

## PLANNING COMMITTEE – 05 OCTOBER 2021

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

**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 neighbour 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**

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#### 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](http://www.newark-sherwooddc.gov.uk).

**Lisa Hughes**  
**Business Manager – Planning Development**