

Report to Planning Committee 7 July 2022

Business Manager Lead: Lisa Hughes – Planning Development

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Report Summary			
Application Number	22/00297/FUL		
Proposal	Erection of a one bed Chalet Bungalow and provision of 2no. off-street car parking spaces for neighbouring properties		
Location	Land At, Fair Vale, Norwell		
Applicant	Newark & Sherwood District Council - Mr Kevin Shutt	Agent	SGA Llp - Mrs Karolina Walton
Web Link	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/advancedSearchResults.do?action=firstPage		
Registered	21 February 2022	Target Date	18 April 2022
		Extension of Time	08 July 2022
Recommendation	That planning permission be APPROVED		

This application is being referred to the Planning Committee for determination by the local ward member, Councillor Susan Saddington, due to concerns regarding parking, access for emergency vehicles and impact on the character of the village.

1.0 The Site

The site is a plot of land at the eastern end of Fair Vale, a residential cul-de-sac off School Lane within the village of Norwell. Fair Vale slopes downwards from School Lane towards open fields/paddock land to the east. The plot sits on the northern side of the road and comprises of two levels. The lower level is hardbound and level with the road. A dropped kerb enables vehicular access and parking for up to three cars. A retaining wall separates this area from an upper level that is mostly laid to lawn and appears to be in use as an extended garden area to the semi-detached bungalow at 8 Fair Vale. The plot includes a timber summerhouse, sited in the top right-

hand corner, and a rotary washing line. Small trees and shrubs demarcate the boundaries to the north and east, while there is a close-boarded timber fence along the boundary to the west.

The site is located outside of the designated conservation area although there are views across the adjacent open fields/paddock land towards the conservation area and listed buildings within it including St Lawrence's Church (Grade I Listed); The Old Hall and Stable at the Old Hall (Grade II Listed) and The Old Windmill (Grade II Listed).

Norwell Church Of England Primary School is located to the north.

2.0 Relevant Planning History

None relevant.

3.0 The Proposal

The application proposes the erection of a 1-bedroom chalet bungalow to meet an affordable housing need. The proposed new dwelling would measure approximately 6.85 metres wide by 6.86 metres in length and include a tiled pitched roof measuring approximately 2.74 metres to eaves and 6.15 metres to the ridge. There would be an open plan kitchen/living/dining room and wet room to the ground floor and a bedroom to the first floor within the roof space. One off-street parking space would be provided to the front of the dwelling, which would include a ramped access/path up from the road to the garden level. A small garden area would be sited to the rear.

The proposed site plan also shows 2 no. additional off-street parking spaces to be provided to the front of neighbouring properties at 7 and 9 Fair Vale.

Revised plans

The design of the proposed new dwelling has been amended to address planning and conservation officer concerns. In addition, the site layout has been amended to incorporate replacement tree planting in accordance with officer advice. For the avoidance of doubt, the assessment outlined below is based on the following plans reference:

0001 P5 Location Plan and Site Plan

0002 P5 GA Plans

0003 P4 Elevations

4.0 Departure/Public Advertisement Procedure

Occupiers of 5 properties have been individually notified by letter.

5.0 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 10 – Climate Change
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 14 - Historic Environment

Allocations & Development Management DPD (adopted 2013)

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
- Planning Practice Guidance
- Newark & Sherwood Residential Cycle and Car Parking Standards & Design Guide SPD 2021

6.0 Consultations

Norwell Parish Council – No comments received.

NSDC Conservation Officer – No objections to revised scheme - recommend conditioning further details.

NSDC Tree & Landscape Officer – The proposal is to remove one leylandii and one sycamore. The justification for the removal is the potential impact on the future dwelling. The area has low canopy coverage, the trees do offer a good screen breaking up the view from the conservation area. I would suggest one tree is planted on the front and two trees planted in the rear garden for example *Malus 'Bramley's Seedling* on an M25 root stock.

4no. letters of Objection have been received, which can be summarised as follows:

- Limited parking, proposal will exacerbate existing car parking problems
- Concerns regarding impact on protected species, including common shrew, bats and newts, and other wildlife within and surrounding the site
- Displacement of parking will cause congestion and highway safety issues
- Restricted access for emergency vehicles and oil deliveries
- Concerns regarding maintenance and repair of electricity pylon and underground cables
- Proposal would impede access to the adjacent field/paddock
- Negative impact on health and wellbeing of residents and domestic animals
- Design not in keeping with existing properties

7.0 Comments of the Business Manager

Principle of development

The Core Strategy outlines the intended delivery of growth within the District including in terms of housing. Spatial Policy 1 sets out a hierarchy which directs development toward the Sub-regional Centre, Service Centres and Principal Villages before confirming at the bottom of the hierarchy that within 'other villages' in the District, development will be considered against the sustainability criteria set out in Spatial Policy 3 (Rural Areas). The settlement of Norwell falls into this 'other villages' category.

