



Report to Planning Committee 06 October 2022
 Business manager Lead: Lisa Hughes – Planning Development
 Lead Officer: Yeung Browne – Planner x 5893

Report Summary			
Application Number	22/00783/FUL		
Proposal	Erection of one x 2 bedroom bungalow		
Location	Land At Southwell Road East Rainworth		
Applicant	Newark & Sherwood District Council - Mr Kevin Shutt	Agent	SGA LLP- Mrs Karolina Walton
Web Link	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage		
Registered	28.04.2022	Agreed Extension of time	11.10.2022
Recommendation	That planning permission is approved subject to conditions		

This application is before the Planning Committee for determination, in accordance with the Council’s Constitution, because the applicant is the Council.

1.0 The Site

The site is an area of landscape/garden lying south of Southwell Road East in Rainworth and sits north of existing dwellings along Coopers Rise. The land is fenced off and does not appear to be in use at present.

The proposed site is approximately 300m², broadly rectangular in shape and although formerly gardens to Coopers Rise; the proposed access to the new dwelling will be directly from Southwell Road East. There are a couple of large attractive trees located near the centre of the proposed site.

2.0 Relevant Planning History

Pre-application advice has been sought but there is no formal planning history relating to the site.

3.0 The Proposal

The proposal seeks permission for a two bedroom bungalow set to the north of nos. 5, 7 and 9 Coopers Rise with an associated parking space and garden area to the north of the dwelling.

The proposed 2 bed bungalow will have approximately 62m² in footprint, measuring 8.653m in width and 8.543m in depth. The bungalow would be completed with side gable ends, standing at eaves and ridge height of approximately 2.4 m and 5.6m respectively. Materials proposed are brick (Forterra Tame Valley Red) with roof tiles to be grey concrete.

The following documents have been submitted with the application:

- Existing site Location Plan 1:1250 ref: 597-SGA-270-SL-DR-A-00001 Rev P1, received on 19 April 2022
- Revised Proposed site and block plans ref: received 597-SGA-270-SL-DR-A-00001 Rev P7, received on 18 August 2022
- Revised Proposed visibility splays ref: received 597-SGA-270-SL-DR-A-00005 Rev P03, received on 30 June 2022
- Proposed floor plan and elevation of house type C ref: 597-SGA-270-ZZ-DR-A-00002 Rev P1, received on 19 April 2022
- Design and Access Statement received 19 April 2022
- Arboriculture report received 21 June 2022
- Biodiversity Statement received 08 Aug 2022

4.0 Departure/Public Advertisement Procedure

Occupiers of four properties have been individually notified by letter.

5.0 Planning Policy Framework

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

- Spatial Policy 1 - Settlement Hierarchy
- Spatial Policy 2 - Spatial Distribution of Growth
- Spatial Policy 3 – Rural Areas
- Spatial Policy 6 – Infrastructure for Growth
- Spatial Policy 7 - Sustainable Transport
- Core Policy 1 – Affordable Housing Provision
- Core Policy 3 – Housing Mix, Type and Density
- Core Policy 9 - Sustainable Design
- Core Policy 10 – Climate Change

Allocations & Development Management DPD

- DM1 – Development within Settlements Central to Delivering the Spatial Strategy
- DM5 – Design
- DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework
- National Planning Practice Guidance
- Residential Cycle and Car Parking Standards SPD 2021
- NSDC Draft Open Space Assessment and Strategy 2021

6.0 Consultations

Rainworth Parish Council – Support the application

NCC Highway Authority – [further to previous comments] on 30 June 2022 in regards to the revised details and visibility splay, stated there are no Highway Authority objections to the proposal subject to conditions and informative.

NDSC Landscape officer – considered this section of Southwell Road East (proposed site and the adjacent area) has a strong wooded character, a linear feature of mature hedgerows interspaced with large trees. It is recognised that, individually trees on this site are not of significant value, but collectively as a habitat (biological niche), and visually they do contribute to the green character of the area. Stated in the comment that the current proposal will lead to the removal of all trees from the site, which would have a significant negative impact on the visual amenity of the area, detreating what is a tree lined street.

A biodiversity statement has since been submitted with suggested mitigation.

One representation was received from a nearby resident, while no objection to the proposed new dwelling, has concern over the existing Conifer trees when the work commences.

7.0 Comments of the Business Manager – Planning Development

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

Principle of Development

The Adopted Development Plan for the District is the Core Strategy Development Plan Document (DPD) (2019) and the Allocations and Development Management Policies DPD (2013). The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 2 (Spatial

Distribution of Growth) of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District.

