

PLANNING COMMITTEE - 3 JULY 2018

Application No:	18/00765/FUL
Proposal:	Demolition of attached garage and erection of dwelling
Location:	1 School Lane, Farndon, Newark On Trent
Applicant:	Mr & Mrs A Durham
Registered:	24 April 2018 Target Date: 15 June 2018
	Extension of Time Agreed Until 5th July 2018

At the time of going to print the views of Farndon Parish Council are unknown so this application has been placed on the Committee agenda in order to determine the application at the earliest possible committee if required. Should Farndon Parish Council raise no objections and it is not called in by a Member, then the application will be removed from the agenda and dealt with under delegated powers upon expiry of the consultation period.

The Site

The site lies within the Farndon Conservation Area within an area highlighted as having surface water drainage issues on the Environment Agency Flood Maps. The host dwelling, no. 1 School Lane, is a modern bungalow that has been much altered and is set back from the lane by approximately 30m with an expanse of gravel (creating a circular drive) between it and the lane. Its driveway is laid with a hard-surface material itself flanked to the south by a modern timber close boarded fence and to the north by a wall.

A pair of Grade II listed cottages (no's 3 and 3a) front the roadside to the north whilst to the south a modern 1980's bungalow sits c3m from the roadside. School Lane extends to the south-east but terminates (where there is a turning head) before it meets the former A46 Fosse Road. The lane has a rural character and is bound with hedges, contains various trees and has wide grass verges.

The application site comprises relatively flat land, laid to lawn, within the curtilage of the host dwelling. The site is bound to the east and west (side boundaries) by hedging although this is sparse in places. There are some trees within the site.

To the north-west of the site is a modern cul-de-sac of modern dormer bungalows (St Peters Close) whose rear gardens abut the site. Land to the east and south is open countryside.

Relevant Planning History

PREAPP/00129/17 – Erection of house and attached triple garage. Advice given.

11/830066 – Erect bungalow on land east of 1 School Lane. Approved 15/03/1983 and subsequently implemented (no. 1a School Lane)

The Proposal

Full planning permission is sought for the erection of a detached dwelling located to the rear (south) of no. 1 School Lane in Farndon. The dwelling is one and a half storey with a U shaped plan form with detached triple garage.

The main body of the house is broadly rectangular with a central forward projection; this would measure c17.1m across by 7.15m with the central porch canopy projecting c1.13m forward of this. Two single storey wings projecting back at either end of the main block measuring 8.4m in addition by 5.2m. The height of the main building would be c6.1m to ridge (excluding chimneys) and c2.9m to eaves.

The triple garage/carport measures 9.2m across by 6.5m deep and is 2.4m to eaves and 5.5m to the ridge.

Accommodation comprises entrance hall, w.c, utility, open plan dining kitchen, living room with five bedrooms all with en-suites, and study (one bedroom and study is sited within the upper floor of the main body of the dwelling).

The application is accompanied by the following, which have been revised during the lifetime of the application;

Site Plan 1C/11/2017

Dwelling Plan & Elevations 4E/11/2017

Garage Plan & Elevations 5B/11/2017

Site Location Plan/Block Plan (unreferenced but received 15/06/2018)

Design and Access Statement

Departure/Public Advertisement Procedure

Ten neighbouring properties have been individually notified by letter. A site notice has been displayed and an advert has been placed in the local press expiring on 24th May 2018. Amended plans have been the subject of re-consultation with the expiry 25th June 2018.

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

- 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 10 – Climate Change
- Core Policy 12 – Biodiversity and Green Infrastructure

- Core Policy 13 – Landscape Character
- Core Policy 14 – Historic Environment

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
- Policy DM12 - Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014
- The Newark and Sherwood Landscape Character Assessment SPD

Consultations

Farndon Parish Council – No formal response has been forthcoming to date.

NSDC Conservation – No objection:

“The proposal site is located within Farndon Conservation Area (CA). 3 and 3A School Lane to the north is Grade II listed.

The earthworks to the east of the proposal site are identified as being of archaeological interest.