The proposal relates to the erection of one dwelling within the main built up area of Norwell and is therefore required to be assessed against of the location, scale, need, impact and character criteria within SP3.

In terms of location, the site falls within the main built up area of Norwell, which has a range of local services and facilities including a church, shop, primary school and public house. There is a regular public bus service to both Tuxford and Newark that offer a wide range of services and amenities.

The scale of the development in terms of quantum is considered appropriate to the size of the village, resulting in one additional dwelling in the settlement.

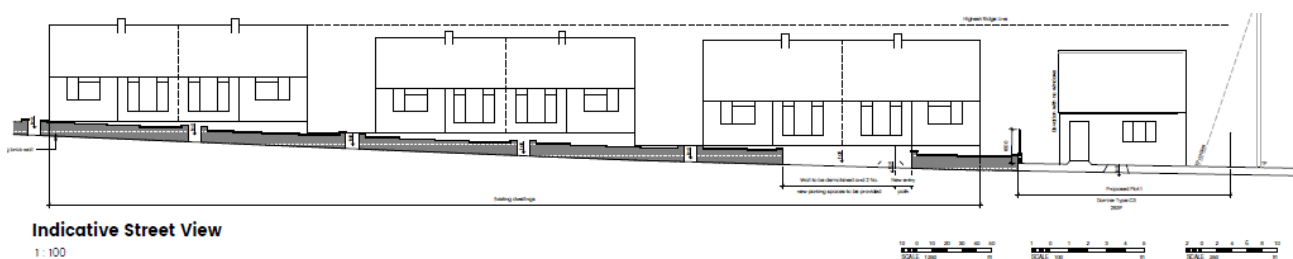
It is accepted that the proposed dwelling would meet an identified affordable housing need and also support community facilities and local services in the local area.

The remaining criteria of Impact and Character are considered in the detailed assessment outlined below.

Impact on character

The character criterion of Spatial Policy 3 states that new development should not have a detrimental impact on the character of the location or its landscaped setting. This overlaps with Policy DM5 of the DPD, which confirms the requirement for new development to reflect the rich local distinctiveness of the District's landscape and character through scale, form, mass, layout, design, materials and detailing.

Fair Vale is characterised by pairs of semi-detached bungalows and two-storey houses, arranged around a central parking area/turning head. The existing dwellings appear to have been built as a comprehensive development being of a similar design and construction. Indeed, the existing dwellings step down with the gradient of the road (towards the adjacent open fields/paddock land). The indicative street view included on plan reference 0001 P5 Location Plan and Site Plan indicates the eaves and ridge of the proposed new dwelling would step down in continuation of the existing pattern (see below).



The design and layout of the proposed new dwelling has been subject to revisions and discussions at both pre-application and application stage. Uncharacteristic features such as roof lights and solar panels have been re-sited to the rear roof slope to ensure minimal visual impact. The design has also been amended to incorporate a rendered section to reflect a similar feature to the front of neighbouring dwellings as well as window proportions to complement existing.

The proposed additional car parking spaces to the front of neighbouring properties at 7 and 9 Fair Vale would punctuate the existing boundary wall and result in the loss of some greenery. However, some of the existing houses on the opposite side of Fair Vale have driveways/off-street parking spaces alongside garden areas to the front, so the proposal would not be entirely contrary to the existing character. Furthermore, the additional off-street parking spaces would accommodate car parking displaced by the proposed development to ensure existing on-street parking is not exacerbated.

Impact on heritage assets

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. Fair Vale currently has a neutral impact on the setting of Norwell conservation area and the listed buildings contained within it, which must be respected and preserved. Conservation has considered the submitted and revised schemes and offered the following comments:

Previous Conservation comments (dated 22/04/22) raised concerns with the proposed siting of a dwelling on the plot due to the associated loss of greenery with the proposed development, the greenery of which currently provides a visual buffer for the modern cul-de-sac on the surrounding designated heritage assets.

The proposal has been amended with a slight reduction in height of the dwelling and increased greenery surrounding the site. These proposed alterations would minimise the visual prominence of the development on the setting of the Conservation Area and Listed Building(s). Whilst it may take some time to mature, the proposed hedging and trees to the rear and side of the development site would help screen the proposed development and reduce the visual impact on the rural setting of the designated heritage assets (par.195 of NPPF). There are no objections to the proposal from a conservation perspective

Subject to replacement planting being secured by condition, the proposal would preserve the neutral impact of Fair Vale on the setting of Norwell conservation area and the listed buildings contained within it.

Impact on residential amenity

Policy DM5 of the DPD states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

The proposed new dwelling would step down in continuation of the existing pattern and respect existing separation distances. Consequently, the proposed development would not give rise to

unacceptable overshadowing, overbearing impacts or detrimental effects on outlook. There would also be no windows to the west facing side elevation.

There is a wooden electricity pylon close to the site, with cables extending down to the ground. The proposed site plan and layout indicates that this pylon would not pose a constraint to development nor danger to future occupiers. Private outdoor amenity spaces surrounding the proposed new dwelling would be commensurate with the size of the dwelling and garden spaces that serve existing bungalows.

