

Application No:	17/02139/OUT
Proposal:	Outline permission for 6 new homes for local people with a specific housing need; and provision of dedicated car parking for the Village Hall, areas around the Village Hall incorporating extension to building and new amenity area for the local community to use
Location:	Field Reference Number 7919, Caunton Road, Hockerton, Nottinghamshire
Applicant:	Mr R Craven Smith Milnes
Registered:	1 December 2017
	Target Date: 26 January 2018
	Extension of Time Agreed until 7 March 2018.

This application is presented to the Planning Committee for determination as the officer recommendation differs from the views of Hockerton Parish Council.

The Site

The application site lies on land at Wheatgrass Hill to the north of the A617 within the parish of Hockerton and comprises c0.29 hectares of land. The majority of the site is part of a larger agricultural field. The west corner of the site contains Hockerton Village Hall which is a historic building of local interest and therefore is a non-designated heritage asset.

To the north west of the site are Grade II Listed Banks Cottages which are located on a corner plot at the junction of Caunton Road and the A617. A mature tree is located just within the application site adjacent to the boundary with Banks Cottages. To the rear of these cottages is a site on which a house is currently under construction (application number 17/01177/FUL). The wider agricultural field is located immediately adjacent to the north east and south east boundaries of the site. The A617 forms the south west boundary of the site and is separated from the narrow pavement by a c1 metre high brick wall. A small section of hedgerow is located adjacent to the south boundary of the site.

The Old Rectory is located across the A617 from the application site. Beyond this is the Grade II* Listed Church of St Nicholas (located off Church Lane).

The topography of the application site slopes gently down towards the A617.

Relevant Planning History

No relevant planning history.

The Proposal

The application seeks outline planning permission with all matters reserved for subsequent approval except for access for:

- the erection of 6 new homes for local people with a specific housing need. House type sizes shown on the plans range from 73.2 sqm – 96.1 sqm;
- provision of dedicated car parking for the village hall;
- areas around the Village Hall incorporating extension to building and new amenity area for the local community to use.

A new access would be created centrally within the site off the A617. Part of the existing brick boundary wall would be removed and rebuilt 0.6 metres high to provide visibility splays. The illustrative plans indicate a cul-de sac arrangement with the village hall expansion and parking area located to the east of the site and the proposed dwellings to the north and east. Each new dwelling would have a minimum of 2 parking spaces and the village hall would have 12 car parking spaces.

The application is supported by the following documents:

- Transport Assessment
- Planning Policy Statement
- Housing Needs Report
- Design and Access Statement
- Arboricultural Report
- Topographical Survey
- Illustrative site plans and street scenes
- Draft S.106 Legal Agreement

Departure/Public Advertisement Procedure

A site notice was displayed near to the site on 13/12/2017.

Planning Policy Framework

The Development Plan

Newark and Sherwood 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 7 - Sustainable Transport
- Core Policy 2 – Rural Affordable Housing
- Core Policy 3 – Housing Mix, Type and Density
- Core Policy 9 - Sustainable Design
- Core Policy 10 – Climate Change
- Core Policy 12 – Biodiversity and Green Infrastructure
- Core Policy 13 – Landscape Character
- Core Policy 14 – Historic Environment

Allocations & Development Management DPD

- Policy DM1 - Development within Settlements Central to Delivering the Spatial Strategy
- Policy DM4 - Renewable and Low Carbon Energy Generation
- Policy DM5 - Design
- Policy DM7 - Biodiversity and Green Infrastructure
- Policy DM8 – Development in the Countryside
- Policy DM9 - Protecting and Enhancing the Historic Environment
- Policy DM12 - Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2012
- National Planning Practice Guidance PPG
- The Newark and Sherwood Landscape Character Assessment SPD
- Newark and Sherwood Amended Core Strategy DPD 2017

Consultations

Hockerton Parish Council –

Comments received 29.01.2018:

I'm writing to confirm that Hockerton Parish has voted 26-13 in favour of supporting the planning proposal.

Comments received 01.02.2018 in reply to a request from the Officer for more information regarding the use of the Village Hall:

Having discussed your email with the Hockerton Parish Chairman who has held a position of office within the village for over 8yrs; he strenuously explained to me that the village hall has been the subject of discussion in most parish meetings he's been party to. Comments have been made regarding its improvements, renovation, rebuilding, uses etc.