Legal and policy considerations

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 and their setting. Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas. In this context, the objective of preservation is to cause no harm. The courts have said that these statutory requirements operate as a paramount consideration, ‘the first consideration for a decision maker’. Planning decisions require balanced judgement, but in that exercise, significant weight must be given to the objective of heritage asset conservation.

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 12 of the National Planning Policy Framework (NPPF). Paragraph 132 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 7). LPAs should also look for opportunities to better reveal the significance of heritage assets when considering development in conservation areas (paragraph 137).

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. Paragraph 13 also reminds us that the contribution made by setting does not necessarily rely on direct intervisibility or public access.

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3). In addition, 'Historic England Advice Note 2: making changes to heritage assets' advises that the main issues to consider in proposals for additions to heritage assets, aside from NPPF requirements such as social and economic activity and sustainability, are proportion, height, massing, bulk, use of materials, durability and adaptability, use, enclosure, relationship with adjacent assets and definition of spaces and streets, alignment, active frontages, permeability and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting (paragraph 41).

There are several heritage assets in proximity to the proposal site identified on the Nottinghamshire Historic Environment Record (HER), including areas or features of archaeological interest. In accordance with Annex 2 of the NPPF, Local Interest buildings and features of archaeological interest are non-designated heritage assets. The impact of a proposal on the significance of a non-designated heritage asset is a material consideration, as stated under paragraph 135 of the NPPF. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In addition, paragraph 139 of the NPPF reminds us that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

Significance of heritage assets affected

Farndon Conservation Area (CA) covers the historic core of the settlement, focussed around the Church of St Peter and a network of lanes between the River Trent and the Roman Fosse Way. There are a number of historic buildings within the CA, ranging from polite Georgian and Victorian houses to rustic post medieval cottages and farmsteads. The field enclosures to the south of the settlement reflect historic boundaries and contribute to the significance of the CA. The CA was designated in 1992.

The Civil War earthworks visible on the east side close to the Fosse Way, furthermore, also contribute significantly to the character and appearance of the CA. The fortifications from the Civil War (HER number: M3027) date to the 1640s. The monument close to the proposal site comprises an eroded fragment of the defences and survives in a pasture field between the 2 roads linking Farndon with the Fosse Way. According to Clamp's 17th century plan, the fort was an angle bastion facing east with 2 faces parallel to the northeast and southeast sides of a curtain rampart, and 2 short flanks facing northwest and southwest. The 2 faces of the bastion, that facing southeast is 60ft long, the southwest flank 15ft long, and a stretch of the curtain running southwest for 170ft, survive as a slight terrace, about 2ft high, with traces of a ditch, clearer on the northeast face. The line of the circumvallation joined the northeast face 70ft northwest of the point of the bastion.

Fragmentary remains of the angle bastion of the Farndon defences exist at SK 7711 5167 coupled with a slight adjacent rampart (line of circumvallation). The works have been mutilated and spread by farming activity and cattle, achieving now a max height of 0.7m only. Now under rough pasture. The HER provides further data on the circumvallation (HER number: M8401).

Nos. 3 and 3a School Lane comprise a pair of red brick and pantile cottages, that on the right being the former school. Late 17th century in origin with a significant late 18th phase. The list entry advises *“C17 2 storeys plus garret, 3 bay cottage with right red brick, part external, gable stack is set on a rubble and brick plinth and has a first floor band. The single right bay projects and is gabled. To the right is the late C18 2 storey, 3 bay cottage with right red brick gable stack. C17 cottage has a doorway with plank door and to the right 2 C20 glazing bar casements of differing sizes. The late C18 cottage has a central doorway with C20 door and gabled wooden hood flanked by single C20 casements of differing sizes. Above, both cottages have 2 C20 glazing bar casements. To the rear right are 2 storey extensions. Interior of C17 cottage has contemporary winder stair with turned balusters.”*

Assessment of proposal

The proposal seeks to demolish an existing modern garage and erect a one and half storey dwelling. The proposal site is located within the garden of 1 School Lane and is set well back from the road, being accessed by an existing driveway between 1A and 3 School Lane. To the west are modern bungalows.

