

Report to Planning Committee 9 May 2024

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Jennifer Wallis, Planner, ext. 5370

| Report Summary | | | |
|---------------------------|---|--------------------------|----------------|
| Application Number | 23/01960/FUL | | |
| Proposal | Erection of 2 no. dwellings, with detached double garages, new private access road to private drive. | | |
| Location | Wild Briars, Goverton, Bleasby NG14 7FN | | |
| Applicant | Mr Paul Simcock | Agent | |
| Registered | 14 October 2023 | Target Date | 9 January 2024 |
| | | Extension of Time | 17 May 2024 |
| Web Link | 23/01960/FUL Erection of 2 no. dwellings, with detached double garages, new private access road to private drive Wild Briars Goverton Bleasby NG14 7FN (newark-sherwooddc.gov.uk) | | |
| Recommendation | That planning permission be APPROVED, subject to the conditions set out in Section 10.0 of this report. | | |

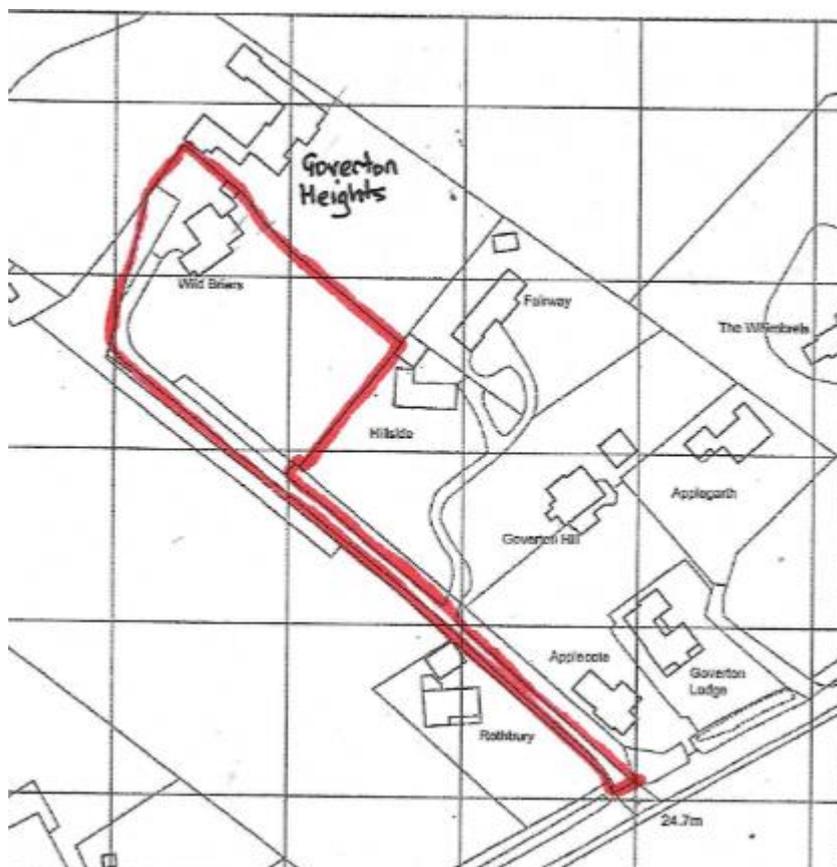
This application is presented to Planning Committee as it has been referred by Councillor Melton, the Ward Member, and the Officer recommendation differs from that of Bleasby Parish Council. Councillor Melton is concerned that the construction of these houses would have a detrimental effect on pluvial flooding across the rest of the village of Bleasby.

1.0 The Site

1.1 The application site forms part of the residential garden of the dwelling known as Wild Briars; a detached dwelling in a large plot in a small cluster of dwellings to the north west of Bleasby Road, within the hamlet of Goverton. The site is set well back from the road in a very elevated position and is accessed off Bleasby Road via a steep, single-width, tarmac private road which also serves a number of other properties. Wild Briars has a separate access to the north of the site.

1.2 The site is currently a grassed garden which has a steep gradient within the site itself which

falls in a south easterly direction towards the road. There are two rows of existing conifers which form the south-eastern boundary of the site with the neighbouring property lower down the slope known as 'Hillside'. The application site forms part of the garden to Wild Briars and is currently overgrown grass lawn.