Unfortunately it is currently deemed unsuitable for much use because there is no running water, no toilet facilities, no vehicular access, no kitchen facilities and no heating. It's not that attractive to many! But it has historic charm and bounds of potential if given respect and opportunity.

It's an historic building (circa 1824) within the village, (it was originally the village school) and has the capacity to become the heart of a village community that continues to grow with the further housing developments. Hockerton has grown by over 30% in the last 2-3yrs and is set to expand again with NSDC's continued granting of planning permissions.

Hockerton is proud of its identity and doesn't want to be subsumed by Kirklington or other local villages, evidenced by there having been very little enthusiasm to join activities at Maplebeck or Kirklington when offered. Getting Hockerton residents to use our hall is hard but there is very little appetite for villagers to travel to other villages - it's simply too inconvenient.

However, an extended Hockerton village hall with modern facilities will have the potential to transform the village and provide a community heartbeat for many generations to come. That's what this planning application is about - building hope and opportunity in a village that has suffered some blows...

The demise of the church has been harshly felt. Hockerton also very nearly lost the pub (we successfully applied for an Asset of Community Value) recently and losing the Hall through a continued lack of investment or development will further disenfranchise the village and take it a step closer to becoming a ghost town that offers nothing. This ambitious application offers hope and regeneration of this rural village.

The use of the Hall consists of weekly "Bin day" meetings where locals meet for board games and darts in the Hall when taking their bins out of a Wednesday evening. It is used for parish meetings every other month, and local art classes, specialist talks and demonstrations.

Of course, its use is hindered and restricted by the lack of facilities and this is exactly why this ambitious proposal needs due consideration and respect. The planning proposal offers an extension which will provide further meeting spaces, toilet and kitchen facilities and encourage further use. A recent article on www.hockerton.com asked villagers what uses the Hall could be put to if it has such facilities - the list was impressive and diverse. It showed there is ambition within Hockerton for a suitable village hall and this proposal address that ambition.

The proposal includes a car park. Car parking will enable villagers, who currently dare not risk walking on the narrow or non-existent pavements to the Hall, the opportunity to become part of the community activities. Also, those at the village extremities will be able to engage in community activities but are currently cut adrift because they are unable to walk into the village from all 4 directions as there are no pavements; and of course an unsuitable village hall. Guest speakers and visitors from outside the village are often invited to village meetings (Cllr Bruce Laughton being a frequent guest) and the only option is to park at the Spread Eagle pub which is a private business. Therefore the proposal for a car park within the development is essential.

The proposed playground will bring life to the heart of the village as families will be able to drive to, park and play in a safe secure, purpose built area.

This joint proposal offers such potential to Hockerton and hope for many of its current residents but also the future ones.

As the recent village survey demonstrates, the village voted to support this development but it did so on condition that the village hall improvements were part of any permission granted. This is very much a joint planning application and the village's support would undoubtedly be revoked should the improvements to the Hall, car park and playground be dismissed.

NCC Highways Authority –

Comments received 05.01.2018:

This is an outline application with access details to be determined. The access proposal as shown on drawings 1745-070-A and 17-0560/001/A are not acceptable in the context of this site and existing road/traffic conditions.

To enable vehicles to enter and leave the A617 freely and minimise delays & the risk of shunt accidents the access should have 6m (min.) radii; not a dropped kerb arrangement as shown.

Visibility splays should be provided within the public highway to protect them from being obstructed. The front boundary wall should be set along the splay lines rather than in front of them (albeit they are specified at 0.6m to allow sight over them). The proposed scheme does not offer enough confidence that, over time, the splays won't be compromised by obstructions behind the wall.

Pedestrian access is very poor. The existing footway adjacent to the site is very narrow (perhaps less than 1 metre) and no footway widening has been proposed. Also the proposed shared surface and access arrangement means that pedestrians walking in the access close to the mouth of the junction are vulnerable as cars enter the site. Similarly any vehicle entering/leaving car spaces close to the mouth are vulnerable to collision.