Overall, it is considered there would be no unacceptable loss of amenity in accordance with Policy DM5 of the DPD.

Impact upon highway safety

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

The application has been assessed with reference to Nottinghamshire County Council Highway Design Guide. The proposed block plan (shown on drawing no. 0001 P5 Location Plan and Site Plan) indicates the relevant requirements, in terms of visibility, driveway length and surfacing, can be achieved. The proposal is therefore considered acceptable in highway safety terms.

One off-street car parking spaces is also considered sufficient to serve the proposed one-bedroom dwelling in accordance with the standards in the Council's Supplementary Planning Document for Residential Parking ([Parking Standards SPD | Newark and Sherwood District Council \(newark-sherwooddc.gov.uk\)](https://www.newark-sherwooddc.gov.uk)).

It is noted part of the site is currently used for parking vehicles associated with existing dwellings, however, this is an informal arrangement and has been sought to be addressed through the provision of two additional car parking spaces to the front of neighbouring properties at 7 and 9 Fair Vale.

Trees and ecology

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

The tree report prepared by AWA Tree Consultants (Ref: AWA4191, dated March 2022) indicates two small low value trees (T2 and T3) require removal to facilitate the proposed development and ensure no future adverse impact on the building. The Council's Tree & Landscape Officer has indicated this would be acceptable, provided impacts are mitigated through replacement tree planting. The revised proposal includes one tree planted to the front and two trees in the rear garden in accordance with the Tree & Landscape Officer's advice and recommendations. It is therefore considered appropriate to impose a condition on an approved application requiring replacement planting to be carried out within 6 months of the first occupation of the completion of the development.

8.0 Conclusion

The proposal has been assessed against each of the five criteria identified by Spatial Policy 3 of the Amended Core Strategy. It has also been assessed against other local and national policies in respect of residential amenity, highway safety, trees and ecology and is considered to be acceptable in this regard.

It has been concluded that the site is located within the main built up area of Norwell, which has a range of local services and facilities and is well connected to Newark. Consequently, the development would be considered sustainable. In addition, the proposed development would help support community facilities and local services.

In terms of the proposal's impact and scale, the addition of one dwelling is considered to be an appropriate scale for the village and unlikely to have a detrimental impact upon existing services provided for within the village, nor a significant increase in vehicular traffic that would have a harmful impact upon the highway network.

The proposed new dwelling would not affect the setting of Norwell Conservation Area nor the significance of listed buildings contained within it and, as such, Fair Vale would continue to have a neutral impact on these heritage assets.

Taking the above in to account, it is concluded that the proposal accords with all of the criteria of Spatial Policy 3 as well as the relevant provisions of Core Policies 9 and 12 of the Amended Core Strategy DPD (March 2019) and Policy DM5 of the Allocations & Development Management Development Plan Document (July 2013), in addition to the NPPF 2021 which is a material considerations. It is therefore recommended that the application be approved.

9.0 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, reference

0001 P5 Location Plan and Site Plan

0002 P5 GA Plans

0003 P4 Elevations

Reason: So as to define this permission.

03

The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application, including Forterra Tame Valley Red bricks and Russell Grampian slate grey roof tiles.

Reason: In the interests of visual amenity.

04

The approved planting scheme to compensate for the loss of two trees, as shown on plan reference 0001 P5 Location Plan and Site Plan, shall be carried out within 6 months of the first occupation of completion of the development. If within a period of seven years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the District 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.

05

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 in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The provision to prevent the discharge of surface water to the public highway shall be implemented in accordance with the approved details and 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.

06

No part of the development hereby permitted shall be brought into use until the driveway and any parking or turning areas are surfaced in a hard-bound material (not loose gravel) for a minimum of 5.0 metres behind the Highway boundary. The surfaced driveway and any parking or turning areas shall then be maintained in such hard-bound material for the life of the development.

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

07

No part of the development hereby permitted shall be brought into use until the parking area is provided in accordance with a plan titled: 0001 P5 Location Plan and Site Plan. The parking area shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

08

Prohibited activities

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

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

Informatives

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

03

All bat species are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, &c.) Regulations 1994. This legislation makes it illegal to intentionally or recklessly kill, injure or disturb any bat, or destroy their breeding places. If bats are disturbed during the proposed works, the legislation requires that work must be suspended and Natural England notified so that appropriate advice can be given to prevent the bats being harmed. Natural England can be contacted at the following address: Apex Court, City Link, Nottingham, NG2 4LA (tel: 0300 060 3900).

04

Nesting birds are protected by the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally or recklessly kill, injure or take any wild bird; take, damage or destroy its nest whilst in use or being built; and/or take or destroy its eggs. Normally it is good practice to avoid work potentially affecting nesting birds during the period 1st March to 31st August in any year, although birds can nest either side of this period.

BACKGROUND PAPERS

Application case file.

Committee Plan - 22/00297/FUL

