

PLANNING COMMITTEE – 7 AUGUST 2018

Application No:	18/00832/FUL	
Proposal:	Development of 1 No. 3-bed bungalow and 3 2 No. 1-bed bungalows	
Location:	Land Off Westgate Southwell Nottinghamshire	
Applicant:	Newark and Sherwood District Council	
Registered:	03.05.2018	Target Date: 28.06.2018
		Extension of Time Agreed: 06.07.2018

This application is one of several schemes currently being considered by the Council for the residential development of land owned by the Council. The need for affordable housing position remains high in the Council's agenda, as indeed it does nationally. The developments are being put forward as part of a five year building programme by Newark and Sherwood Homes (NASH) to deliver approximately 360 new affordable dwellings across the District to directly meet affordable housing need. Under the Council's constitution, schemes submitted specifically as part of this 5 year affordable housing programme need to be determined by the Planning Committee where the officer recommendation differs from that of the host Parish or Town Council.

This application was previously reported to the Planning Committee on 3rd July 2018. Members considered the proposal at that time for a total of 4 new dwellings was over intensive and deferred the application to allow Officers to negotiate a reduction in the scheme to 3 units and to make amendments to the parking provision to allocate spaces to respective dwellings. A revised scheme for 3 units has been submitted and consulted on. This report is therefore presented as an update to that previously presented to Members. For the purposes of clarity any amendments to the previous report are indicated by a ~~striketrough~~ and new text is presented in bold.

The Site

The site lies to the south west of the centre of Southwell and within the main built up area. The site is not within the Southwell conservation area but the boundary for the area bounds the southern edge of the site. The site is composed of an access road which serves a handful of properties with grass verges and trees either side. The proposed development site is a mix of grassed verge and part of an existing garden which serves No. 8 Westhorpe. Properties in the vicinity of the site are a mix of private and Newark and Sherwood Homes ownership and predominantly single storey semi-detached red brick red roof tiled dwellings. Further to the north are two storey properties one of which is the vicarage. Footpaths are situated to the east and west of the access road in front of dwellings. The grassed verges either side of the road contain a number of trees with the most prominent in the south eastern corner and beyond the development site. A brick and timber clad bus shelter is situated on the south eastern corner of the site.

The site is designated as being within Flood Zone 1 in accordance with Environment Agency

mapping.

Relevant Planning History

No relevant site history

The Proposal

A revised plan (40860/ID151/008L) was submitted on 6th July 2018 showing 3 dwellings rather than the previously proposed 4 and showing the eastern grass verge not to be developed for a dwelling as had previously been proposed. However this drawing was subsequently superseded.

Revised drawings were then submitted on 18th July 2018 (40860/ID151/008O) seeking to provide 1 x 3 bed single storey bungalow and 2 x 1 bed single storey bungalows.

~~The plans (40860/ID151/008J) seeks to provide 1 x 3 bed single storey bungalow and 3 x 1 bed single storey properties. The properties are detailed on the application form to be social rented dwellings.~~

The site layout of the proposal has been ~~marginally~~ altered during the lifetime of the application to improve the parking and access arrangements **and to reduce the number of dwellings proposed from 4 down to 3. The revised plans shown that the grass verge to the western side of the access would not be developed for a dwelling as was previously proposed.**

The approximate measurements of the buildings are:

~~2~~ **1** x type C6 detached ~~properties~~ **property** (dwellings ~~1&2~~): 6.40m deep, 9.66m wide and 4.81m high

1 x type F detached property (dwelling 3): 7.53m deep, 11.53m wide and 5.5m high

1 x type A3 detached property (dwelling ~~2 4~~): 8.32m deep, 7.6m wide and 4.95m high

1 parking space would be provided for ~~each of the units 1 and 2 with the exception of the~~ **and for the 3 bed F type unit where 2 spaces would be provided. Further parking spaces are shown to serve the existing dwellings at 6, 8, 10 and 12 Westhorpe as well as 1 additional visitor space.**

It is proposed that all dwellings be constructed from a mix of Cadeby red multi bricks, Welford buff, off white through colour render and Russell Grampian cottage red & slate grey tiles.

Public Advertisement Procedure

Occupiers of 13 properties have been individually notified by letter.