The proposed development has been amended following concerns raised by the Conservation Team concerning the design. The revised scheme comprises a modestly scaled cottage range in a U plan with traditional detailing, including chimneys, timber windows and clay pantiles. The new garage reflects traditional cart shed design. The development will not be unduly prominent, and broadly reflects historic farmstead/cottage vernacular typical in this area.

Recommendation/summary of opinion

Conservation has no objection to the proposed development and we consider that the development sustains the character and appearance of the Farndon Conservation Area. We also consider that the scheme causes no harm to the setting of the adjacent listed building. The proposal therefore accords with the objective of preservation required under sections 66 and 72 of the Planning (LB&CA) Act 1990. No harm is perceived to any other heritage assets, and the proposal is otherwise considered to comply with heritage advice contained within CP14 and DM9 of the Council's LDF DPDs and section 12 of the NPPF.

If approved, and notwithstanding the submitted details, further details of the following matters should be addressed via suitably worded conditions:

- Brick panel to be erected on site before development commences showing bricks, bond, mortar specification and pointing finish (Conservation recommends that the front elevation be externally finished in English Garden Wall or Flemish bond);
- Further details of the proposed porch and chimneys (chimneys to be retained);
- Further details of sills, window/door headers, eaves and verges;
- Precise design details/finish and scale drawings/product literature of the windows, roof lights and doors (external joinery hereby approved to be retained);
- No roof vents on the front facing roof slope unless otherwise agreed;

- Any external accretions on the front elevation (meter boxes, flues etc) to be agreed;
- Remove PD for alterations to the front roof slope (to avoid solar panels).

These details will ensure that the proposed development fully preserves the character and appearance of the Farndon Conservation Area.”

NCC Highways - Standing Advice applies.

LCC Archaeology – ‘This site lies within the conservation area and close to the Fortified village (Civil War). There are also several other archaeological sites close by. However this application is for a single house on a site which will at least be partly disturbed. It is my opinion that any archaeological works on this site will not provide any meaningful results.

No archaeological input required.’

Trent Valley Internal Drainage Board – ‘The site is within the Trent Valley Internal Drainage Board district. 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 the site drainage system must be agreed with the Lead Local Flood Authority and Local Planning Authority.’

Three neighbours/interested parties have made comment (objections) on this application, making the following summarized comments:

- Concerns regarding poor water pressure;
- Object to the proposed positioning of the driveway to the west (it should be to the east) to avoid impacts on properties at St Peters Close;
- Properties at St Peters Close have short gardens and the driveway would cause disturbance and loss of privacy (both at construction stage and upon occupation);
- A fence enclosing the driveway would cause a tunnel effect with noise affecting amenity;
- Drive sited so close to existing dwellings would present a security risk;
- Use of the new driveway would be considerable;
- The increased use of the access drive will adversely affect the amenities of neighbours, through loss of privacy and increased disturbance in terms of noise and vehicle pollution. The driveway access is narrow and seems completely disproportionate to the size of the proposed development and the number of people who will be accessing it with their cars;
- Concerned about potential damage to boundary wall;
- Land levels between the access and neighbouring property with no. 3a is somewhat raised on application site where there is a view into lounge;
- Widening only the initial part of this access will be unsightly as this will mean that the boundaries of the two grade II listed properties will not run parallel. This will not preserve the character nor respect the history and aesthetics of the two cottages, a former village school;
- Question how emergency service such as fire engines would access the proposed dwelling if the access is only partially widened.

In response to the amended plan, the following comments have been received (from 1 neighbour):

- Previously only concern was position of driveway but now there is concern regarding the position of house and garage – the latter of which would overshadow the neighbour and potentially cause nuisance through security lights etc.
- Risk of significant noise which is currently contained to site frontage.
- Unspecified gap between driveway and boundary and there is concern regarding trees being planted – what trees, what height would they be who would monitor them. Leylandii would affect sunlight.
- Surprised that two trees would need to be removed.

Comments of the Business Manager

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.

