

PLANNING COMMITTEE – 7 AUGUST 2018

Application No:	18/00630/FUL	
Proposal:	Demolition of existing garages and the development of x1 1-bed bungalow	
Location:	Former Garage Site Woodlands Winthorpe Nottinghamshire	
Applicant:	Newark and Sherwood District Council	
Registered:	05.06.2018	Target Date: 31.07.2018
	Extension of Time: 10.08.2018	

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.

The Site

The site lies within the main built up urban area of Winthorpe, an 'Other Village' as defined by the Core Strategy settlement hierarchy. The site is an existing garage court accessed from Woodlands. Woodlands also provides access to the neighbouring community centre and associated sports fields and an electricity substation situated on the northern boundary of the site.

Access to the garage court is from a driveway to the side of No. 24 Woodlands. The site contains an area of hard standing and 6 single flat roofed garages constructed from a mix of red brick and corrugated roof sheeting. The site backs onto the garden area of No. 24 Gainsborough Road. To the west of the site is the rear garden area of No. 24 Woodlands, to the north east an electricity substation and to the south west playing fields associated with the community centre. To the side (north east) of the garages is a footpath that provides access from Woodlands to Gainsborough Road. Properties in the vicinity are a mix of two storey and single storey. The site is bound by post and wire fencing to the rear of No. 24 and the playing fields associated with the community centre, albeit the fields are at a lower land level.

The site is not within a conservation area and is designated as being within Flood Zone 1 in accordance with Environment Agency mapping, but is designated as being within an area prone to surface water flooding.

The application as amended comprises the following plans and documents:

- Amended Proposed Plans & Elevations 40860 ID92 005D
- Proposed Site Layout opt2, 40860/ID92 004I
- Site Location Plan 40860 ID92 001C
- Proposed Drainage Plans 40860 100 P03 & P02
- Phase 2 Ground Investigation Report by Collins Hall Green Ltd
- Information in respect of Garage Useage

Relevant Planning History

No relevant site history.

The Proposal

The plan (layout opt2) seeks to provide 1 x 1 bed 'C6' single storey bungalow. The property is detailed on the application form to be a social rented dwelling.

The design and layout of the proposal has been marginally altered during the lifetime of the application to improve the separation from the rear of No. 24 Gainsborough Road. The existing access from Woodlands would be marginally widened and the rear and side garden area for No.24 Woodlands reduced to provide improved accessibility to the electricity substation. A parking space would be provided to the front of the property and a visitor space to the rear of No. 24.

The approximate measurements of the proposed bungalow are 9.66m wide by 6.40m deep and 5.1m high to ridge.

It is proposed that the dwelling be constructed from a mix of Cadeby red multi bricks, off white through colour render and Russell Grampian slate grey tiles.

Public Advertisement Procedure

Occupiers of 10 properties have been individually notified by letter. A site notice was displayed close to the site giving an overall consultation expiry date of 26.06.2018.

Planning Policy Framework

The Development Plan

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 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
Core Policy 12 - Biodiversity and Green Infrastructure

Allocations & Development Management DPD

DM1 – Development within settlements central to delivering the spatial strategy
DM3 - Developer Contributions
DM5 – Design
DM7 - Biodiversity and Green Infrastructure
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework July 2018
- Planning Practice Guidance 2018
- Publication Amended Core Strategy

Consultations (comments based on plans currently being considered)

Winthorpe Parish Council – Object (17/06/2018)

‘This Parish Council (PC) has discussed the above planning Application and comment as follows:
The location of the proposed development is where a row of garages are and behind part of the row of houses that once were council houses. These garages are still being used, mainly to house vehicles, and to pull them down would cause considerable inconvenience to the present occupiers of the garages who are Winthorpe inhabitants.

Access to these garages is via Winthorpe’s Woodland Estate where the road is narrow and in a bad state of repair as is the area in front of these garages.

Those visiting an inhabitant in Woodlands too often have to park half on the pavement and half on the road to allow easier access those who live there and those visiting the Winthorpe Community Centre where many functions are held.

The land in front of the garages is also used as a place where vehicles can be parked as is evident by the constant use of it by the occupier of 24 Woodlands.

The present view from the back of Nos. 24, Gainsborough Road, Winthorpe would be spoilt if the proposed bungalow is built; the existing view is over the above mentioned garages which are relatively low.

It is noted that the proposal, as shown in the planning application plans, includes the widening of the existing road beside No. 24, Woodlands for ease of vehicle access -but to where? If this proposal goes ahead there will be no garages to accommodate vehicles and therefore very few vehicles will use this widened road.

There is no garage shown on the plans for the occupant(s) of the proposed bungalow and from the plans submitted with the planning application the open space in front of the proposed bungalow is difficult to define.