It is considered that the access road would remain privately owned/maintained. Therefore a bin collection point would be needed and lighting and drainage matters would need further consideration.

In conclusion, the submitted scheme is unacceptable and should be refused on the grounds of highway safety.

Comments received 14.02.2018:

Further to comments made on 5th January 2018, a revised drawing has been received (no. 17-0560/001 Rev. C). This drawing addresses concerns previously raised. No objections are raised subject to the following conditions:

- Access layout details for the proposed development shall comply with drawing 17-0560/001 Rev. C. For the sake of clarity this includes the new footway provision along the site frontage and provision of visibility splays.
Reason: In the interests of highway safety.
- No part of the development hereby permitted shall be brought into use until the access is surfaced in a bound material for a minimum distance of 5m from rear of the highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
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 brought into use until the access is constructed with a gradient not exceeding 1 in 10 for a distance of 5m from 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.
- No part of the development hereby permitted shall be brought into use until a new footway and informal crossing point(s) have been provided on the A617 as shown for indicative purposes only on drawing 17-0560/001 Rev. C. to the satisfaction of the Local Planning Authority.
Reason: In the interests of pedestrian safety.

- No part of the development hereby permitted shall be brought into use until the access is constructed with provision to prevent the unregulated discharge of surface water from the access 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.

Note to Applicant -

In order to carry out the access and footway works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact david.albans@nottsc.gov.uk for details.

Environment Agency – The Agency has no objections to the proposed development but wishes to make the following comments.

Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank – the applicant should be aware that if a septic tank is being proposed then the following link indicates that by 2020 some new and existing septic tanks will need to be upgraded or replaced. Further information is found at this link: <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within a Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply, spring or borehole.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at:

[PPG4: Sewage treatment and disposal where there is no foul sewer](https://www.gov.uk/permits-you-need-for-septic-tanks)
<https://www.gov.uk/permits-you-need-for-septic-tanks>

NCC Lead Local Flood Risk Authority – Having considered the application the LLFA will not be making comments on it in relation to flood risk as it falls outside of the guidance set out by Government for those applications that do require a response from the LLFA.

As a general guide the following points are recommended for all developments:

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

Trent Valley Internal Drainage Board – The site is outside of the Trent Valley Internal Drainage Board district and catchment. There are no Board maintained watercourses in close proximity to the site. 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 Lead Local Flood Authority and Local Planning Authority.

Severn Trent Water – I confirm that Severn Trent Water Ltd has NO Objection to the proposal subject to the inclusion of the following condition:

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Suggested Informative:

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

Historic England – no response received.

NSDC Conservation Officer – The proposal site is adjacent to Bank Cottages which are Grade II listed. The Village Hall, a 19th century building, is of local interest and therefore is a non-designated heritage asset.

The old Rectory on the opposite side of the road is also of local interest and has group value with the Church of St Nicholas, a Grade II* listed building. The Church is a landmark building within the historic core of Hockerton which includes other historic buildings such as Manor Farmhouse (Grade II listed) and Manor Barn (Grade II listed). The proposal site is capable of possessing archaeological potential.

Legal and Policy Considerations

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

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. Key issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, land-use, relationship with adjacent assets, alignment and treatment of setting.

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). LPAs should also look for opportunities to better reveal the significance of heritage assets when considering development in conservation areas (paragraph 137).

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3).

In accordance with Annex 2 of the NPPF, Local Interest buildings and areas of archaeological interest are non-designated heritage assets. The impact of a proposal on the significance of a non-designated heritage asset is a material consideration, as stated under paragraph 135 of the NPPF. 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.

Significance of Heritage Asset(s)

Hockerton is a small village, two miles north by east of Southwell. It can trace its history back to the medieval period when the manor was owned by Johannes de Walor in 1183, and afterwards passed to the families of Botiler and Criche.

The proposal site comprises open fields rising northwards and is prominent on approach to the village from the Newark direction. The Village Hall is a modest, but pleasant mid-19th century single storey structure in red brick with a clay pantile roof and delicate metal casement windows. There is a date stone on the front which says 1843. The building was designed as a school and was built by Major General Whetham who succeeded to the Hockerton Estate in 1839. There is a low red brick wall partially along the roadside frontage, measuring approximately 30m in length.