- 1.3 Goverton is a small settlement mainly focused along Bleasby Road with the village of Bleasby close by to the east. The village of Thurgarton (and its associated Conservation Area) is also relatively close to the south west. Goverton House on the opposite side of Bleasby Road is Grade II listed.
- 1.4 The site lies in Flood Zones 1 on the Environment Agency's Flood Zone Maps and is in an area with no risk of surface water flooding.
- 1.5 Planning permission has previously been granted to the north east of the site for two dwellings which has now lapsed. There is a current application on the same site, 23/02058/FUL which is pending consideration.
- 1.6 Following a visit to the site, it is confirmed that there have been no material changes in site circumstances since the previous application was permitted.

2.0 Relevant Planning History

Application Site

- 2.1 19/02090/FUL - Erection of two 4 bed houses within the garden of Wild Briars and creation of a new separate access – Permitted 17.01.2020.

- 2.2 20/02363/FUL – Erection of 2no. new dwellings (re-submission of 19/02090/FUL) – Permitted 27.01.2021.
- 2.3 22/00649/DISCON – Request for confirmation to discharge conditions 3 (external materials), 4 (Landscaping/parking) and 6 (drainage) attached to planning permission 20/02363/FUL Erection of 2no. new dwellings (re-submission of 19/02090/FUL) – Discharged 20.09.22.

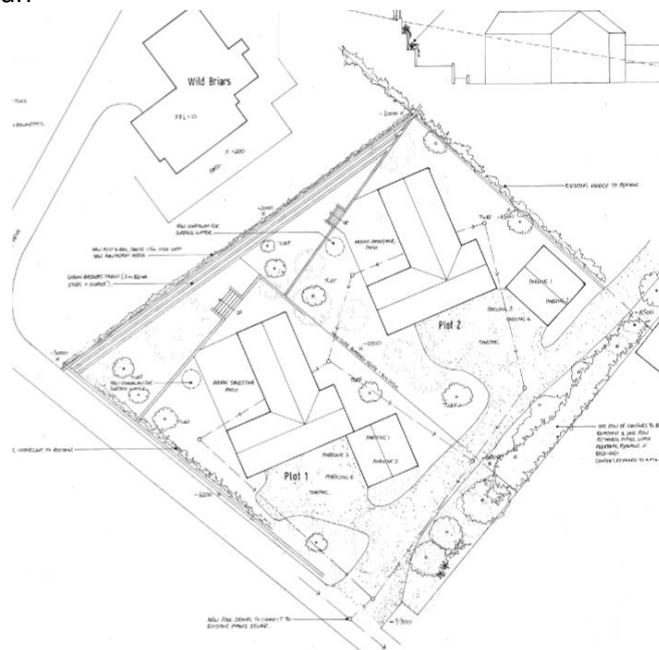
Adjacent Site to immediate north east

- 2.4 20/02367/FUL – Erection of 2 five bedroom houses – Permitted 27.01.2021.
- 2.5 23/02058/FUL – Erection of 2no. dwellings with detached garages – Pending consideration.

3.0 The Proposal

3.1 Permission is sought for the erection of 2 no., two-storey, 4 bedroom dwellings. The properties would be identical in size, design and external finishes and would both have double garages. They would have a ‘T’ shaped footprint and be positioned with their principal elevations facing south-east and be of a traditional design with gabled roofs and single chimney stack. The garages are on the eastern side of the properties sitting forward of the principal elevation.

Proposed site plan



3.2 The dwellings would be c. 14 m wide for 6.3 m back with a 10.5 m projection at the rear that is c. 6.3 m wide. In terms of height, they would be 5.3 m to the eaves and 8 m to the ridge. The double garages each measure c. 6.7 m x 7.2 m, 2.5 m to the eaves and 5.3 m to the ridge.

Ground floor: Lounge, hall, dining room, study, utility, w/c and an open plan kitchen/day room. First floor: four bedrooms, two en-suite bathrooms a dressing room and a family bathroom.

Proposed Elevations



3.3 With regards to the proposed external materials, there are some discrepancies between those shown on the submitted elevation plans (buff brick with areas of dark uPVC timber style cladding and grey slate roof tiles or slate effect concrete tiles, windows and doors dark grey uPVC) and those stated on the application form. The agent has confirmed that the materials are the ones stated on the submitted elevation plans.

3.4 Private amenity space is proposed mainly to the NW of the proposed dwellings on two-tiered levels with a retaining wall. One row of conifers is proposed to be removed to the SE between the site and the neighbouring property 'Hillside' (with one row retained). Shared access would be taken in the southernmost corner of the site off the existing shared access road. Amended plans have been submitted following the undertaking of a tree survey which alters the internal access road to allow for the retention of the conifers on the boundary and a revised landscaping scheme.