The site is located within the built-up area of Rainworth and within the Rainworth District Centre as shown on the Proposals Maps in the Allocations and Development Management DPD. Under Spatial Policy 1 of the Core Strategy, Rainworth is identified as a Service Centre which has a good range of local facilities and is therefore considered to be an appropriate location for new housing and employment as it is considered to be a sustainable location for new development. The principle of development is therefore considered to be sustainable, acceptable and in accordance with the Local Development Framework, the National Planning Policy Framework (NPPF) and its Planning Policy Guidance, subject to consideration of the following matters.

Housing Mix and Density

Core Policy 3 confirms that the Local Planning Authority (LPA) will normally expect development densities of no lower than an average of 30 dwellings per hectare. The site area of 0.3 hectares means the density of development 9 dwellings per hectare falling below the aspirations of the policy. However, given that the site is surrounded entirely by residential curtilages and the area where this single dwelling is proposed is also of a low density, provision of just 1 dwelling is not disputed in principle.

In terms of the Council's housing need assessment, the 2020 housing Needs Study shows that for the Mansfield Fringe sub area (of which Rainworth is a part of) the principle requirement is 4 or more bedroom houses (34.3%) followed by 3 bedroom houses (26.9%). In relation to the number of affordable rented homes needed within Mansfield Fringe, this is 67 per annum, of which 9, two bedroom bungalows are required. This two bed bungalow would still contribute to meeting an identified need in the sub area in accordance with CP1.

Impact on the Character of the Area

The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. Core Policy 9 states that new development should achieve a high standard of sustainable design and layout that is of an appropriate form and scale to its context, complementing the existing built and landscape environments. Policy DM5 of the DPD requires development to reflect 'the scale, form, mass, layout, design, materials and detailing' of the surrounding built form.

Chapter 11 of the NPPF refers to making effective use of land, advising that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 119). This chapter goes on to state how planning decisions should also promote and support the development of under-utilised land especially if this would help to meet identified needs for housing (para.120.d). Para. 121 explains how LPA's should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, such as the supply of affordable housing with para 122 reiterating that planning decisions "need to reflect changes in the demand for land".

This site currently comprises an unused landscape area, which is fenced and sits behind existing bungalows of Coopers Rise and south of Southwell Road East. Policy DM5 states: [P]roposals creating backland development will only be approved where they would be in-keeping with the general character and density of existing development in the area, and would not set a precedent for similar forms of development, the cumulative effect of which would be to harm the established character and appearance of the area.

The development proposes one detached bungalow to the site, which would be set back from the Southwell Road East by approximately 10m with similar building line as the adjacent dwelling to the northwest. The property would be read in the context of dwellings on Southwell Road East.

The bungalow would be constructed of red brick with concrete tiles. The application site is within an established residential area. The area does not have a prevailing character; however on the northwest side of Southwell Road East adjacent to the development site and Station Road, there are number of two storey semi-detached dwellings. To the rear, properties on Coopers Rise and on St Peters Drive across Southwell Road East, are a mix of bungalows and two storey semi-detached dwellings. There is no consistent urban grain within the area.

With regards to the aesthetics of the proposed bungalow, it is noted that the properties and boundary treatment have been designed sympathetically to the surrounding area. The property would broadly follow the building line of the neighbouring dwelling which would assist in assimilating the property into the existing street scene. It is considered the proposed would not cause harm to the streetscene or the appearance and character of the area. As such the proposal accords with Core Policy 9 of the Amended Core Strategy and Policy DM5 of the ADMDPD.

Impact upon Residential Amenity

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

The development would be single storey in nature which would limit the potential for harmful amenity impacts to neighbouring occupiers. Furthermore, the bungalows on Coopers Rise are positioned on an elevated level when compared to the proposed site.

As mentioned previously, the dwelling would broadly follow the building line of the dwelling to the northwest at no.68 Station Road. The distance between the two properties would be approximately 8.5m. A double paned window is proposed in the side elevation facing northwest. The proposal includes the retention of the existing hedgerow on its northwest boundary as well as the close boarded fence, the former is approximately 2.0m in height. It is not considered the proposed bungalow would create any overlooking issue or amenity harm to this neighbouring dwelling.

The southwest (rear) elevation of the proposed new dwelling consists of a set of French doors and a standard three-pane window. The distance between the proposed dwelling to no.3 Coopers Rise is over 30m. Dwellings to the south of the proposed new dwelling, nos 5 and 7

Coopers Rise are positioned on higher ground and they are set at 90 degree angle with the distance between them approximately 15m and 23m respectively. It is not considered the proposed development would result in overbearing or overlooking impacts to these neighbouring plots.