Notwithstanding the current process of Plan Review, at the current time the Adopted Development Plan for the District is the Core Strategy DPD (2011) and the Allocations and Development Management Policies DPD (2013). The Council is of the view that it has and can robustly demonstrate a 5 year housing land supply. This has been rehearsed many times before and as such I do not intend to rehearse this in full other than to say that the policies of the Development Plan are considered up to date for the purposes of decision making. This has been confirmed by an Inspector through recent appeal decisions dated April 2018.

Principle of Development

The districts settlement hierarchy is embedded within Spatial Policies 1 & 2 of the adopted Core Strategy which aims to see the focus of the housing growth in the Sub Regional Centre, Service Centres and Principal Villages. As an 'Other Village' in the hierarchy, this application falls to be assessed against Spatial Policy 3 (Rural Areas) of the Development Plan. This provides that in rural areas such as this new housing should be located within sustainable and accessible villages and should principally meet the five criteria as set out within Spatial Policy 3 (SP3). These are 1) Location; 2) Scale; 3) Need; 4) Impact and 5) Character. The proposal is assessed against these criteria below.

Location

The site lies at the edge of Farndon. There is no formal defined built up area for Farndon; it is a matter of judgement as to whether a site is located 'within' the settlement. However I take the view that the property (and its associated curtilage) can be considered as forming part of the main built up area of the village. I also note that under the now defunct Local Plan, this was also the view taken as it did previously fall within a defined village boundary. I therefore consider that the proposal is within the main built up part of Farndon, as opposed to being countryside.

The Policy also requires such villages to have local services and access to Newark Urban Area, Service Centres or Principle Villages. Farndon is one of the most sustainable 'other villages' in that it has various local services including a local convenience store, public houses, a restaurant, primary school, village hall and other independent retail uses. It also has good public transport access to Newark and beyond. I therefore consider it accords with the locational criteria of SP3.

Scale

Policy SP3 requires that new development should be appropriate in scale to the proposed location and small scale in nature. I consider that in principle one additional dwelling is acceptable for the size of the settlement subject to other criteria such as impact and character. Scale in terms of the proposals physical bulk is assessed alongside character below.

Need

Policy SP3 requires new housing to meet an identified proven local need. Having regard to the district wide Housing Needs Survey by DCA dated 2014, the Newark Sub Area (within which Farndon falls) identifies there need is for mainly 3 bedroom, 2 bedroom, 4 bedroom and 5 bedroom properties in that order.

I also note that a Housing Needs Survey for Farndon specifically, dated July 2016 (by Midland Rural Housing) identifies a preference/need for 7 market dwellings (1 x 2 bed house, 2 x 3 bed houses, 1 x 5 bed house, 1 x 3 bed bungalow and 2 x 4 bedroom bungalows (adapted)). Our records suggest that we have approved numerous dwellings to meet the affordable need identified, but in terms of market needs dwellings only 1 x 2 bedroom dwelling (by way of a conversion see planning permission 16/01903/FUL) and a 4 bedroom detached single storey bungalow (16/01695/FUL) have been approved which met the needs of a disabled occupant. There is still a need remaining for market housing as specifically identified above and this proposal would meet that need in accordance with SP3.

Impact upon the Character (including heritage impacts)

SP3 requires that new development should not have a detrimental impact on the character of the location or its landscape setting. Policy DM5 (Design) requires that 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 dwelling. As the site is located within the Farndon Conservation Area, Policies CP14 and DM9 also apply where the requirement is to preserve or enhance the character and appearance of the Conservation Area and the setting of listed buildings.

The boundary to the Conservation Area is drawn wider than what I consider the village envelope to be, most likely because the landscape setting to the conservation area which gives a green enclosure to the village including the civil war earthworks which is located in close proximity. The character of the lane is relatively low density towards the southern end and rural in appearance, with a handful of attractive heritage buildings along the lane, including 3 and 3a School Lane a Grade II listed building, with the remainder being modern buildings which do not contribute positively to the Conservation Area.