3.5 The documents submitted in support of the application are as follows:-

Application Form received on 7 November 2023

Design and Access Statement received on 7 November 2023

Location Plan received on 7 November 2023

Proposed Site Plan and Section Drawing No. PS1960:1A

Proposed Ground Floor Plan Plot 1 and 2 Drawing No. PS1960:2

Proposed First Floor Plan Plot 1 and 2 Drawing No. PS1960:3

Proposed Elevations Plot 1 and 2 Drawing No. PS1960:4A

Proposed Elevations Plot 1 and 2 Drawing No. PS1960:5

Double Garage Plan and Elevations Plot 1 Drawing No. PS1960:6

Double Garage Plan and Elevations Plot 2 Drawing No. PS1960:10

Proposed Drainage Strategy Drawing No. A2/001

Proposed Drainage and Landscaping Drawing No. PS1960:9 Rev A received 4 April 2024

Arboricultural Report by Utilitree Arb Ltd dated February 2024

3.6 This current proposal, for the erection of 2 dwellings, the dwellings are in the same location and are identical in size and design as the previously approved scheme for 2 dwellings on the site approved under 20/02363/FUL in January 2021. Amended plans have

been submitted following the undertaking of a tree survey which alters the internal access road to allow for the retention of the conifers and trees on the south eastern boundary and a revised landscaping scheme.

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of six properties have been individually notified by letter. A site notice has been displayed near to the site.

4.2 Site visit undertaken on 7th December 2023.

5.0 Planning Policy Framework

The Development Plan

5.1 Newark and Sherwood Amended Core Strategy Development Plan Document (adopted March 2019)

Spatial Policy 1 – Settlement Hierarchy

Spatial Policy 2 – Spatial Distribution of Growth

Spatial Policy 3 – Rural Areas

Spatial Policy 7 – Sustainable Transport

Core Policy 3 – Housing mix, type and density

Core Policy 9 – Sustainable Design

Core Policy 12 – Biodiversity and Green Infrastructure

Core Policy 13 – Landscape Character

5.2 Allocations and Development Management DPD (adopted 2013)

Policy DM5 – Design Policy

Policy DM7 – Biodiversity and Green Infrastructure

Policy DM12 – Presumption in Favour of Sustainable Development

There have been no changes to the adopted Local Plan since the previous application on the site was permitted.

5.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation albeit the DPD is yet to be examined. There are unresolved objections to amended versions of policies DM5, DM7 and DM12 emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan.

5.4 Other Material Planning Considerations

National Planning Policy Framework 2023

Planning Practice Guidance (online resource)

Landscape Character Assessment SPD 2013

The guidance contained within the National Planning Policy Framework has been updated since the previous application on the site was permitted, however there have been no material changes to the guidance, which would result in the proposals receiving a different officer recommendation to that in 2021.

6.0 Consultations

6.1 (Comments below are provided in summary. Full comments can be viewed on the Council's planning applications website via the web link included in the Report Summary).

Statutory Consultations

6.2. **NCC Highways Authority – No comments received.**

Previously raised no objections, subject to conditions relating to width and surface of private driveway and the provision of parking and turning areas.

Town/Parish Council

6.3 **Bleasby Parish Council – Object on the following grounds:-**

- Land stability
- Health and safety
- Surface water run-off and Flooding
- Inadequate SUDS
- Construction traffic would cause hazards and disturbance
- Over-burdened sewerage system
- Potential for Radon radiation

Representations/Non-Statutory Consultation

6.4 **NSDC Contaminated Land – No objections.**

Advice note: The proposed development is in a potentially Radon Affected Area*. These are parts of the country where a percentage of properties are estimated to be at or above the Radon Action Level of 200 becquerels per cubic metre (Bq/m³). Given the above I advise that it would be prudent for the applicant to investigate if the proposed development will be affected by radon and incorporate any measures necessary into the construction to protect the health of the occupants. Further information is available on the council's website at: <http://www.newark-sherwooddc.gov.uk/radon>

*based on indicative mapping produced by the Public Health England and British Geological Survey Nov 2007.

6.5 **Trent Valley Internal Drainage Board – No comments received.**

Previously advised: "The site is outside of the TVIDB district but within the Board's catchment. There are no Board maintained watercourses in close proximity to the site. The Board's consent is required for any works that increase the flow of volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required). Surface water run-off rates

to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed with the LLFA and LPA”.

6.6 **NSDC Environmental Health – No objections.**

Suggest a Construction Management Plan be submitted and approved prior to development commencing.

6.7 **NSDC Tree and Landscape Officer – comments.**

The drainage scheme appears to be in conflict with the retained trees and due to changes in levels it is unlikely that the retained trees can be retained. Insufficient room has been left to allow for reasonable mitigation to be planted.