Earliest decision date 20.06.2018

Planning Policy Framework

The Development Plan

Southwell Neighbourhood Plan 2016

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

Newark and Sherwood District Council Core Strategy DPD (adopted March 2011)

Spatial Policy 1 - Settlement hierarchy
Spatial Policy 2 - Spatial distribution of growth
Spatial Policy 6 - Infrastructure for Growth
Spatial Policy 7 - Sustainable transport
Core Policy 1 - Affordable Housing Provision
Core Policy 3 - Housing Mix, Type and Density
Core Policy 9 – Sustainable design
Core Policy 10 - Climate Change
Core Policy 12 - Biodiversity and Green Infrastructure

Allocations & Development Management DPD

DM1 – Development within settlements central to delivering the spatial strategy
DM5 – Design
DM7 - Biodiversity and Green Infrastructure
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework ~~2012~~ 2018
- Planning Practice Guidance 2014

Consultations (comments based on plans currently being considered)

Southwell Town Council – Object

Southwell Town Council considered application 18/00832/FUL Land Off Westhorpe and agreed unanimously to object to the application and have asked that Cllr Bruce Laughton call in this application for the following reasons:

The layout of the two bungalows C6 are on opposite sides of the road which completely reduces of open space aspect of the area. The committee recommend that both bungalows are built on the west side of the access road to maintain a more open aspect.

Southwell Civic Society – Object

We welcome the proposal to develop these small bungalows for social housing. This type of dwelling was identified as an urgent need in the Southwell Neighbourhood Plan.

We have, however, concerns with the proposed layout of the two type C4 properties either side of the access road. The carriageway is only some 4.5 metres wide and the proposed distance between the houses only 6 metres. This will create a very narrow tunnel effect in contrast to the existing wide open space.

The current layout has the living area of plot 002 looking straight into the brick wall of plot 001. We would suggest that the road be moved to the west and the houses put side by side. Alternatively the stagger be increased moving the house on plot 001 further north.

We appreciate moving the road will add to the cost of the scheme. Nevertheless, it is important that short term cost cutting does not prejudice a scheme which could easily be there in well over a hundred year's time. It is noted that baths are proposed. Experience shows that with increasing age a bath becomes harder to access and a walk in shower may be more appropriate.

NCC Highways Authority – No objection subject to condition

Further to comments dated 1 June 2018 revised drawing 40860/ID151/008J has been submitted to address the issues previously raised.

The scheme involves the stopping up of part of the public highway. It should be noted that in such circumstances the land reverts to the owner of the subsoil or successor in title. It is assumed that this will be pursued through Section 247 of the T&CP act 1990. Suitable arrangements may be required with any service providers within that part of the highway.

Notwithstanding the above, no objections are raised subject to the following conditions:

The development hereby approved must comply with drawing 40860/ID151/008J.

Reason: For the sake of clarity.

No part of the development hereby permitted shall be occupied until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the highway boundary. The surfaced drives 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.)

No part of the development hereby permitted shall be occupied until appropriate dropped vehicular crossings are available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

Reason: To protect the structural integrity of the highway and to allow for future maintenance.

No part of the development hereby permitted shall be occupied until the drives/parking areas are constructed with provision to prevent the unregulated discharge of surface water from the drives/parking areas to the public highway in accordance with details first submitted to and approved in writing by the LPA.

The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

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

No part of the development hereby permitted shall be commenced until the required Highway Stopping Up Order under S247 of the Town & Country Planning Act 1990 has been confirmed in writing.

Reason: To protect the interests of highway users and the Highway Authority.

No part of the development hereby permitted shall be commenced until a review of the highway street lighting has taken place and conclusions agreed with the Highway Authority in writing. If such conclusions require additional street lighting to be installed, such lighting will be required to meet the Highway Authority's standards and specification, and; be installed prior to occupation of any part of the permitted development.

Reason: In the interests of highway safety.

Notes to Applicant:

The development makes it necessary to construct/alter vehicular crossings on part of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Agent, Via East Midlands tel. 0115 977 2275 to arrange for these works to be carried out.

NSDC Conservation Officer – No objection

Legal and policy considerations Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character and appearance of the CA. 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'. 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).

Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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.

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 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. Assessment of an asset's significance and its relationship to its setting will

usually suggest the forms of development that might be appropriate. The junction between new development and the historic environment needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting.