The Conservation Officer has provided detailed comments on the proposal and concludes that the U plan dwelling is modestly scaled and its cart shed style garage block would not be unduly prominent and broadly reflects the historic farmstead/cottage vernacular that are the positive elements of this particular part of the Conservation Area. No objection is therefore made subject to conditions. I concur with this advice. The scheme has been amended during the lifetime of the application to better reflect the local character and I am now satisfied that the dwelling is appropriately designed such that although it's a large dwelling its impact will be modest, sustaining the character and appearance of the Farndon Conservation Area and given its design and set back will cause no harm to the setting of the adjacent listed building. I do however

consider that certain permitted development rights should be removed in order to sustain the character and appearance of the Conservation Area moving forward; such as the ability to change the windows, place solar panels on the roof, alterations to the roof including the addition of roof windows and the external painting the dwelling – all of which would need permission as a consequence of suggested condition 13.

As the site is in close proximity of the nearby civil war earthwork it was raised with the applicants that there was a possibility that the site could be of archaeology significance. The Council's Archaeological advisor has commented that the site is close to the fortified village and notes there are several archaeological sites nearby. However they have concluded that because the scheme is for a single house on a site that has already been partly disturbed any archaeological works will not provide any meaningful results. No further exploration of this issue is therefore deemed necessary.

Overall the proposal in my view accords with the objective of preservation required under sections 66 and 72 of the Planning (LB&CA) Act 1990. No harm is perceived to any other heritage assets, and in terms of character and design impacts the proposal is otherwise considered to comply with advice contained within SP3, CP9, CP14, DM5 & DM9 of the Council's LDF DPDs and section 12 of the NPPF.

Impact

SP3 requires that new development should not generate excessive car-borne traffic from out of the area and that it should not have a detrimental impact on the amenity of local people or on infrastructure. I consider these types of matters below;

Flood Risk Impacts

Core Policy 10 requires development to be adequately drained and Policy DM5 relates to flood risk and water management. The NPPF provides that LPA's should apply a sequential risk based approach to the location of new development, with the aim being to steer it to areas with the lowest probability of flooding.

This site lies within Flood Zone 1 (at lowest risk of flooding) according to the Environment Agency's maps. I do note that historically part of this application site fell within flood zones 2 and 3 but at some point in recent times it has been removed. The site lies within surface water drainage hotspot.

Sites in Farndon village that are in flood zone 1 (at lowest risk of flooding) are few and far between as much of Farndon is within zones 2 and 3. No sequential test is therefore required and the development falls below the threshold for requiring a Flood Risk Assessment. However given the sites location in an area prone to surface water flooding, I consider it necessary and reasonable to require details of surface water drainage to be submitted for approval and a condition is recommended to this effect.

Highways Matters

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. SP3 states that new development should not

generate excessive car-bourne traffic from out of the area and that it not place undue impact upon the transport network.

I do not consider that one dwelling proposed could be said to be generating excessive traffic to the area.

The Highways Authority have previously advised (at pre-application stage) that "The access at School Lane is required to be 4.25 metres wide (minimum) for a distance of 5 metres (minimum) from the back of highway. As the property will be greater than 25 metres from highway, a bin store for this property must be provided adjacent to highway.

The plans show the access to be widened to 4.8m for a depth of 6m which meets the requirements of the Highways Authority such that it will ensure that one vehicle is able to exit the site whilst another enters. Standing Advice requires that driveways must be surfaced in a bound material (not loose gravel), to be drained to prevent the discharge of surface water onto the public highway, and to be served via a dropped vehicular footway/verge crossing in all instances which this proposal can meet.

Visibility splays are shown on the proposed plans as being 2m x 40m. The Standing Advice indicates splays of 43m should be provided in each direction. However I note that the Highways Authority have not previously requested this in providing comments at pre-application stage and I also note that the road is lightly trafficked such that in this instance slightly reduced visibility would not warrant refusal of the application on highway grounds in my view. Appropriate highway conditions are suggested.

Residential Amenity

Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including over bearing impacts and loss of privacy upon neighbouring development. The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

There are several matters that require careful consideration in respect to their potential impact upon neighbours which I consider below.