The closest dwelling to the southeast is another semi-detached bungalow, approximately 12.5m from the site boundary. Taking account of the single storey nature of the dwelling and the orientation of the dwellings, it is not considered that the proposed bungalow would create amenity harm to the dwelling to the southeast.

In regard to the amenity provisions for the proposed bungalow, area of outdoor amenity space is proposed to the northeast and southwest of the dwelling. This is considered sufficient for a two bedroom bungalow. Furthermore, the provision of a 1.8m high fence surrounding the rear garden with hedge on the northeast and southwest would ensure a degree of privacy.

Nevertheless, in order to ensure that any future alteration or extensions are sympathetic to the original design, layout and the impact to the other neighbouring dwellings is appropriately considered, some permitted development rights are recommended to be removed from this new dwelling. Those recommended for removal comprise Classes A (extensions) and B (roof alterations) as these could, potentially, have the greatest impact.

With the above in mind, a single storey dwelling could be accommodated within this site without significantly impacting upon existing neighbouring amenity and an acceptable garden area for any future occupiers could be provided commensurate with the size of the dwelling in accordance with Policy DM5 of the Allocations and Development Management DPD.

Impact upon Highway Safety

Spatial Policy 7 states that 'the Council will encourage and support development proposals which promote an improved and integrated transport network and an emphasis on non-car modes as a means of access to services and facilities. In particular the Council will work with the County Council and other relevant agencies to reduce the impact of roads and traffic movement, to support the development of opportunities for the use of public transport, increase rural accessibility and to enhance the pedestrian environment.'

Policy DM5 of the DPD states that 'Provision should be made for safe and inclusive access to new development. Where practicable, this should make use of Green Infrastructure and as many alternative modes of transport as possible. Parking provision for vehicles and cycles should be based on the scale and specific location of the development.'

Paragraph 110 of the NPPF states that schemes can be supported where they provide safe and suitable access for all. Paragraph 109 of the NPPF makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Council has recently adopted a residential cycle and car parking standards SPD. For a one bed property in Rainworth the parking requirement is for one space, this proposal would provide a minimum of 2 spaces of appropriate dimensions. It also requires for electric vehicle charging facilities to be provided. Building regulations require new dwellings to have these

facilities and it is not therefore considered necessary to condition this requirement in this instance.

The proposed will require a dropped kerb from Southwell Road East for the allocated parking space, which is not an unusual practice on this part of Southwell Road East.

Consultation has been undertaken with NCC as the Highways Authority. Their comments raise no objections subject to conditions which can be reasonably imposed. The movements associated with a two bed dwelling would not have a perceivable impact on the overall highways network which would warrant concern. The proposal is considered to be in accordance with Spatial Policy 7 of the Amended Core Strategy DPD and Policy DM5 of the A&DM DPD.

Landscape and Biodiversity

The proposed site is former residential garden. Information regarding landscaping and biodiversity has been provided, shown on the Revised site location & site block plan ref: 597 SGA 270 SL DR A 00001 P6 and the biodiversity statement.

This includes:

- 2 bat boxes built in to the gable end of the bungalow at high level.
- 2 bird boxes located in the rear garden
- Planting 14m of new hedgerow to the rear of the garden.
- Planting 3 cherry blossom trees within the garden of the new build bungalow.
- Planting 1 cherry blossom tree within the garden of no11 of the adjacent council owned bungalows (the tenants have been consulted with agree to the tree planting) The tenants have also requested that the 4 conifer type trees be removed as they are impacting on the amenity of the tenants.
- Incorporate 3 hedgehog highways through the new boundary fences.

Additional planning within the wider community is also offered with the proposal as part of offsetting for biodiversity net gain. This additional planting, together with the planting of the tree in the garden of number 11 cannot reasonably be sought by way of condition. Conditions need to relate to the development proposed and the above landscaping within the application site is considered appropriate for the development. Notwithstanding this, it is likely as a public body, the Council will do its best in relation to landscaping and biodiversity. NDSC landscape officer confirmed the mitigation put forward is agreeable subject to condition to secure for a 10-year period.

Flooding/surface water run-off

Policy DM5 'Design' of the Allocations & Development Management DPD requires new development proposals to pro-actively manage surface water including the use of Sustainable Drainage Systems. New mapping has been released by the Environment Agency on surface water flood risk. This surface water mapping provides a useful indication of low spots where water is likely to 'pond', where surface water flooding is deeper or shallower, direction and approximate speed of flowing water (indicating flow paths) and the spatial location of surface water flood risk in relation to sites.