Significance of heritage asset(s)

The land off Westgate is located immediately outside the boundary of the Southwell Conservation Area, first designated in 1970, and most recently reappraised in 2005. The area of Westhorpe is described in the CAA as follows: *'Westgate is the road that links Southwell with the former hamlet of Westhorpe and is essentially a ribbon of residential development. The conservation area boundary is drawn relatively tightly along the road, particularly on the north side, to exclude the swathe of C20 suburban housing immediately behind it.'*

The application site relates directly to the adjacent range of late C20 bungalows, as referenced in the above extract of the Southwell CAA, located on either side of the cul-de-sac which serves the properties. The cul-de-sac features wide grass verges that amount to the potential development land that is the subject of this application. The conservation area boundary terminates on the north side of Westgate, although extends in a narrow loop northwards next to the application site to accommodate for the Old Vicarage, which is recognised as a local interest building.

There are further local interest buildings located in close proximity to the application site, on the south side of Westgate within the West Conservation Area boundary. These include The Bumbles (public house) and The Cottage. The Bumbles is a two storey pub with a twin gabled frontage that has been extended in an unsympathetic style and has been rendered with a mock timber framed façade. Further eastwards, The Cottage is a traditional farmhouse in red brick with a pantiled roof with an attached barn range. The application site makes an overall neutral contribution to the setting of these local interest buildings and the wider character of the conservation area.

Assessment of proposal

Conservation does not object to the proposal to build 4 new bungalows in this location. The wide grass verges that form the basis of the layout are suitable for the new built form, and the new dwellings would relate to the surrounding properties. The scale, form and massing of the new bungalows will respect the character of the conservation area, they have a low profile and will not affect the adjacent Old Vicarage or the aforementioned local interest buildings on the south side of Westgate. The access into the site is also considered to preserve the neutral contribution of the cul-de-sac, there are no detached garages proposed and the parking spaces are suitably located. In this context, the proposal is not considered to cause harm to the character of the conservation area. The proposal therefore is in accordance with the objective of preservation set out under sections 72, part II of the 1990 Listed Building and Conservation Areas Act, and complies with heritage policies and advice contained within the Council's LDF DPDs and section 12 of the NPPF.

NSDC Archaeologist – No objection

Trent Valley Internal Drainage Board – No objection

Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

NSDC Environmental Health Officer – No objection subject to condition

I have now had the opportunity to review the Phase I Desktop Study and Phase II Site Investigation Reports submitted by Collins Hall Green in support of the above planning application. The desktop includes a brief description of the site, consideration of the site history and includes an Environmental Screening report.

Following this work, three samples were taken as part of the intrusive investigation, the results from which were all below the respective screening criteria.

The phase 2 report concludes by recommending that a minimum of 300mm clean topsoil placed on top of the natural strata. Environmental Health requires that any clean material imported to site complies the current YALPAG Verification Requirements for Cover Systems document.

I would therefore suggest that a planning condition is imposed in order to ensure that this material is effectively verified:

The applicant is required validate that any imported material is suitable for use in garden areas. This should be done in accordance with the YALPAG guidance document Verification Requirements for Cover Systems (ver 3.3), to the satisfaction of Environmental Health.

If you wish to discuss my comments above, please contact me on 01636 655430.

NSDC Access Officer - Observations

Representations

Seven letters of correspondence have been received with 2 supporting, 2 neither supporting nor objecting and 3 objecting. The following points have been raised:

Objection

- There is confusion as to whether the site is Westhope or Westgate
- No need for a 3 bed bungalow
- 4 properties on the proposed site will be overcrowded and result in a loss of green, pleasant land and ridge & furrow cultivation within the garden area of No. 8
- The 2 cherry trees proposed to be felled enhance the area and should be retained
- Concern regarding parking for residents & lack of visitor parking with visitors likely needing to park on the main road, which could result in visibility issues for dwellings leaving the site
- Concern regarding drainage on the site, particularly given 1 residents experienced recent problems with a tree root blocking pipes
- There is a need to keep the access to the vicarage open; will there be sufficient space for vehicles to turn?
- All residents in the area are elderly and I wonder about the appropriateness of introducing a family home into the area
- The existing plans show only 2 disabled spaces, when there are 4 blue badge holders on the close
- Overspill parking often occurs, particularly when there is an event at the hotel next door, could allocated parking/bollards/resident only signs be considered?
- Concern about access to existing dwellings during construction
- Concern about dwellings blocking views and impacting on value of property

One further objection was received following the submission of the first revised drawing following the July 2018 Planning Committee raising concerns that the single parking space for Plot 1 and the garden layout serving this property might cause problems between the existing neighbouring occupier. It was suggested that the new dwelling would be better located on the opposite verge.