Bank Cottages to the west were listed in May 1986 and are Grade II. The list entry advises: "Pair of cottages. Late C18 and 1811. Red brick. Pantile roofs. Each cottage with right gable red brick stack. Dentil eaves. Both cottages 2 storeys, 2 bays each, the cottage on the right being lower. Left cottage has 2 Yorkshire sashes under segmental arches on each floor, between the 2 floors is an ashlar plaque dated 1811. The right C18 cottage has a doorway with plank door and to the right a single glazing bar Yorkshire sash both under segmental arches. Above right is a single glazing bar Yorkshire sash. To the rear of the left cottage is a lean-to."

The parish church of St Michael was listed in August 1961 and is Grade II*. The list entry states: "Parish church. C12, C13, C14, restored 1876 by Hodgson Fowler. Ashlar. Plain tile roofs with decorative ridge. Chancel, nave and porch with coped gables and single decorative ridge crosses. Tower, nave, south porch and chancel. Embattled diagonally buttressed tower of 2 stages with bands, upper stage C14, set on a chamfered plinth with moulded band over. Single worn gargoyle on each side. West side has a moulded arched doorway with hood mould and decorative label stops. Above is a single restored C14 arched 3 light window with cusped panel tracery, hood mould and human head label stops. Above is a single small blocked trefoil arched opening. There are 4 arched C14 bell chamber openings each with 2 arched and cusped lights. The west side has a single and the south side 2 rectangular lights. The north nave is set on a shallow chamfered plinth, the western most side with a moulded band continuing from the tower. Blocked moulded arched doorway with hood mould and label stops. Above and to the right is a single pointed arched light. To the left is a single C14 3 light window with arched and cusped lights under a flat arch with hood mould and human head label stops. The chancel is set on a chamfered plinth and has in the north wall a blocked arched doorway with hood mould and to the left a single C14 window with 3 arched and cusped lights under a flat arch. The east chancel has a single C14 window with 3 arched and cusped lights, mouchettes, flat arch, hood mould and label stops over is a flush relieving arch. To the right is a carved C14 grotesque head. The buttressed south chancel has a single restored window with 3 arched and cusped lights and tracery under a flat arch. The dressed coursed rubble

south nave is set on a low ashlar plinth and is buttressed to the right. Single restored C14 window with 3 arched and cusped lights, tracery and flat arch. To the left is a single small chamfered arched C12 light. The porch is set on a chamfered plinth and has an arched entrance with hood mould and impost bands. The side walls each have single small arched lights. Inner Caernarvon arched doorway with stoup in the east wall and decorative wooden bench end inscribed "O M 1599". to the left of the porch is a single C13 lancet with hood mould. Interior. Double chamfered tower arch, chamfering to arch only. Unmoulded C12 chancel arch. The south chancel has an arched recess with hood mould and label stops, and inner worn decoratively carved C14 niche, probably the remains of an Easter Sepulchre. Restored C16 alms box. Some bench ends C16 decorated with carved indents with C19 replicas, font and remaining furniture C19. In the north chancel is an oval marble plaque to John Augustine Finch, 1780. The memorial to John Whetham, 1781, has an oval inscription plaque with fluted brackets supporting an entablature surmounted by a decorative urn with shroud draped over. The apron has a decorative shield. In the tower is a board detailing "Donation To The Poor of Hockerton" dated 1832."

The old Rectory is mid-19th century and contemporary with the former school hall. It is a good example of its type and makes a positive contribution to the setting of the Church.

Whilst there is no identified archaeological interest within the proposal site, the limited ground disturbance and proximity to the historic core of the settlement could mean that there is archaeological potential within the site. There is, for example, extensive archaeological interest to the southeast of the proposal site in an area identified as a former medieval shrunken village. The Historic Environment Record (HER) advises: "There are some irregular banks and ditches just east of the village. They resemble those at Crow Field, Bingham and Whimpton Moor, Ragnall and are probably traces of Med village buildings. Mounds in a field on the W side of the road to Upton, near farm buildings at the S end of Hockerton, and at right angles to Long Gulley, are possibly crofts of the Med village. At SK 717562, faint traces of a possible sunken way and banks running SW. An old road running NW-SE has small quarries on both sides. Along the NE side next to the main road are traces of what may be building sites. Possible village contraction."