With regard to the widening of this road, from the drawing ref: 40860/ID92/004G – Proposed Site Layout opt2, this road will be widened by 0.5 metre each side which will take the road up against the boundary fences on both sides of this road. Apart from the road and the edges of this road, which it is assumed are the responsibility of the County Council and not of the District Council, any vehicle driving along the road is more vulnerable to damage particularly when passing another on the road.

It is difficult to assess the problems in Winthorpe that may be created for the users of the public footpath between Gainsborough Road and the Woodlands, running along- side No. 24, Gainsborough Road. This footpath is very well used and leads on to the road specified in section 'd' above and from there onto the Woodlands, the Winthorpe Community Centre, the Jubilee Footpath, the Winthorpe Cricket Field and ending on the Holme Lane – a very pleasant walk enjoyed by many of Winthorpe's inhabitants.

This PC objects to this planning application because of the loss of garage facilities which are beneficial to the village inhabitants; there are enough vehicles parked on the roads already, as is evident outside the row of houses that were once owned by the District Council. The loss of view for the occupants of one, if not two houses of the former council houses would not be acceptable when one thinks of the view from the front of the house with all the vehicles there.

The possible impediment to the footpath that runs across the area in front of the garages would not be acceptable to the majority of the inhabitants of Winthorpe because the footpath is now an integral part of the life here and as for the widening of the road leading to the garages, that would be a waste of money catering for fewer vehicles using it than is the case now with vehicles occupying the garages. This PC sincerely hopes that you, the District Council, refuse this planning Application.'

Previous comments made in May raise similar concerns.

NCC Highways Authority – 'This proposal will have little impact on the public highway, although the loss of off street parking/garages could lead to additional on-street parking. No objection is raised although it is recommended that the following 'Note to applicant' be passed on:

The development makes it necessary to alter a vehicle access within 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 Highways Agent, Via East Midlands tel. 0115 977 2275 to arrange for these works to be carried out.'

NSDC Environmental Health Officer – No objection subject to condition:

'With reference to the above development, I have received a Phase I Desktop Study Report and a Phase 2 Ground Investigation Report submitted by the consultant (Collins Hall Green) acting on behalf of the developer.

This includes an environmental screening report, an assessment of potential contaminant sources, a brief history of the sites previous uses and a description of the site walkover.

Following this initial work one sample has been taken, the results from which have all been below the respective screening criteria. However from the report it is unclear whether the samples have

been taken in the correct containers to ensure accreditation and sample stability (all other sites investigated by this consultant were not).

The phase 2 report concludes by recommending that the made ground sub base and surfacing will need removing and a minimum of 150mm clean topsoil placed on top of the natural strata. Environmental Health requires that any clean material imported to site complies with either the following requirements or the current YALPAG Verification Requirements for Cover Systems document.

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. We recommend that an appropriate testing regime of these materials is carried out and should include heavy metals, speciated PAH and other tests dependant on the source of the soil material (such as asbestos screen). The selected testing regime and screening values used for assessing the results shall require approval from this Section. An appropriate frequency of testing should be carried out to give statistical confidence of the validation results. For garden areas we generally accept a topsoil sample frequency of 1 per 50 cubic metres and a subsoil sample frequency of 1 per 200 cubic metres or a minimum of 3 samples per soil type to give statistical confidence, whichever is the greatest. For landscaped areas we generally accept a topsoil sample frequency of 1 per 200 cubic metres and a subsoil sample frequency of 1 per 250 cubic metres or a minimum of 3 samples per soil type to give statistical confidence, whichever is the greatest. The topsoil should also conform to BS3882 Specification for topsoil and the source recorded.

I would request that this is achieved by the use of a clean capping verification planning condition.'

NSDC Access Officer – General observations.

One letter of objection has been received from a local resident/interested party relating to the submitted plans raising the following summarised concerns:

- The proposed building is higher than the existing garages and will spoil the view & limit sunlight to the rear of No. 24 Gainsborough Rd, it would also result in overlooking;
- It would reduce parking spaces increasing parking on Gainsborough Rd which is already congested;
- The proposal could limit the access to the footpath between Gainsborough Rd & The Woodlands.

Comments of the Business Manager

The Council is of the view that it has and can robustly demonstrate a 5 year housing land supply which has been confirmed by a number of recent appeal decisions including the dismissal of the Farnsfield appeal (at Public Inquiry) by the Secretary of State in April 2018. I do not intend to rehearse this in full other than to say that the policies of the Development Plan are considered up to date for the purposes of decision making.