Support

- I support the provision of additional bungalows to enable families to continue to support their relatives
- The community on Westgate is wonderful and additional homes and occupants will be warmly welcomed

One further comment of support was received following the submission of the latest plan showing 3 proposed dwelling stating:

'As previously stated we fully appreciate the need for additional social housing, and the amended site layout option 2 dated 18/07/2018 seems to be the best option so far. We are happy to support the proposal providing this is the option that is used.'

Comments of the Business Manager

There seems to be some confusion about the correct address for the site with the land being situated off Westgate but the properties surrounding the site being deemed as being off Westhorpe. For consistency the site shall be referred to as being land off Westgate within the report.

Principle of development

The NPPG acknowledges that Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area, thus providing a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

Following public consultation and independent examination, at its council meeting on 10th October 2017 Newark and Sherwood District Council adopted the Southwell Neighbourhood Plan. The Neighbourhood Plan now forms part of the development plan for the district and its policies are a material consideration alongside other policies in the development plan and carry weight in the determination of planning applications in Southwell. In this instance the most relevant policies in the Neighbourhood Plan are listed above and are considered against the relevant aspects of the proposal in the assessment below.

Southwell is defined as a Service Centre with a good range of local facilities, good public transport and local employment, as set out in the Settlement Hierarchy defined by Spatial Policy 1 of the Core Strategy. New housing is therefore supported in principle within Service Centres where services are focused to provide for a large local population and a rural hinterland.

Policy So/HN/1 seeks to secure, subject to local site circumstances and the viability of development, the majority of new housing on allocated or windfall sites as one or two bedroom

units in line with identified housing need. This drive to secure smaller units is a significant material consideration and must remain so given that this policy is just one of two policies of its type in our district whereby it was felt necessary to intervene in the market to secure smaller dwellings. This remains the case with the more up to date district wide Housing Needs Survey which confirms the most needed housing type remains as two bedrooms.

Furthermore, the Southwell Neighbourhood Plan (SNP) seeks for sustainable development that has regard for the town's unique character, historic environment and landscape setting.

I am satisfied that the site is located within the main built up area of a sustainable settlement and as such, there is no objection in principle to the residential development at the site. However, the impact upon the character of the area, residential amenity of neighbouring properties and highway matters will all need to be taken into consideration and are discussed below.

Impact upon Character of Area

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 states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development. The SNP also reflects this. The NPPF states that good design is a key aspect of sustainable development, **creates better places in which to live and work and helps make development acceptable to communities. and Decisions should ensure proposals function well and add to the overall quality of the area, are new development should be visually attractive as a result of good architecture, layout and appropriate landscaping, are sympathetic to local character, maintain a strong sense of place, optimise the potential of a site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.**

The site rises from Westgate with the properties to the north on slightly elevated land. The site is currently open, grassed, with a number of trees and offers attractive views for passers-by on Westgate. The proposed development would see the introduction of ~~two~~ **one** 1 bed **property** ~~properties either~~ **to the western** side of the access road with the retention of the large tree to the south east but the removal of **one of** the two cherry trees to the west of the access road. A further 1 bed bungalow would be positioned on the north western boundary of the site with the hedge between the close and the vicarage to the north proposed to be ~~replaced with fencing~~ **pruned and cut back** and the existing telegraph post would be relocated. Finally to the east a 3 bed single storey property is proposed within the existing side garden area of No. 8 Westhorpe.

The loss of **one** trees on the site is regrettable ~~and in particular~~ although the cherry tree on the south western corner of the site **previously indicated to be removed is now shown to be retained.** A tree survey has been submitted in support of the application which categorises the trees to be removed as C1. ~~Requests have been made for the south western cherry tree to be retained but the applicant has stated that the tree has only shallow roots and the proposed provision of a parking space within the Root Protection Area (RPA) of the tree would destabilize the tree, even if the parking space was hand dug.~~ The application proposes a replacement tree **for the tree to be removed and this would be located to the eastern grass verge which is now to be retained.** ~~on the frontage of the site, which~~ **The proposed replacement tree** could be controlled by way of condition to ensure it was suitable for the prominent location it would occupy.