Assessment of Proposal

The proposal seeks outline permission for 6 new homes for an identified local need (draft heads of terms provided). The proposal also allows for improving the village hall, with a substantial extension, dedicated parking and new amenity area for the local community to use. The outline application reserves all matters other than access.

Conservation objects to the proposed development.

The indicative details suggest that development of this type could cause harm to the historic environment:

- It is acknowledged that there is potential public benefit in improving the village hall facilities. The indicative details suggest that the extension will be significantly larger than the host building in plan-form and scale, which will result in a dominating impact, undermining the architectural interest of the heritage asset. The loss of the second casement window on the east wall, and the loss of views of the building in open aspect along the A617 on approach from the east is adverse furthermore. The indicative details fail to demonstrate that an extension could be accommodated sensitively. No explanation is given as to the needs of the local community and why an extension would need to be of this scale;

- The intensity of development will result in a significant change to the open rural setting of Bank Cottages and the group comprising the listed Grade II* Church of St Michael and the old Rectory. Whereas the existing open setting of the field is a positive aspect of their collective setting, by virtue of its indicative scale, form and layout, the development will erode the rural setting of Bank Cottages and the Rectory/Church composition. Fundamentally, the intensity of the development will introduce a negative aspect to the setting of these heritage assets. It is acknowledged that existing green infrastructure provides some mitigation in this context, and the development might be capable of further landscape softening. However, impact on the listed buildings here is not purely limited to direct intervisibility, and our experience of the landscape around the assets is material in this case. On balance, we feel that the indicative layout and intensity of development will cause some direct harm to Bank Cottages and indirect harm to the setting of the Church of St Michael. Adverse impact is perceived to the setting of the village hall and Rectory as non-designated heritage assets;
- The indicative street scene and layout suggest a configuration which shall dominate the entrance to the village. Whilst it is acknowledged that Plot 1 reflects historic cottage vernacular, the combination of large detached blocks to the rear in an irregular plan-form (noting the use of wide gables, multiple L plans and general detachment of dwellings) fails to demonstrate assimilation into the local environment.

Summary of Opinion

The proposal is harmful to the significance of the heritage assets comprising the village hall, Bank Cottages, the old Rectory and the Church of St Michael. The scheme therefore conflicts with the objective of preservation under section 66 of the Act and heritage advice contained within paragraphs 131, 132, 134 and 135 of the NPPF and DM9 of the Council's LDF DPD.

If the above concerns were to be addressed, the intensity of development would be reduced, and indicative details would be provided showing how the village hall could be improved sensitively and the design and layout of new buildings could otherwise better preserve rural openness and the setting of heritage assets.

Notwithstanding the above comment, the applicant would benefit from discussing their proposal with a suitably qualified archaeologist.

NSDC Strategic Housing – The application site is not located within the village of Hockerton, which is defined as an 'other village' (and not a Principal Village) in the settlement hierarchy contained within Spatial Policy 1 of the Core Strategy, but within the open countryside. If Officers decide the site is within the village of Hockerton then the proposal would need to be considered against Spatial Policy 3 (SP3) which states that local housing needs will be addressed by focusing housing in sustainable, accessible villages. It goes on to say that beyond Principal Villages, proposals for new development will be considered against five criteria; location, scale, need, impact and character.

Any proposed new housing in SP3 villages must meet an identified proven local need to accord with SP3. Spatial Policy 3 Guidance Note (September 2013) states that proven local need must relate to the needs of the community rather than the applicant. Assessments should be based on factual data such as housing stock figures where the need relates to a type of housing or census data where the needs relate to a particular population group.

The applicant commissioned a Housing Needs survey for the parishes of Hockerton and Kirklington in September 2017 to support the application. The survey provides information regarding affordable housing need and those people with a preference for an alternative dwelling in the respective parishes. One respondent stated that they needed an affordable dwelling and currently the applicant has not identified the dwelling in the proposal or that this will be secured by a Registered Provider who is able to offer a shared ownership tenure. I acknowledge that this is an outline application and therefore this detail may not be available.