Access would be taken from an existing access point currently serving the host dwelling (which is set back) off School Lane (which would be slightly widened to the site frontage) between the listed building to the west and no. 1a School Lane, a modern bungalow fronting the road. This access would then be extended (from where the existing garage outbuilding that would be demolished is currently) and the driveway would run alongside both the host dwelling and past the rear garden boundaries of numbers 4 & 5 St Peters Close. There is therefore potential for the increased use of the access drive to have an impact upon the occupiers of these properties; which I consider further below.

To the immediate west of the site entrance are a pair of listed buildings; 3 and 3a School Lane. No 3a has its amenity space (patio) facing both the driveway and running alongside the large area of hardstanding to the front of the host dwelling which is bound by timber fencing. There is already an existing impact therefore from the access drive and from the ability of the occupiers of the host dwelling being able to park right up against the fence of the extended garden to the west. Whilst I accept that the increased use of the driveway would be inevitable at both construction phase and

operational stage, ultimately it is for one additional dwelling. It should be noted that no 3 School Lane has its frontage facing the access and thus the impact would be less as their amenity space is elsewhere. No. 1a is sited some distance from the access and I do not consider there would be any unacceptable adverse impact upon the occupiers from either the driveway or the proposed dwelling.

Whilst the increased use of the access could have a more negative effect on the occupiers of the dwellings either side of the access, I am mindful that for the most affected occupier, 3a, the harm would be off-set by the introduction of a landscape buffer alongside which is almost 5m in depth. In my view once planted with a hedgerow or suitable planting (to be controlled by condition) I consider that this would be a betterment for the privacy of the affected occupier and thus I find the impacts to be acceptable in this respect.

The extended access drive has been set away from the north-western boundary with the dwellings at St Peters Close by between 4.7m to the north and 2.9m towards the south where it tapers in. I note that these existing dwellings at St Peters Close have modest garden lengths. However the buffer does allow for appropriate boundary treatments such as a boundary fence plus I would expect substantial soft landscaping in the form of a hedgerow to be planted also. I consider that this would be both reasonable and necessary in order to both screen the development and to assist with noise attenuation to mitigate the likely increase in noise and general disturbance that will be inevitable from the development. However I do not consider that the level of increased disturbance from one dwelling, albeit a large dwelling, would amount to such increased noise and disturbance that would justify its refusal, when the harm can be largely mitigated. I note that the repositioning of the garage would be close to the boundary with no. 5 St Peters Close than previously proposed. The distance of the proposed garage to no. 5 is similar (it's actually further away) to the distances between the garages of both existing neighbours of no. 5 (4 & 6) and therefore on this basis I do not consider it to be unacceptably located. Further, its design and siting are acceptable and in my view would not have an adverse impact through being overbearing or oppressive.

Turning now to the impact of the proposed dwelling itself. This is set 26m from the nearest property at St Peters Close and 21m from the rear elevation of the host dwelling. The distances between dwellings are more than adequate to meet the needs of privacy and I am satisfied there would be no adverse impacts in terms of overlooking or overshadowing etc upon neighbours.

Finally I am aware that the construction phase of the development could be particularly sensitive in terms of the increased use of the driveway for deliveries, albeit it will be for a finite period. However given the close proximity of dwellings, I consider that limiting the construction hours in this case is justified and the early planting of the buffer would also be of benefit or the provision of temporary measures to mitigate the harm. As such I suggest the imposition of a construction management plan condition is appropriate in this case.

Impact on Ecology and Trees

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity, reflected also in Policy DM7 of the Allocations and Development Management DOD. Policy DM5 of the ADMDPD also states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

The proposed development site is part of a lawned garden such that the ecological value of the site is limited. The re-siting of the dwelling would now involve the loss of some trees. However these are ornamental trees that do not contribute to the public realm and would not be worthy of retention so their loss is judged to be acceptable. There is ample scope for their replacement with more native species elsewhere within the site. In order to protect any breeding birds, vegetation removal should be outside of bird breeding season and this can be conditioned accordingly.