The proposed dwellings have been reviewed by conservation colleagues given the proximity of the Southwell Conservation Area and the scale, form and massing of the dwellings considered appropriate for the proximity of the conservation area. ~~Properties~~ **Property 1 & 2** ~~either to the western side of the access road~~ **are** is detailed as being constructed of red brick with red roofing tiles, which would help assimilate them with surrounding built form. The ~~properties are~~ **proposed dwelling is** modestly scaled and would be orientated **hipped** gable end towards Westgate. I note the **previous** objection raised by the Town Council in relation to the previous proposal to site ~~siting of these a dwelling either side of the access road developing both grass verges~~ ~~properties, however there would be insufficient space~~ **and the suggestion** to locate 2 properties on one side of the road as requested. ~~The proposed siting would impact upon the open aspect of the site, however would enable green frontages to be retained which would contribute the existing openness of the area and I consider the proposed stagger of properties to be sufficient to ensure the development would not result in a tunnel effect as feared.~~ **The revised proposal partly follows this suggestion in that it results in only the western grass verge being developed with a new dwelling but is less intensive than the previous Town Council suggestion as only one dwelling would occupy the western verge rather than two.** No details relating to boundary treatment have been provided, however the applicant has confirmed that close boarded fencing or similar would be provided along the southern boundary of the south eastern property between the side gable and the bus shelter. Full details of the boundary treatment and replacement planting shall be controlled by way of condition.

Property 3 in the north eastern corner would be constructed of materials to match ~~properties~~ property ~~1&2~~ with property ~~4~~ 2 in the north western corner to be finished in a buff brick with slate grey tiles. Given the elevated land in the north eastern corner of the site a street scene has been requested showing the property in relation to the neighbouring No. 8. The view shows that the property would be partially cut in to the land to reduce its mass, with the ridge being only marginally higher than that of the neighbouring property. A hipped roofline may help better integrate the dwelling into the close, however given the location in the north eastern corner of the site and that the dwelling would largely be screened from view by properties to the south I don't consider the inclusion of a hipped roof in the this instance to be strictly necessary.

As detailed by the conservation officer; the proposed layout, scale and massing of the development whilst resulting in the loss of green space is not considered to significantly detrimentally impact upon the character of the surrounding area. Subject to condition the proposal is considered to accord with policy DM5 of the DPD and policies DH1 and DH2 of the SNP.

Impact upon 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~~ **high** standard of amenity for all existing and future occupants of land and buildings.

Property 3 would be constructed within the side garden area of No. 8 and aligned with this dwelling. Given the location it is not considered to result in overbearing or loss of light to the property, given that windows within No. 8 are situated on the front and rear. Sufficient garden area is considered to remain to serve No. 8 and the proposed garden area for property 3 is considered to be acceptable. The property to the north; No. 1 The Paddocks, which is on slightly elevated land would be partially aligned with property 3 and the garden area for No. 1 The

Paddocks is situated to the front of the dwelling and as such the introduction of property 3 is not considered to result in overbearing or loss of light.

Property ~~2~~ **4** is proposed to be located approximately 12m to the front of Nos. 10 & 12 Westhorpe and would be side elevation to these properties. Given the degree of separation and modest ridge height of this property (5m) it is not considered that this dwelling would significantly overbear on these 2 properties. In relation to loss of light; the front garden area of these properties would experience a modest loss of morning light; however the primary private garden area for these dwellings is to the rear and the dwelling given the separation and intervening built form would not impact upon this area. The property would be sited in close proximity to the shared boundary with the vicarage to the north; again given the degree of separation is not considered to significantly impact upon the amenity of this property.