The remaining respondents to the survey demonstrate a preference for three bedroom dwellings which this application seeks to address. It should be noted that the survey evidence does not constitute a housing need, only an indication of demand. As the survey is split between two parishes I am unable to comment on the need for an individual parish. I shall defer to the Planning Officer to determine if they will include demand from an additional village towards identifying demand for the application site.

Many of the district's villages face a shortfall of smaller, particularly two bedroom properties for younger people that are affordable to purchase. I am unaware of the values for the proposed site but given the generous proportions of the proposed dwellings, there may be affordability issues for some first time buyers and young families but I note that many survey respondents' current accommodation is too large and there is a preference to downsize.

I turn to the issue of demonstrating 'proven local need' to accord with SP3. In general local need refers to a need for affordable housing; usually where the market cannot meet the needs of people who are eligible for subsidised housing such as social /affordable rented or shared ownership. Hockerton is a high value area where people may be unable to secure housing that is affordable. For market housing, reference is made to a preference or demand where it may be possible to meet that preference or demand through existing housing stock i.e. it would be difficult to identify a proven local need for a three bedroom dwelling if the housing stock in Hockerton has a good supply of this type of housing and they appear on the open market for sale. Currently there are 5 properties for sale on the open market (Rightmove Jan 18) consisting of 2 x 5 bedroom, 4 x 1 bedroom and 2 x 3 bedroom. Some of the advertised properties could meet the demand in the Housing Needs Survey although values range from £650,000 to £375,000.

Conclusion: The survey has identified a need for one affordable dwelling and a preference from 5 respondents to the survey for alternative accommodation. The need for an affordable dwelling is accepted and I note that five respondents to the survey have expressed a preference for smaller dwellings than they currently occupy. This does not however in general constitute housing need and therefore I defer to the Planning Officer on the weight the evidence provided by the applicant is given in the decision making process, and given that the site may be considered to be in the open countryside.

NSDC Parks and Amenities – As a development of more than 5 dwellings in a minor village this scheme should include public open space provision in the form of children's playing space. I note that the application details mention a new area of amenity open space and that the site layout plan appears to show this as an area adjacent to the proposed village hall extension. I am not aware of any existing designated children's playing space in Hockerton and would thus suggest that the possibility of providing some sort of play provision on the newly created open space should be discussed with the applicant.

NSDC Tree Officer – Request a survey of trees on the west boundary in accordance with the recommendations within BS5837-2012 in order to evaluate potential constraints on development that may limit the number/size of proposed dwellings.

NSDC Access Officer – As part of the developer's considerations of inclusive access and facilities for all, with particular reference to disabled people, it is recommended that their attention be drawn to Approved Document M of the Building Regulations, which contain useful standards in respect of visitable, accessible and adaptable, and wheelchair user dwellings and that consideration be given to incorporating 'accessible and adaptable' dwellings within the development. The requirements of a dwelling's occupants can change as a result of illness, accident such as sports injury for example, disability or ageing giving rise to reduced mobility or increasing sensory loss. In order to meet these changing requirements, homes need to be accessible to residents and visitors' alike as well as meeting residents' changing needs, both temporary and longer term. Similarly, inclusive access improves general manoeuvrability for all including access for those with push chairs and baby buggies as well as disabled people etc.

It is recommended that disabled persons and wheelchair users' access to, into and around the dwellings be carefully examined. External pathways to and around the site should be carefully considered and designed to accepted standards with reference to the topography of the site to ensure that they provide suitable clear unobstructed inclusive access to the proposal. In particular, 'step-free' access to and into the dwellings is an important consideration and an obstacle free suitably surfaced firm level and a smooth 'traffic free' accessible route is important to and into the dwellings from facilities such as car parking and from the site boundary without pedestrians being required to walk along roadways. Any loose laid materials, such as gravel or similar, can cause difficulty for wheelchair users, baby buggies or similar and should be avoided. It is recommended that inclusive step free access be considered to garden areas, amenity spaces and external features.

Carefully designed 'step-free' approach, ramps, level flush thresholds, generous doorways, corridors etc. all designed to facilitate easy access and manoeuvre on all floors are important considerations. Switches and sockets should be located at suitable heights and design to assist those whose reach is limited to use the dwellings together with suitable accessible WC and sanitary provision etc.