6.8 **6 no. representations have been received from residents/interested third parties, which are objecting on the following grounds:-**

- the development would increase water run-off and add to the demands on the Severn Trent sewage facility, which are both beyond capacity. It would overburden the system.
- the development would; significantly increase the amount of traffic on a narrow lane, especially when considered in conjunction with 23/02058/FUL.
- the size of the properties would be out of keeping with the area and result in a loss of privacy.
- the site area stated is incorrect.
- existing trees provide a windbreak and absorb excess water.

6.9 A further letter of objection has been received expressing concern over the removal of the conifers on the boundary and the impact that this would have on privacy, land stability and water run off as well as nesting birds.

Since submission of this letter a revised landscaping plan has been submitted which retains a row of conifers on the shared boundary.

7.0 Comments of the Business Manager – Planning Development

7.1 The key issues are:

1. Principle of Development
2. Impact on Amenity
3. Impact on Highways
4. Impact on Trees and Ecology
5. Other Matters

7.2 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

- 7.3 Planning permission has previously been granted for the erection of 2 dwellings, which was granted on 27th January 2021 (ref 20/02363/FUL). This permission has now lapsed.
- 7.4 The current proposal, for the erection of 2 dwellings, is the same as the previously approved with regards to the location, scale and design of the dwelling. Amendments have been made to the approved scheme which alters the internal access road to allow for the retention of the conifers on the south east boundary and a revised landscaping scheme.
- 7.5 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 of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. Applications for new development beyond Principal Villages as specified within Spatial Policy 1 will be considered against the 5 criteria within Spatial Policy 3. However, Spatial Policy 3 also confirms that, development not in villages or settlements, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting. Direction is then given to the relevant Development Management policies in the Allocations and Development Management DPD.
- 7.6 The first assessment necessary is to determine whether the site can be considered in the village or falls outside of the village and therefore should be assessed as development in the open countryside. The Amended Core Strategy confirms that dwellings and their gardens should be incorporated when considering the extent of the village. The host dwelling is set within a small cluster of houses with residential properties to the south east and north east. It is therefore considered that the site sits within Goverton and 'in the village' rather than being in the Open Countryside and the proposal therefore falls to be assessed under SP3, irrespective of whether the two new dwellings previously approved under 20/02367/FUL, and currently being considered under 23/02058/FUL on the site to the north east are constructed or not.

Location

- 7.7 In addition to considering the site to lie within Goverton it also falls to assess the sustainability of Goverton as a whole in respect to available services. Goverton is more akin to a hamlet rather than a village and itself has no local services. However, Spatial Policy 3 states:

'Within settlements which do not meet the locational criterion of this policy but are well related to villages that do, consideration will be given to the infilling of small gaps with 1 or 2 dwellings so long as this does not result in the joining of outlying areas into the village in question, or the coalescence with another village. Such development will need to comply with the scale, need, impact, and character criteria of this policy.'

- 7.8 The above is relevant to the application at hand noting the site's proximity to Bleasby with its range of services. The north western edge of Bleasby features a tea shop which is within a reasonable walking distance of the site and the village itself provides the potential to meet day to day needs of the occupiers. Bleasby also has a school and a train station less than a kilometre walking distance from the site along a pavement partially served by street lights. On this basis, the site can reasonably be considered as an infill plot against the allowances of Spatial Policy 3 and therefore satisfies the location criteria of the policy.

Scale of Development

- 7.9 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 below. However, two additional dwellings are considered small scale in nature and appropriate for this settlement. To the north of the site a further two dwellings are proposed which, if approved, could lead to an additional four dwellings. The addition of four dwellings which are in keeping with the form and character of the surrounding properties would be appropriate in terms of scale.

Need

- 7.10 Policy SP3 requires new housing to demonstrate that it would "help to support community facilities and local services". Given the location of the site in close proximity to Bleasby, it is considered that the occupiers of the proposed dwellings would have sufficient opportunity to support and help sustain the longevity of the existing local services within Bleasby and would therefore comply with this criterion of SP3.