Properties ~~1 & 2~~ would be located **to the western** either side of the access road and be approximately 9m to the side of 16 Westhorpe ~~to the west and 8.5m to the side of 4 Westhorpe to the east~~. The proposed dwellings **would be set forward of the nearest neighbouring dwelling at no.16 Westhorpe with the proposed rear elevation aligned with the front elevation of the neighbouring dwelling** orientated so that part of their rear elevations would be aligned with the side of the neighbouring dwellings. The remaining parts of the new build units **proposed dwelling therefore** would be aligned with the front garden of 16 Westhorpe to the west and the rear garden of 4 Westhorpe to the east. In relation to No.16 Westhorpe; a modest degree of overbearing and loss of light to the front garden area is likely to occur, however this would not be so significant to warrant refusal. ~~In relation to 4 Westhorpe; again a modest degree of overbearing would occur, however given the separation distance this is not considered to be so significant to warrant refusal. In relation to loss of light; given the proximity of the large tree on the frontage, the introduction of a new dwelling to the west of No. 4 Westhorpe is not considered to result in a significant loss of light.~~

In relation to overlooking; the frontage of No. 16 is currently open, boundary treatment is proposed to the rear of dwelling 1 which can be controlled by way of condition to ensure no significant degree of overlooking occurs. ~~The rear garden area of No. 4 Westhorpe is currently bound by hedging and again screening to the rear of property 2 will be controlled by condition to ensure no significant overlooking occurs. New~~ A garden areas ~~are~~ **is** proposed to the north of **proposed dwelling both properties 1 & 2** which, **whilst very modest**, appears to be appropriately scaled in relation to the proposed dwellings.

In conclusion the introduction of ~~3~~ **4** new dwellings is not considered to significantly impact upon amenity of existing residents. The proposed layout appears, subject to condition to provide satisfactory private amenity space for any future residents of the units. The proposal is therefore considered to accord with policy DM5 of the NSDC DPD.

Highway Matters

Policy DM5 is explicit in stating that provision should be made for safe and inclusive access to new development whilst Spatial Policy 7 encourages proposals which place an emphasis on non-car modes as a means of access to services and facilities.

The proposed site layout has been amended a number of times during the lifetime of the application, following discussions between the applicant and colleagues at NCC Highways Authority. The proposed development would provide a parking space ~~each~~ **for the new dwellings**

at plots 1 and 2 with property 3 (3 bed property) being provided with 2 parking spaces. Nos. 6, 8, 10 & 12 Westhorpe would be provided with a disabled parking space each, reflecting the needs of the current occupiers. ~~The proposed parking layout is somewhat contrived with a space for property 2 provided to the opposite side of the road to the south of property 1. Spaces for existing units 10 & 12 Westhorpe which currently have unallocated parking but space provided to the front of the units would be moved further to the east and be situated to the front of unit 3. Concerns have been raised regarding the layout by NCC Highways; however no formal objection raised subject to the imposition of a number of conditions. The Highway Authority have been consulted on the latest revised drawing and any comments received will be reported as a late item to Committee. The previous conditions and any further suggested conditions from the Highway Authority could be attached should planning permission be granted.~~

I note the concerns raised regarding no provision of visiting parking- ~~however~~ **The latest drawing includes 1 visitor space.** Parking on the close and Westgate to the south is not restricted by any Traffic Regulation Order and as such there is already no control over the number of existing residents, their visitors or other members of the public who are able to park on street. The road providing access to properties to the north would be widened slightly to allow for vehicle parking and a 6m wide access is proposed which would allow for a two way flow of traffic.

Highways have **previously** commented that a stopping up order will be required for the creation the parking area to the front of property 3 which is shown to be a former footpath. From undertaking a site visit, this is currently a grassed bank which does not appear to have been used as a footpath for a number of years. The stopping up of this former section of footpath can be secured by way of a S.247 agreement post decision.

In conclusion it is not considered that the proposed development would significantly detrimentally impact upon highway safety and the proposal is considered to accord with the requirements of policy TA4 of the SNP and policy SP7 of the Core Strategy.

Other Matters

The comments regarding drainage are noted and details of surface and foul water management shall be controlled by way of condition

In relation to the need for a 3 bed dwelling; as Members will be aware, this proposal forms part of a wider capital programme for investment and delivery of affordable housing provisions within this District over the next 5 years. For the avoidance of doubt there is an affordable housing need across the District, which includes Southwell. Comments have been sought from the applicant who has stated that at present within the Newark and Sherwood Homes portfolio of properties there are no 3 bed single storey properties within Southwell. Indeed, there are only a handful of properties of this type in the east of the district. The proposal would provide a better platform to meet a wide range of individual needs in this part of the district. Furthermore, having discussed the matter with the NSDC housing officer reference has been made to the DCA Housing Needs Survey 2014; which outlines a requirement for 3 bed single storey units. The report at table 12-22 (disabled households) details that 22% of respondents are seeking a 3 bed units (3rd highest after 1 & 2 bed units) with 16% of respondents (3rd highest after Newark & Balderton) seeking to reside within Southwell.

