interested party in this regard). However there are no amendments proposed to the existing parking situation at Coghill Court and it would not be reasonable for the proposed development to have to improve any existing shortfall in provision if indeed there is one. The HA have also noted the proposal's proximity to the adjacent public footpath, however this proposal would not alter the existing footpath line save for reinforcing the existing boundary hedgerow here.

The proposed plans show an extension to the existing access road, which the HA have noted would not be adopted as it is not designed to adoptable standards. However, they have raised no objection to the proposed extension to the road to access the properties on any highways safety grounds. The private driveways are noted by the HA to be in line with current Highways Design Guide standards and the level of parking proposed is in accordance with the Council's draft Parking SPD. Comments made by the HA regarding proposed bin storage and access for a refuse lorry have been noted and in response, the applicant has relocated the bin collection point so that it is next to the existing collection point for Coghill Court. This is only 30m from the proposed new dwellings and accessible by the footpath network proposed such that I consider it to be acceptable and would be accessible for refuse vehicles as existing.

The HA comments note that pedestrian access is poor and raise concerns about the existing footpath down the side of block 1-4 and 17-20 – to this I would highlight that this footpath is existing and is not proposed to be altered by the development at hand. I also note that a new footpath is proposed down the side of no. 9-12 to access the development on foot and that the applicant has amended the plans to better consider pedestrian desire lines to add a footway along the side of Plot 1 in response to the HA comments. Whilst I note the comments from the HA about pedestrian links from the new dwellings to the communal garden area between the two Coghill Court Blocks I would highlight that these new dwelling have their own private amenity spaces and on this basis I do not consider it necessary to require amendments to the existing footways between the Coghill Court blocks to facilitate improved pedestrian access from the new dwellings to this area. In any event, there would be footways provided along the proposed access which are considered to be acceptable.

There would be an adequate level of parking provided for the four new dwellings and adequate space to manoeuvre into and out of the parking spaces. The applicant has addressed the initial concerns raised by the Highways Authority, who have raised no objection to the development on highways safety grounds and therefore, subject to the conditions recommended by the HA I consider the proposal would accord with Spatial Policy 7 and Policy DM5 in this regard.

Impact on Ecology

Core Policy 12 and Policy DM7 promote the conservation and enhancement of the District's biodiversity assets. The NPPF also seeks to minimise impacts on biodiversity and provide net gains where possible.

I note that the southern portion of the site is laid to lawn and there are a number of trees, particularly clustered along the southern boundary near the Potwell Dyke. A number of trees appear to be proposed for removal as part of this proposal as described in the description of the proposal - whilst these trees are not protected by tree preservation orders they are afforded some protection by virtue of being sited within a conservation area. Ultimately, it is important that all development does not adversely impact the natural environment or surrounding character unnecessarily and that construction is carried out proactively to protect surrounding trees.

7 trees or tree groups would be removed as follows: Apple T7, Cypress T9, Elder and Ash G13, Ash T14, Willow T19, Yew G20 and Birch T21 (all Category C trees). T7 requires removal as it is situated in the footprint of a proposed new residential property. T9, T10, G13 and T14 require removal as they are situated in the footprint of proposed new footpaths or would overhang the proposed new footpaths. T19, G20 and T21 require removal as they would be situated in the gardens of proposed new residential properties and would be unsuitable to retain within the gardens. All of the trees are category C trees with low amenity value – the arboricultural survey concludes that whilst their collective removal will have some negative impact in the short term, new landscape plantings at the site as part of the proposal would mitigate for the required tree removals in the longer term. Whilst the loss of these trees would be regrettable, the Tree Officer has raised no objection to the development subject to conditions and does not consider the trees proposed for removal are of sufficient quality to warrant their protection by a TPO. On this basis I do not consider an objection could be sustained due to the proposed loss of trees. I also note that the application proposes a scheme for mitigation planting which is welcomed and would ensure that the character of the area can be enhanced in the longer term.

Overall, whilst the loss of existing trees is regrettable, I consider subject to conditions, the proposal would comply with Policy DM7 of the DPD and Core Policy 12 of the Core Strategy in this regard.

Other matters

I note the comments received from Southwell Town Council and these have duly been taken on board throughout this appraisal. However, to clarify, the proposal does not seek to reduce any on-site parking provision or impact the space to the front of the existing.

They have commented that the properties would be positioned in an area which flooded in 2013 – the site is located within Flood Zone 1 and as such there is no requirement for the development to be assessed against the sequential test and no indication that the development would be at an increased flood risk or increase flood risk to third parties to justify an objection on this basis.

Similarly, comments state there was no public consultation prior to the application. However I understand from the applicant that they did undertake public consultation with the local ward members and residents ahead of submitting this application. Not undertaking consultation, if this had been the case, would not be a reason for withholding permission.

The Archaeological advisor has commented on this application given the proximity to the Holy Trinity church and they have advised that the site lies in an area of archaeological potential primarily associated with the medieval and post-medieval development of Southwell as a Minster town. Two scheduled monuments lie between 400m and 500m to north-west of the proposed development and comprise a large Romano-British villa complex and the later medieval Bishop's Palace formally associate with the Minster. This highlights the lengthy history of settlement and development in this area since the Roman period. The full extents of this settlement activity are still not fully defined, particularly in regard to the separation of settlement, Minster and agricultural activity in the medieval period and there is potential for evidence of all three aspects to extend onto the site. They conclude that the proposal for residential development has the potential to impact on any surviving archaeological deposits present and this should be investigated further so that appropriate mitigation can be implemented if necessary prior to any development activity taking place – subject to the suggested conditions the proposal is considered to be acceptable in relation to archaeology.