The proposed car park should be carefully considered where appropriate carefully laid out and signed provision for disabled motorists should be incorporated. BS8300:2009 gives information in respect of proportion and layout of spaces. In this regard, a smooth firm 'void free' non-slip even surface is an important provision.

It is recommended that the developer make separate enquiry regarding Building Regulations matters.

Neighbours/Interested Parties –

Four letters of representation have been received. Main issues raised include:

- An approval of this application will open the flood gates for more applications to infill all the fields in the village.
- This is a greenfield site in a rural location;
- Access to the site is from a very busy main road and will add danger;

- The village hall has been restored three times in the last forty years but despite this it has only occasional use. Use is compromised by the road;
- Pavement is narrow and unsafe;
- The applicant has already secured planning permission for housing within the village envelope which goes further than addressing the needs set out in the submitted Housing Needs Survey;
- 12 dwellings have been built or approved in the village since 2015;
- The local needs survey is deeply flawed;
- There is a need for low cost housing – this proposal does not meet that need;
- No details of septic waste or surface water disposal have been submitted and this is a problem in the village.

Comments of the Business Manager

5 Year Housing Land Supply

It is noted that the applicant's Planning Policy Statement states that the Council may not have a five housing land supply and that the Development Plan should not be considered up to date. This is strongly disputed, as reflected consistently by the approach of this Council since June of last year and as also evidenced by recent appeal decisions. I offer the following brief summary of the position.

This Council, as Local Planning Authority (LPA), has dealt with a number of housing planning applications in recent years. The issue as to whether an LPA has a 5 year housing land supply (HLS) is of significant importance when dealing with planning applications for housing development, particularly in terms of the NPPF, weighting of Development Plan policies, and the need for housing delivery when weighted against other material planning considerations, with the 'tilted balance' potentially coming into play.

As an LPA we have been challenged in the past on our ability to demonstrate a 5 YHLS, notably in January 2016 (a Public Inquiry appeal decision in Farnsfield) and November 2017 (the Public Inquiry which concluded its sitting days on the 17th November 2017 with a decision now awaited from the Secretary of State). Whilst coincidentally within the same settlement within Newark and Sherwood District both appeals, and the evidence heard at them (given the passage of time), demonstrate that things have considerably moved on in terms of material planning considerations to which this Authority must have regard in its decision-making.

The adopted Core Strategy (March 2011) details the settlement hierarchy which will help deliver sustainable growth and development within the District. As detailed in Spatial Policy 1 of the Core Strategy 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. The policy goes on to confirm the lowest tier of the hierarchy as 'other villages' in the District. In such areas development is considered against the sustainability criteria set out in Spatial Policy 3 (Rural Areas).

It is a matter of fact that the housing requirements set out in the Council's adopted Core Strategy (which set a target for delivery of 740 dwellings per annum) was based on the now abolished Regional Plan. It is also a matter of fact that housing delivery should now be planned, in accordance with both the NPPF and Housing White Paper, using an evidence-base of Objectively Assessed Need (OAN). It has been accepted by the appellants in both of the quoted appeals above, and by applicants/appellants in multiple other applications and appeals that the Council's housing requirements is significantly below the 74-dpa figure. Thus the figure of 740 per annum is no longer relevant for decision-making and 5 year land supply determination. It remains the OAN.

The National Planning Policy Framework promotes the principle of a presumption in favour of sustainable development and recognises that it is a duty under the Planning Acts for planning applications to be determined in accordance with the development plan. Where proposals accord with the Development Plan they will be approved without delay unless material considerations indicate otherwise. The NPPF also refers to the presumption in favour of sustainable development being at the heart of the NPPF 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.