Whilst I note the comments received in relation to the suitability of proposing a 3 bed unit within an area predominantly resided in by older residents, the overall District need for the provision of a

larger single storey unit is considered to outweigh concerns in relation to introducing a larger dwelling in the proposed location.

The comment received regarding the development impacting on emergency services is noted, however given the proposal is for 43 dwellings only it is not considered to result in such a change in traffic volumes to prevent emergency vehicles accessing the area.

Conclusion

Taking the above into account I am of the view that the proposed development would provide affordable single storey housing, when there is a shortfall for such accommodation District wide. The development would have an acceptable impact on the character of the area, neighbouring amenity and highway safety. There are no further material considerations that would warrant refusal of the application.

RECOMMENDATION

That full planning permission is approved subject to the following 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 plans

- Proposed site layout opt 2 Dwg No. 40860/ID151/0080 ↓
- Proposed plans & elevations type F Dwg No. 40860/ID151/004A
- Proposed plans & elevations type A3 Dwg No. 40860/ID151/010A
- Proposed plans & elevations type C6 Dwg No. 40860/ID151/009C

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.

03

The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application and as detailed on the approved plans unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

04

No part of the development shall be brought into use until precise details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the occupation of the dwelling and shall then be retained in full for a minimum period of 5 years unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential and visual amenity.

05

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;

hard surfacing materials; and

an implementation and phasing plan

Reason: In the interests of visual amenity and biodiversity.

06

All hard and soft landscape works shall be carried out in accordance with the approved implementation and phasing plan. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed 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.

07

Notwithstanding the provisions of the Town and County Planning (General Permitted Development) (England) Order 2015, 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 - enlargement, improvement or other alteration of a dwellinghouse

Class B - additions etc to the roof of a dwellinghouse

Class C - other alterations to the roof of a dwellinghouse

Class D - porches

Class E - buildings etc incidental to the enjoyment of a dwellinghouse

Reason: In the interest of protecting the character and appearance of the area and neighbouring amenity in accordance with the aims of Policy DM5 of the Newark and Sherwood Allocations and Development Management DPD (2013).

08

No part of the development hereby permitted shall be occupied until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the highway boundary. The surfaced drives 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.)

09

No part of the development hereby permitted shall be occupied until appropriate dropped vehicular crossings are available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

Reason: To protect the structural integrity of the highway and to allow for future maintenance.

10

No part of the development hereby permitted shall be occupied until the drives/parking areas are constructed with provision to prevent the unregulated discharge of surface water from the drives/parking areas to the public highway in accordance with details first submitted to and approved in writing by the LPA.

The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

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

11

No part of the development hereby permitted shall be commenced until the required Highway Stopping Up Order under S247 of the Town & Country Planning Act 1990 has been confirmed in writing.

Reason: To protect the interests of highway users and the Highway Authority.

12

No part of the development hereby permitted shall be commenced until a review of the highway street lighting has taken place and conclusions agreed with the Highway Authority in writing. If such conclusions require additional street lighting to be installed, such lighting will be required to meet the Highway Authority's standards and specification, and; be installed prior to occupation of any part of the permitted development.

Reason: In the interests of highway safety.

13

Prior to the first occupation of the dwellings hereby approved details of any imported materials for use in garden areas shall be submitted and agreed in writing. Any soils being brought onto site for use in gardens or soft landscaping areas will require validity testing to be carried out to ensure suitability. Development shall thereafter be undertaken in accordance with the agreed details.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised

Notes to Applicant

01

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

The proposed development has been assessed and it is the Council's understanding that CIL may not 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 accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

03

The development makes it necessary to construct/alter vehicular crossings on part of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Agent, Via East Midlands tel. 0115 977 2275 to arrange for these works to be carried out.

BACKGROUND PAPERS

Application case file.

For further information, please contact Martin Russell on Ext 5837.

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 and Regeneration

Committee Plan - 18/00832/FUL