Planning Balance and Conclusion

There are a number of matters that require balancing in this case.

Notwithstanding the conclusion of the Conservation Officer that the development, subject to conditions, would result in no harm to the character and appearance of the CA, nor to the setting of any listed buildings in accordance with the objective of preservation required under sections 66 and 72 of the Act, heritage advice contained within the Council's LDF DPDs and section 16 of the NPPF, I have concluded that the erection of these four dwellings in the land to the south of Coghill Court would result in a minor degree of harm to the green, naturalistic and undeveloped character of site adjacent to the Potwell Dyke. This would be contrary to CP9 of the Core Strategy, DM5 of the ADMDPD and DH1 of the SNP. As such a small amount of weight can be applied negatively against the proposal, albeit I also recognise that the design of the dwellings is appropriate in this context and is sympathetic to the historic context of the site.

However, on the other hand the proposal would provide four affordable units that would accord with the need within the Southwell area for smaller properties. The proposal is part of a wider capital programme for investment and delivery of affordable housing provisions within this District over the next 5 years and it is indisputable that there is an affordable housing need across the district, which includes Southwell, and these four dwellings would help to meet this need within the district which is a central thrust of the government's approach to the delivery of housing nationally. I also note that there would be no unacceptable impact on neighbouring amenity, highways safety, archaeology or ecology as a result of these new dwellings, subject to conditions.

Therefore, having considered all matters, I conclude that the public benefit of providing four affordable dwellings in a location where there is an identified need would outweigh the very minor harm on the character of the area. The proposal will see the erection of four dwellings that would contribute to the affordable housing need for the district which I consider overrides the level of harm that would occur. I therefore consider, on balance, that the application should be approved.

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:

Site Location Plan – Ref. 00001 Rev. P01

Revised Proposed Site Plan - Ref. 00002 Rev. P03
Ground Floor Plan - Ref. 00004 Rev P01
Elevations - Ref. 00005 P01

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 all external facing materials (including colour/finish) 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.

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

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
- Magpie timber gable and finials
- Exposed sprockets
- Rainwater goods
- Extractor vents
- Flues
- Meter boxes
- Airbricks
- Soil and vent pipes
- Chimney(s)

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

05

For the avoidance of doubt no dry fix roof shall be installed on the dwellings hereby permitted (instead copings should be bedded in mortar).

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

06

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 for a minimum distance of 8.0 m behind the

highway boundary with highway boundary clearly demarcated in accordance with approved plan reference 548-SGA-150- SL-DR-A-00002 rev. P03. Titled: Proposed Site Plan, dated: Feb 21.

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

07

No part of the development hereby permitted shall be brought into use until 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.

Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

08

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 548-SGA-150-SL-DR-A-00002 rev. P03. Titled: Proposed Site Plan, dated: Feb 21. 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.

09

The communal garden areas as shown on plan Revised Proposed Site Plan - Ref. 00002 Rev. P03 shall be provided prior to the first occupation of the four new dwellings hereby permitted in accordance with the approved details and retained for the lifetime of the development.

Reason: To ensure that adequate private amenity space is provided for occupiers in the interests of residential and visual amenity.

10

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. 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;
- means of enclosure;
- car parking layouts and materials;
- other vehicle and pedestrian access and circulation areas;

- hard surfacing materials;
- minor artefacts and structures for example, furniture, play equipment, refuse or other storage units, signs, lighting etc.

Reason: In the interests of visual amenity and biodiversity.

11

The approved soft landscaping shall be completed during the first planting season following the first occupation/use of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations. The approved hard landscaping scheme shall be completed prior to first occupation or use.

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

12

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. The protection measures shall be retained during the development of the site.

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

13

During the construction period 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.

14

No development shall be commenced, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction;
- vii) a phasing scheme for works to ensure existing residents have access to external amenity space throughout the construction period.

Reason: In the interests of residential amenity.

15

No development shall take place until an archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme 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 archive deposition; and
6. Nomination of a competent person/organisation to undertake the work

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

Part 2

The archaeological site work must be undertaken only in full accordance with the approved Written Scheme of Investigation. The applicant 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 to the methods and procedures set out in the approved Written Scheme of Investigation shall take place without the prior consent of the Local Planning Authority.

Part 3

A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the archaeological works hereby approved being commenced. The post-investigation assessment must be completed in accordance with the programme set out in the approved Written Scheme of Investigation and shall include provision for analysis, publication and dissemination of results and deposition of the archive being secured.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation, to ensure satisfactory arrangements are made for the recording of possible archaeological remains and to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site all in accordance with the National Planning Policy Framework.

16

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 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.

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 character and setting of the conservation area and listed building.

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 understanding that CIL may not be payable on the development hereby approved as the development is made up entirely of Social Housing provided by local housing authority, registered social landlord or registered provider of social housing and shared ownership housing. It is necessary to apply for a formal exemption to confirm this view, which must be made to the Council prior to the commencement of development on CIL 4 form which is also available on the Council's website.

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 with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

03

With respect to the attached archaeological conditions, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX, 07880420410, 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.

04

Notes from the Conservation Officer:

- 1) No trickle vents will be allowed on windows facing the front elevation;
- 2) No ventilation through the roof unless on the rear roof slope;
- 3) Window casements must comprise flush fitting frames.

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 - 21/00535/FUL