Impact

- 7.11 In some respects, the Impact criterion lends itself to discussion in the context of other material considerations such as the impact on the highways network and neighbouring amenity (discussed in further detail below). In respect of local infrastructure, the proposal is unlikely to significantly affect local infrastructure, such as drainage and sewerage systems. It is noted that comments have been submitted by local residents which set out their concerns relating to existing sewerage and drainage problems in the area and their view that these would be exacerbated by the proposed development.
- 7.12 In terms of main river flooding, the site lies within Flood Zone 1, as defined by the Environment Agency's Flood Mapping, which means it is at low risk of fluvial flooding.
- 7.13 The application site itself lies within an area at very low risk of surface water flooding which means that each year this area has a chance of flooding of less than 0.1%. However, flooding from surface water is difficult to predict as rainfall location and volume are difficult to forecast. As such the concerns raised by local residents in this regard are fully acknowledged, as given the proposed additional levels of hard surfacing on the application site and the topography of the land to the south-east there is the potential for surface water run off to impact properties downhill.
- 7.14 In terms of drainage, a foul and surface water drainage scheme has been submitted. These details are deemed to be acceptable and would not compromise the existing system and

would reduce greenfield run off. Furthermore, any approval development would need to obtain a S104 approval for drainage from Severn Trent Water.

- 7.15 Under the previously granted planning permission for the two dwellings, the drainage strategy for the site was controlled by a condition, requiring the submission of a foul and surface water drainage scheme. These details were subsequently submitted in June 2022 under 20/00649/DISCON which prevents surface water run-off with the use of an attenuation system to the southwest corner of the site. Following careful consideration, the details were deemed to be acceptable and the condition was discharged. The same drainage details have been submitted in support of this application, and a condition will be attached to any approval to ensure that the development is carried out in accordance with these previously approved details.
- 7.16 Whilst the concerns of the objectors are noted, it is not for the development at hand to fix existing drainage issues that already exist. The proposal need only mitigate its own impact on the existing infrastructure and it is considered that two dwellings could be accommodated at the site without unduly compromising the existing drainage network, and an acceptable drainage strategy for both foul and surface water disposal has been submitted as part of the application. It is considered that the development for two dwellings could be accommodated within existing infrastructure without causing a detrimental impact and therefore subject to the more detailed highways and neighbouring amenity appraisals below, the proposal satisfies this criterion of SP3.

Character

- 7.17 SP3 confirms that new development should not have a detrimental impact on the character of the location or its landscape setting.
- 7.18 The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive. Core Policy 9 states that new development should achieve a high standard of sustainable design 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. Core Policy 13 requires any new development to protect and enhance the landscape.
- 7.19 The application site is located within the 'Trent Washlands' Landscape Character Area identified within the Newark & Sherwood Landscape Character Assessment Supplementary Planning Document (2013). The Trent Washlands is principally formed from the broad valleys of the River Trent and can be subdivided into two distinct landscape types, Village Farmlands and River Meadowlands. Within this character area, the site is specifically located within Policy Zone TW PZ 52: Thurgarton River Meadowlands. The landscape condition is described as 'moderate' with a low landscape sensitivity.
- 7.20 The development would be accessed via a private road from Bleasby Road and would form backland development. Policy DM5 is generally unsupportive of backland development unless it can be concluded that it would not set a precedent for further forms of development which cumulatively would create character harm. The distinction for this site is that it already forms the garden of the host dwelling (a backland plot) and therefore the precedent has been set. The addition of two properties at this site would not result in a

harmful impact on the character of the area as it would generally be in keeping with the character and existing layout of the area.

- 7.21 Furthermore, there are limited sites in the vicinity which could be brought forward in a similar form (other than the adjacent site at Goverton Heights). However overall it is not considered that the proposal in addition to the existing (and that proposed at Goverton Heights) would cumulatively harm the established landscape character and appearance of the area to warrant refusal of permission.
- 7.22 The cluster of properties within which the site sits, have relatively spacious plot sizes. Clearly in dividing this single plot into three residential curtilages, the proposal would not follow this established character. However, the layout presented, although a repeated layout, rather than loose and bespoke, would still broadly conform with neighbouring dwellings to a degree such that the proposal is not considered to be harmful in principle in character terms. The properties would remain relatively well spaced and would be designed in keeping with the more modern host-dwelling to the north such that it is not considered that the concerns relating to the size of the new dwellings being out of keeping raised by a third party would not be realised. The new dwellings would not be visually intrusive or dominating to the detriment of neighbouring properties and the character of the area. The materials as shown on the elevation plans as buff brick and slate tiles would not be wholly in keeping with the surrounding properties, however the application form and the materials submitted under the DISCON application state red brick and red pantiles. With regards to the proposed brick type, the previously approved Forterra Hampton Rural Blend are preferable to the suggested Amelanchier Arborea Robin Hill, as they are more in keeping with the materials palette of the surrounding area and can be secured by condition.
- 7.23 In relation to the existing vegetation on and surrounding the application site, one of the two rows of conifer trees that form the SE boundary of the site with 'Hillside' has already been removed. The semi-rural nature character is detectable from within and outside the site and the high level of vegetation surrounding the site contributes to this. During the course of the application an Arboricultural Report has been submitted as well as a revised layout/landscaping scheme. The Arboricultural Report recommends the removal of 7 trees internally within the site and concludes that some of these trees do not provide any significant amenity value due to their size but some of the trees have aesthetical value. The report concludes that to compensate for the loss of these trees that they are replaced on a 1-2-1 basis with more a suitable species. A revised landscaping plan has been submitted showing the retention of 5 trees and the planting of 10 new trees, the number and type of which would help to assimilate the development into its semi-rural setting over time. The proposed trees and hedging would be within the site, the size and type of species can be controlled by a condition. The single row of conifers to the south east boundary with Hillside is to be retained with additional planting, with evergreen hedging.
- 7.24 Similarly, a condition requiring the existing conifer trees along the SE boundary of the site to be retained at a height of 6m could be attached to any approval. Comments from neighbouring residents which refer to the proposal resulting in harm to the character and appearance of the area have been duly taken on board, however it is considered that the density, scale and design of the properties would be appropriate for the site context and subject to the proposed materials, landscape planting and conifer tree retention being controlled by condition, it is considered that the development accords with the character criteria of SP3 in addition to the requirements of CP9 and DM5 of the Development Plan.