Principle of development

Spatial Policy 1 of 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. At the bottom of the hierarchy, within 'other villages' in the District, development will be considered against the sustainability criteria set out in Spatial Policy 3 (Rural Areas). The five criteria outlined by SP3 are location, scale, need, impact and character. Winthorpe is classed as an 'Other Village' where development will be considered against the sustainability criteria set out in Spatial Policy 3.

Location

The first criterion of SP3 details that 'new development should be within the main built up areas of villages, which have local services and access to Newark Urban Area.' The proposed development site is within the built up area of the village adjacent to existing residential development on Woodlands and Gainsborough Road.

With regards the provision of services; whilst Winthorpe is defined as an 'Other Village' in the settlement hierarchy it does contain a church, Primary School, a public house, a village hall and a recreation ground. In addition Winthorpe is served by regular bus connections to Newark where a wider range of services can be found. I therefore consider the site accords with the locational requirement of Policy SP3.

Scale and Impact of Development

The guidance note to accompany SP3 referred to above confirms that the scale criterion relates to both the amount of development and its physical characteristics, the latter of which is discussed further in the Character section of the appraisal. One additional single storey dwelling is considered relatively small scale in numerical terms in a village which was detailed as having 650 residents in 2016. As such the proposal is unlikely to detrimentally affect local infrastructure such as drainage and sewerage systems. I also consider that a single additional dwelling is unlikely to materially affect the transport network in terms of increased traffic levels.

Impact on Character/Visual Amenities

The character criterion of SP3 states that new development should not have a detrimental impact on the character of the location or its landscaped setting. The assessment overlaps with the consideration required by Policy DM5 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. 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. Furthermore the NPPF states that a high standard design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.

The application site falls within a residential area which has a mix of single and two storey semi-detached, and terrace dwellings constructed from primarily red brick with dark grey roofing tiles.

The proposed dwelling would be constructed from red brick with a grey roofing tile which would help assimilate it into the surrounding area. I am satisfied that the design of the proposed dwelling

is acceptable and that in terms of appearance, the proposed modestly scaled unit would sit well within the context of the adjoining dwellings and the wider residential setting.

The layout of the site has been marginally adjusted during the lifetime of the development to increase the separation distance from the dwelling to the rear. A portion of the side and rear of the garden for 24 Woodlands would be incorporated into the site to provide a wider and more suitable access to the substation to the north. An adequate level of private amenity space is considered to have been afforded to the proposed dwelling to the side (north) of the property, subject to satisfactory boundary treatment which would be controlled by way of condition.

It is therefore considered that proposed development would not result in an undue impact upon the visual character or amenity of the immediate street-scene or the wider area.

Overall, the dwelling is considered to reflect the character of surrounding built form and due to the sites position set back from Woodlands and the single storey nature, the dwelling is not thought likely to be a prominent addition to the street scene. In this respect the proposal is therefore considered to meet the relevant points in respect to visual and character impacts in accordance with Spatial Policy 3 and Core Policy 9 of the Core Strategy and Policies DM5 and DM9 of the Development Management DPD.

Need for Development

SP3 provides for new housing where it helps to meet identified proven local need. In this case I note that an affordable housing scheme is proposed here, 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 Winthorpe. The need is not Winthorpe specific in that there is no local housing needs survey for the village. The need covers a slightly wider geographical area, including Newark. The district wide Housing Market and Needs Assessment (2014) identified that within the Newark and rural south sub area (of which Winthorpe is a part of) there is a housing need for smaller homes (1 bedroom - 234 units), with a clear demand for bungalows in particular. The Council's housing register indicates a demand for affordable housing for older people's accommodation and for small dwellings. It is therefore considered that a need exists for small, single storey affordable units and this proposed development would assist in meeting that need.

Whilst I acknowledge that the need isn't identified through a settlement specific survey, I am mindful of the revised SP3 in the Publication Core Strategy which take a slightly less restrictive approach to this need. I am also mindful of the NPPF, as revised, which seeks to significantly boost the supply of homes and ensure the needs of groups with specific housing requirements are addressed. Taking into account the direct of policy travel and the information contained within the Council's housing register I take the view that the proposal is appropriate and in line with the thrust of policy.

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 continues to seek to ensure a high level of amenity for all existing and future occupants of land and buildings.

The site is bound by residential properties to the front and rear with an electrical substation to the north (side) and playing fields associated with the community centre to the south. The existing garages bound the rear garden for No. 24 Gainsborough Road to the east. Concern was raised that the proposed dwelling would result in a degree of overbearing to residents within No. 24 Gainsborough Road and the position of the dwelling amended accordingly. The dwelling has been moved 1m forward in its plot to provide a separation distance between the properties of approximately 11.4m. The proposed dwelling would have an eaves height of 2.6m with a ridge of 5.1m. The existing garages are approximately 1.8m – 2m high when viewed from the rear of No. 24 Gainsborough Road. The proposed bungalow would be located 1m further to the west compared to the existing garages but be approximately 0.6m higher at the eaves. The increase in mass of built form, given the separation is not considered to so significantly overbear and result in such a significant loss of light to the garden area of No. 24 Gainsborough Road to warrant refusal of this application. Only a bathroom window is proposed on the rear elevation of the property and details relating to boundary treatment to ensure no undue overlooking can be controlled by way of condition 4.