Conclusion

The proposal seeks full planning permission for an additional dwelling in a rural village. I have concluded that the scheme represents a sustainable pattern of development on the basis that Farndon has some local services and sustainable access to a wider range of services and employment in the nearby Sub Regional Centre. The proposed dwelling also meets an identified local need.

Having carefully considered all the site specific impacts, including upon residential amenity, heritage, trees & ecology, flood risk and impact on highway safety, I consider that the impacts are acceptable subject to mitigating conditions and the proposal would accord with the Development Plan.

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

No development shall be commenced, including any works of demolition or site clearance, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by the local planning authority. The approved CMP shall be adhered to throughout the construction period unless otherwise agreed in writing by the local planning authority. The CMP shall provide for:

- Details of the parking area for vehicles associated of site operatives and visitors/contractors;
- Details of the area reserved for the loading and unloading of plant and materials;
- Details of the area to be used for the storage of plant and materials used in constructing the development;
- The proposed construction hours (for each day of the week);
- Temporary measures to protect the existing neighbours from noise and general disturbance such as temporary boundary fencing alongside the north-western boundary during the construction period.

Reason: In the interests of residential amenity to afford adequate protection to nearby local residents from disturbance during the construction phase of the development in line with SP9 and DM5 of the Development Plan.

03

The development hereby permitted shall not commence until drainage plans for the disposal of surface water have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

04

No 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) unless otherwise agreed in writing by the local planning authority.

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

05

No development above slab level shall be commenced until details (including samples upon request) of the external facing materials 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 unless otherwise agreed in writing by the local planning authority.

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

06

No development shall be commenced until a brick work sample panel showing brick work, bond, mortar mix and pointing technique has been provided on site for inspection and approval has been received in writing by the local planning authority. The brick work shall be flush jointed using a lime based mortar mix. Development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

07

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 in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

external windows and doors and their immediate surrounds including details of glazing bars (including garage doors and roof lights)

Verges and eaves

Chimneys

Porch

Rainwater goods

Extractor vents

Flues

Meter boxes

Soil and vent pipes

Any other external accretions such as roof vents

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

08

The development hereby permitted shall not be occupied until the chimneys shown on the approved drawing (reference 4E/11/2017) have been installed on site. The chimneys shall thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority through a separate application.

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

09

No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species. **This shall be particularly robust alongside the north-western boundary.**

existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction.

means of enclosures (walls/fencing etc);

hard surfacing materials;

Reason: In the interests of visual amenity and biodiversity.

010

The approved soft landscaping shall be completed during the first planting season following the commencement 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 current or next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority. The approved hard landscaping scheme shall be implemented prior to first occupation unless otherwise agreed in writing with the Local Planning Authority.

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

011

No part of the development hereby permitted shall be brought into use until the driveway has been laid out to a width of not less than 4.25 metres for a minimum distance of 5.0 metres back from the highway boundary in a bound material to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

012

No part of the development hereby permitted shall be brought into use until the parking/turning areas are provided in accordance with the approved plan. The parking/turning areas shall not be used for any purpose other than the parking/turning of vehicles.

Reason: In the interests of highway safety and to ensure that sufficient on-site parking is available for the development.

013

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, including extensions to the property and the insertion or replacement of doors and windows.

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 G: The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Class H: The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

Or Schedule 2, Part 2:

Class C: The painting of the exterior of any building.

Or Schedule 2, Part 14 of the Order in respect of:

Class A: The installation, alteration or replacement of microgeneration solar PV or solar thermal equipment.

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

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

014

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans:

Site Plan 1C/11/2017

Dwelling Plan & Elevations 4E/11/2017

Garage Plan & Elevations 5B/11/2017

Site Location Plan (unreferenced but received 15/06/2018)

unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.

Notes to Applicant

01

The applicant is advised that in respect of Condition 6 Conservation Officers have recommended that the front elevation should be finished in English Garden Wall or Flemish bond.

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) Order 2010 (as amended).

03

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

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.

Matt Lamb

Business Manager – Growth & Regeneration