7.25 It is considered that the proposed development would accord with the character criterion of policy SP3 in addition to the requirements of CP9 and DM5 of the Development Plan.

Impact on Amenity

7.26 The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings. 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 and requires development to be acceptable in terms of not having a detrimental impact on residential amenity both in terms of existing and future occupiers.

7.27 Separation distances between Plot 1 and the host dwelling would be approximately 21m which is considered to be acceptable, particularly noting that the proposed dwellings would be set at a much lower level than this existing property. Given the site context the most sensitive neighbour is considered to be the dwelling to the south east known as Hillside. The distance between Plot 2 and Hillside would be c.23m, and the boundary between would be defined by retaining one row of conifers which, is shown on the submitted plan. Hillside sits on lower land than the application site, with the land level difference between the two at approximately 1.5/2m, the proposed two storey dwelling could have some overbearing on Hillside, however given the positioning of the new dwelling, the closest part of the proposal would be the double garage, would not exceed the height of the existing conifers and as such would not exacerbate any existing late afternoon/evening overshadowing experienced.

7.28 Due to the positioning of Hillside within its own plot, its private residential amenity space is sited to the front/south of this dwelling – the proposed alignment for plot two would mean the closest elevation would be the single storey double garage which would not have any windows proposed on this facing elevation. The principal elevation and its windows would be separated over a reasonable distance, approximately 20 metres, to this neighbour and again given the positioning of the properties it is not considered these new dwellings would unduly impact the occupiers of Hillside, in terms of privacy, outlook or residential amenities, such that would warrant the refusal of this application. Fairway lies further to the north east of the application site, which is separated by some 16 metres from the boundary of the site and orientated as such that there will be no impact on the privacy of this dwelling or loss of any residential amenity.

7.29 A reasonable amount of private amenity space would be provided for the new dwellings in addition to the amenity space being retained for Wild Briars which would be commensurate with the size of the property. The amenity spaces for the new dwellings would be split over two levels given the gradient of the site, however it is not considered that this is inappropriate and would not be dissimilar to the existing arrangement for Wild Briars.

7.30 It is therefore concluded that the proposal would not detrimentally impact upon the amenity of surrounding dwellings to warrant refusal of planning permission. As such the proposed development is considered to be acceptable in this regard and therefore accords with Policy DM5 of the Allocations and Development Management DPD.