The proposed dwelling would replace some parts of the existing permeable green area with impermeable built form thus potentially affecting surface water run-off. The Planning Statement submitted with the application states that surface water would be disposed via a sustainable drainage system or soakaway determined by engineer.

Sustainable drainage is an important consideration and one that Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) advises on where necessary. However, in accordance with relevant guidance and legislation, the LLFA are only a statutory consultee for applicable major developments, which this development is not.

No details on surface water drainage have been submitted. However, given the site's location in an area prone to surface water flooding it is considered details of surface water drainage could be adequately dealt with through an appropriately worded condition.

Waste Management

The proposed dwelling would have a paved area to accommodate bins away from the access paths. It is considered the proposed layout plan to be acceptable in relation to bin storage.

5 Years Housing Land Supply and Affordable Housing Stock

This proposal will make a small but nonetheless positive contribution to the Council's 5 year housing land supply and a valuable contribution to affordable housing provision through social rent. It should be noted that a scheme for 1 residential unit would not require any affordable dwellings in policy terms albeit this is welcomed. However, given that the scheme is acceptable in any event, it is not considered that it is necessary to secure the housing as affordable units and this does not need to be weighed in the balance.

8.0 Conclusion

The proposal would provide a single 2 bed dwelling in a highly sustainable area. This will be offered for social rent as there is an identified need for this type of property.

Having regards to the above, it is considered that the proposal is acceptable in principle, relates well to the surrounding properties; that the proposal development would provide affordable housing, when there is a need for such accommodation District wide. The development would have an acceptable impact on the character of the area, neighbouring amenity and highway safety subject to the recommended conditions. It is therefore recommended that planning permission is granted.

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 be carried out only in accordance with the details and specifications included on the submitted application form, documents and shown on the drawings as listed below:

- Revised Proposed site and block plans ref: received 597-SGA-270-SL-DR-A-00001 Rev P7, received on 18 August 2022
- Revised Proposed visibility splays ref: received 597-SGA-270-SL-DR-A-00005 Rev P03, received on 30 June 2022
- Proposed floor plan and elevation of house type C ref: 597-SGA-270-ZZ-DR-A-00002 Rev P1, received on 19 April 2022
- Arboriculture report received 21 June 2022
- Biodiversity Statement received 08 Aug 2022

Reason: To ensure that the development takes the agreed form envisaged by the Local Planning Authority when determining the application.

03

The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application.

Reason: To ensure the satisfactory appearance of the completed development in the interests of visual amenity.

04

The dwelling hereby permitted shall not be occupied until visibility splays of 2.4m x 120m as shown on drawing no. 00005 Rev P3 received on 30 June 2022 titled Visibility Splays are provided. The area within the visibility splays shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6m in height.

Reason: In the interests of highway safety.

05

The dwelling hereby permitted shall not be occupied until the driveway and parking area has been provided and surfaced in hard bound material for a minimum distance of 5m to the rear of the highway boundary and has been constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway. The hard bound surfacing and measures to prevent the discharge of surface water shall thereafter be retained for the life of the development.

Reason: In the interests of highway safety.

06

The dwelling hereby permitted shall not be occupied until the driveway is provided with a dropped vehicular footway crossing, constructed in accordance with the Highway specification to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

07

Prior to first occupation of the development hereby approved, the biodiversity mitigation, hard and soft landscape works as details in the biodiversity statement received on 08 August 2022 and shown on drawing ref: 597 SGA 270 SL DR A 00001 P7 received on 18 August 2022 shall be implemented in full on site and retained for a minimum period of ten years from occupation.

Reason: In the interests of visual amenity and biodiversity.

08

Any trees/shrubs and hedges which, within a period of ten years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations.

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

09

Prior to any works commencing on the construction of the foundations of the dwelling, full details of the manner in which surface water is to be disposed of from the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be maintained for the lifetime of the development.

Reason: To ensure that the site is drained in a satisfactory manner.

10

The bin storage facilities/area shown on the approved plan reference 597-SGA-270-SL-DR-A-00001 P7, shall be provided prior to first occupation of any of the dwelling hereby approved and retained for the lifetime of the development.

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

11

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

- Class A: The enlargement, improvement or other alteration of a dwellinghouse.
- Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Reason: To ensure that any proposed further alteration or extensions are sympathetic to the original design and layout in this sensitive location.

Informative

01

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).

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

03

The development makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact Via (in partnership with Nottinghamshire County Council) on 0300 500 8080 or at licences@viaem.co.uk to arrange for these works to take place.

BACKGROUND PAPERS

Committee Plan - 22/00783/FUL