In relation to amenity of future occupiers; the proposed dwelling would offer reasonable private outdoor amenity space to the side of the property, commensurate with the scale of the unit proposed in my opinion.

In conclusion whilst it is accepted that the proposed development would result in a modest loss of amenity for No. 24 Gainsborough Road to the rear of the site by way of loss of some evening light during winter months it is not considered to be so significant to warrant refusal of the application. It is therefore considered that the proposal will accord with Policy DM5 of the DPD.

Impact on Highway Safety

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.

I note that no objection has been raised by NCC Highways Authority in relation to the proposed development and that alternative provision should be made for any existing users of the garages. I also note comments from members of the public regarding the loss of parking, the resultant increases in vehicle movements on the surrounding roads and the increase in on street parking and potential congestion this could cause which I have duly considered.

Woodlands 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. Notwithstanding this, I am mindful that the proposal would result in the overall loss of only 6 garages. Information provided by Newark and Sherwood Homes details that of the 6 garages;

Unoccupied	2
Occupied by private tenant	2
Occupied by NSDC tenant	2

This loss of garages is not considered to be significant in terms of its impact upon displacement parking with the worst case scenario resulting in 4 displaced cars assuming of course that the garages are currently used for the parking of cars. Experiences from other garage courts in the District would suggest that there is a trend for small garages to be used for storage rather than parking of vehicles. Reasons including the size of the garages not matching the increasing size of modern vehicles and the desire to naturally overlook ones vehicle have also led to a reduction in garages being used for parking. Given the above context, it is considered likely that the loss of these garages would not have such an undue impact on parking within the immediate locality to warrant a refusal of planning permission.

In terms of parking for the proposed bungalow, one space is proposed for this one bedroom dwelling which is acceptable and will likely cater for the needs of the proposal.

In conclusion NCC Highways are satisfied that the proposed development would not detrimentally impact upon highway safety. In assessing the inconvenience regarding the loss of garages and parking spaces to residents as raised by the Parish Council, I cannot agree that the loss of just 4 garages would constitute such harm that this would constitute a reason for refusal. In my view the proposal is therefore considered to accord with Policy SP7 and DM5.

Impact on Flooding

A surface water management plan has been submitted as part of supporting documentation which details how surface water would be managed on the site. The proposed layout is considered to be acceptable and would not result in any greater surface water flooding issues than that which currently exists from the large areas of hardstanding on the site.

Other Matters

The comments received from colleagues in Environmental Health regarding potential contaminated land are noted and shall be controlled by way of condition.

The loss of the garages and erection of a dwelling is not considered to impact upon the ability for local residents to be able to use the footpath which connects Woodlands with Gainsborough Road which will remain.

Planning Balance and Conclusion

Taking the above into account I am of the view that the proposed development would provide for a much needed affordable bungalow in an area where there is a need for small single storey units and that is reasonably well served by local services and public transport. The loss of a limited number of garages is regrettable but in my view there would be no significant harm to arise from this by way of unacceptable levels of displacement parking on the highway. The development would have an acceptable impact on the character of the area, neighbouring amenity, highway safety and flooding. There are no further material considerations that would warrant refusal of the application. The minimal level of harm from displacement car parking would in this instance be outweighed by the benefits of providing a needed small bungalow for the social rented sector.

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 opt2 Dwg No. 40860/ID92/004 Rev I
- Proposed plans & elevations Dwg No. 40860/ID92/005 Rev D

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

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 brought into use until the parking areas are provided in accordance with the approved plan. The parking areas shall not be used for any purpose other than parking of vehicles.

Reason: In the interests of highway safety.

09

Prior to the first occupation of the dwelling 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 approved details.

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

010

Development shall be undertaken in accordance with the proposed drainage plan Drawing 100 revision P03 received on 28/3/18 unless otherwise agreed in writing.

Reason: To ensure the provision of satisfactory means of foul sewage/surface water disposal.

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 be 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

The development makes it necessary to alter a vehicle access within 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 Highways Agent, Via East Midlands tel. 0115 977 2275 to arrange for these works to be carried out.

03

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).

BACKGROUND PAPERS

Application case file.

For further information, please contact Tom Swan on Ext 5831.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Matt Lamb

Business Manager Growth & Regeneration

Committee Plan - 18/00630/FUL