Impact on Highways

- 7.31 Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision and seeks to ensure no detrimental impact upon highway safety.
- 7.32 The Highway Authority at NCC, raised no objection to the previous scheme, subject to conditions in relation to widening the access with Bleasby Road by 0.6m using existing grass verges (in accordance with the annotation on the proposed site plan, and which the agent has previously confirmed is within the applicant's ownership) and retention of the proposed parking areas. There is adequate space for parking and turning within the site for both the proposed new dwellings to the frontage of the properties and for Wild Briars via a separate access driveway to the north west of the site. In the absence of any objection from the Highway Authority, subject to conditions, it is considered that the proposal would not result in any highway safety impact, and therefore accords with Spatial Policy 7 and Policy DM5.
- 7.33 Some comments received from local residents reference the capacity of the private access road, however it has already been concluded that the addition of 2 dwellings, plus the potential for a further two on the adjoining site, is relatively small scale) and is not considered to pose an unacceptable impact upon the highways network to warrant the refusal of the application provided the widening works are carried out.
- 7.34 Concerns have been raised regarding the removal of significant amounts of earth from the site given the site gradient and the level of excavation that would be required to construct the two new dwellings. Third party comments have attempted to quantify this volume of earth and the resultant trips that would be generated to remove this off-site during construction. It is not possible to ratify the figures that have been quoted, however given the construction period for these properties (and the removal of earth) is likely to be over in a relatively short period of time and it is not considered this level of disruption/construction traffic would be so significant to warrant the refusal of the application on amenity or highways impact grounds. NCC Highways previously offered no comment in this regard, and subject to a condition limiting the times of construction as recommended by Environmental Health colleagues, it is considered that amenities could be adequately protected for this relatively short timeframe. It is also likely that some of the excavated earth will be re-used on site to form the retaining structures. Overall, the scheme is not considered to result in an unacceptable highways safety impact and therefore subject to the requested conditions would be compliant with SP7.

Impact on Trees and Ecology

- 7.35 Core Policy 12 and Policy DM7 promote the conservation and enhancement of the District's biodiversity assets. The NPPF also seeks to minimise impacts on biodiversity and provide net gains where possible.
- 7.36 The application site is currently overgrown lawn area with some trees and hedges predominately on the boundary. The revised proposed site plan clarifies that the majority of the vegetation/trees around the boundaries of the site will be retained and the plans

also show elements of additional landscaping proposed. The site, as a grassed lawn is considered to have relatively low ecological value.

- 7.37 I am conscious that the trees on site are not protected by tree preservation orders and are not afforded the restrictions they would have if they were within a conservation area. Nevertheless, it is important that developments do not adversely impact the natural environment or surrounding character unnecessarily and that construction is carried out proactively to protect surrounding trees. Given the trees on site are not protected and are of low amenity value, given the overgrown nature of the site, I have no concerns with the creation of the access along the south east boundary of the site. No access has been created on the site at present and the access track has been moved away from the trees on the boundary in the SE corner of the site so that there is no conflict with the access and existing trees to be retained. It is important that the boundaries are retained where possible (particularly along the SE boundary with neighbouring properties) and further landscaping plans will be required by condition.
- 7.38 Overall, subject to conditions I consider the proposal would still comply with Policy DM7 of the DPD and Core Policy 12 of the Core Strategy.

Other Matters

- 7.39 Comments have been submitted from interest parties regarding the impact of the proposal on the stability of adjoining land and the potential for land slippage during construction. It is acknowledged that given the topography of the site, the land would be terraced to provide a flat surface to build on, however this is not an unusual construction approach and subject to the construction of appropriate retaining walls, and provided correct building regulation procedures are adhered to, it is not likely that this development would significantly compromise ground conditions so as to cause undue risk to surrounding properties.
- 7.40 To the south of the site, on the opposite side of Bleasby Road is a Grade II listed building, Goverton House and attached pump. The development would be over 140 metres from the listed building, with intervening properties between, and as such would not have any impact on the setting of this listed building.
- 7.41 The site is within a potentially Radon affected area, Environmental Services have advised that it would be prudent for the applicant to investigate if the proposed development will be affected by radon and incorporate any measures necessary into the construction to protect the health of the occupants. This can be included as an informative if permission is granted.

Community Infrastructure Levy

- 7.42 The site is located within Housing Very High Zone 4 of the approved Charging Schedule for the Council's Community Infrastructure Levy. As such residential development in this area is rated at £100m² for CIL purposes. Gross Internal floor space of the new dwellings is proposed to be 358.24m². As such the total chargeable floor space is 716.48m². Changes to the CIL rates that came into effect from 1st January 2024 have resulted in an increase in the BCIS Permission Year Index to 381 which results in the total CIL Charge on the development to be: £83,479.78.

8.0 Implications

8.1 In writing this report and in putting forward recommendations, officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

9.0 Conclusion

9.1 The application site had planning permission for the erection of 2 dwellings, which was granted on 27th January 2021 (ref 20/02363/FUL). The current proposal, for the erection of 2 dwellings, is the same as the previously approved scheme for 2 dwellings on the site, with only alterations to the internal access driveway and landscaping proposed. As such this application would effectively be renewing the previous, albeit lapsed, planning permission. Following a visit to the site, there have been no material changes in site circumstances since the previous application was permitted. In planning policy terms, there have been no changes to the adopted Local Plan since the previous application was permitted. The guidance contained within the National Planning Policy Framework has since been updated, but there have been no material changes to the guidance, which would result in the proposals receiving a different officer recommendation to that in 2021.

9.2 As set out within this report, overall, the proposal is considered to accord with the requirements of Spatial Policy 3 and 7 and Core Policies 9 and 13 of the Amended Core Strategy and DPD Policies DM5, DM7 and DM12. Subject to conditions, the proposal is not considered to result in any adverse impact on the character and appearance of the surrounding area, amenity of surrounding properties, nor would it result in any highways safety impacts or increase risks of flooding. All other material planning considerations have been considered above, and it is concluded that there are no material reasons why the application should not be granted planning permission, subject to the conditions set out below.

10.0 Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

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

Location Plan received on 7 November 2023

Proposed Site Plan and Section Drawing No. PS1960:1A

Proposed Ground Floor Plan Plot 1 and 2 Drawing No. PS1960:2
Proposed First Floor Plan Plot 1 and 2 Drawing No. PS1960:3
Proposed Elevations Plot 1 and 2 Drawing No. PS1960:4A (with the exception of the proposed external wall and roofing materials)
Proposed Elevations Plot 1 and 2 Drawing No. PS1960:5 (with the exception of the proposed external wall and roofing materials)
Double Garage Plan and Elevations Plot 1 Drawing No. PS1960:6
Proposed Drainage and Landscaping Drawing No. PS1960:9 Rev 1 received 4 April 2024
Double Garage Plan and Elevations Plot 2 Drawing No. PS1960:10
Proposed Drainage Strategy Drawing No. A2/001

Reason: So as to define this permission.

03

Notwithstanding the materials as detailed on the submitted elevation plans referenced under Condition 2, the development shall be carried out in accordance with the following previously approved external materials;

- Bricks: Forterra Hampton Rural Blend
- Roofing Tiles: Redland Grovebury Rustic Red Roof Tiles
- Cladding: Cedral Dark Grey (Cis) Cladding
- Windows: Cream uPVC
- Rainwater Goods: Black half round uPVC gutters and down pipes.

Reason: In the interests of visual amenity.

04

The landscaping as shown on the Proposed Drainage and Landscaping Drawing No. PS1960:9 Rev 1 shall be completed during the first planting season following the commencement of the development. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

05

The development hereby approved shall be carried out in accordance with the foul drainage and surface water disposal details as shown on the Proposed Drainage Strategy Drawing No. A2/001.

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

06

No part of the development hereby permitted shall be brought into use until the private driveway has been widened and surfaced in a bound material to a standard that provides a minimum width of 5.3m for the first 5m rear of the highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

07

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

Reason: In the interests of highway safety.

08

Except for emergency works, no construction or excavation works on site and no deliveries to or removal of waste from the site shall take place outside:

08:00 am to 18:00 pm Monday – Friday
08:00 to 13:00 pm Saturdays
and not at all on Sundays/Bank or Public Holidays.

Reason: In the interests of residential amenity.

09

No development shall be commenced, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to, the Local Planning Authority for approval in writing and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction;

- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of residential amenity.

Informatives

01

The application as submitted is acceptable. In granting permission without unnecessary delay, the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

| | | | A | B | C | |
|-----------------------|------------------------------------|--|-------------------------|---------------|-----------------------------|-------------------|
| Dev Types (use class) | Proposed floorspace (GIA in Sq. M) | Less Existing (Demolition or Change of Use) (GIA in Sq. M) Includes % splits | Net Area (GIA in Sq. M) | CIL Rate in £ | Index at date of permission | CIL Charge |
| Residential | 716.48 | - | 716.48 | 100 | 381 | £83,479.78 |
| Totals | | | | | | £83,479.78 |

03

Suitable measures must be taken to minimise dust and dirt during the construction and

operation of the site, including minimising any run-off or depositing of materials onto the public highway which should be maintained using best practice methods and wheel washing facilities.

04

This proposal makes it necessary to alter a vehicular crossing over a footway/verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact VIA, in partnership with NCC, tel: 0300 500 8080 to arrange for these works to be carried out.

05

“The proposed development is in a potentially Radon Affected Area*. These are parts of the country where a percentage of properties are estimated to be at or above the Radon Action Level of 200 becquerels per cubic metre (Bq/m³). Given the above I advise that it would be prudent for the applicant to investigate if the proposed development will be affected by radon and incorporate any measures necessary into the construction to protect the health of the occupants. Further information is available on the council's website at: <http://www.newark-sherwooddc.gov.uk/radon>

*based on indicative mapping produced by the Public Health England and British Geological Survey Nov 2007.”

BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file

Committee Plan - 23/01960/FUL