Within the NPPF, Chapter 6 (Delivering a wide choice of high quality homes) paragraph 47 identifies a clear policy objective to, *“boost significantly the supply of housing”*. Paragraph 17 states further that the planning system should *“proactively drive and support sustainable economic development to deliver new homes....that the country needs. Every effort should be made objectively to identify and then meet the housing...needs of an area.”* The NPPF indicates that this will be achieved first and foremost, by local planning authorities, *“using their evidence base to ensure that their local plan meets the full, objectively assessed needs of market and affordable housing in the housing market area,...including identifying key sites which are critical to the delivery of the housing strategy over the plan period.”*

The need for housing remains an important material planning consideration in the planning decision making of the Council, as LPA, as underlined within the National Planning Policy Framework (NPPF) and most recently the Housing White Paper and November 2017 Budget. The White Paper itself promotes a requirement to boost housing supply. The importance of a plan-led system in assisting with housing delivery is clearly identified, as is the requirement for housing targets to be based on Objectively Assessed Need (OAN) which is applied consistently nationally in terms of methodology. The White Paper clearly (re)endorses a plan-led system both in making clear for communities the quantum of development required and in how they can assist in identifying appropriate sites and densities to ensure delivery. The role that neighbourhood planning plays as part of this is also noted.

The Council has for many years been committed to ensuring that the plan-led system prevails. The Council was the first in Nottinghamshire to have a set of LDF plan documents adopted in the form of a Core Strategy (March 2011) and Allocations and Development Management Policies DPD (July 2015). The Council were also the first authority in the Country to adopt the Community Infrastructure Levy (December 2011). The Council also has a track record of working proactively with applicants to secure planning permission in the right place and in the right form. This is evident in the numerous planning consents granted on a range of both allocated and non-allocated sites and the fact that national, regional, and local housebuilders are actively building across the District.

Newark is a sub-regional centre and, at the time of Core Strategy adoption, was a designated Growth Point with an allocation of c70% of the district's overall housing growth, principally in three Sustainable Urban Extensions (SUEs). There remains a commitment in spatial development terms to deliver significant housing numbers via the SUE's. By their very nature, these have taken longer to be brought to market. However, Land South of Newark (Core Strategy Site NAP2A) now has 2 no. national housebuilders involved, the first of which is building and the second of which will commence in March (a total of 599 units can be erected with the infrastructure now in). Consent has recently been issued to a national housebuilder for the Fernwood SUE (Core Strategy Site NAP2C) for 1050 houses (reserved matters application expected imminently) with an application for another 2 no. housebuilders pending. NSDC are confident that the SUE's can and

will now deliver significant housing, proving that the Core Strategy and its spatial distribution of Growth is deliverable, and that previous delays have been overcome. This is a matter which has also been rehearsed recently in an appeal in Rushcliffe (Ref. APP/P3040/W/16/3143126 – an outline application for 65 dwellings in Aslockton), with the appeal having been dismissed on 25 October 2016.

In order to address its housing requirement the Council, as it is required to do under the NPPF for both objectively assessed need (OAN) and under the Duty to Cooperate, has produced a Strategic Housing Market Assessment (SHMA). The SHMA has been produced in line with Government Guidance by consultants G L Hearn, in conjunction with Justin Gardner of JG Consulting, on behalf of Ashfield, Mansfield and Newark & Sherwood District Councils who form the Nottingham Outer Housing Market Area. The SHMA has produced an OAN for NSDC of 454 dwellings dwelling per annum (dpa) (using 2013 as a base date). The Examination in Public to test the SHMA has now taken place, with the appointed Inspector raising no questions or qualifications on the issue of either the FOAN or spatial distribution of growth across the District. The figure of 454 dpa is the only full FOAN available in NSDC that has regard to the housing market area, as required by both the NPPF and the Housing White Paper.

The aforementioned Appeal in Farnsfield in January 2016 (Farnsfield 1) was allowed on the basis that this Council was deemed not have a 5 year housing land supply. This was the view of one Inspector who disagreed with the annual requirement figure, noting that the information for the whole HMA was not before them. The Inspector concluded that on the balance of the *evidence available to them at the Inquiry* (emphasis added), a reasonable assessment of the Full OAN for Newark & Sherwood would be in the order of up to 550 dwellings per annum. The Council applied for leave to Judicially Review (JR) the Inspector's decision but this was not granted. Since the JR the Council has re-visited the OAN with its consultants and its two neighbouring Councils, all of whom are confident they can robustly defend the OAN at an EIP and that the planning appeal inspector was incorrect.

Moreover, this Council has now had its Plan Review DPD Examined (EIP). Ashfield, one of our HMA colleagues has also already had its EIP, following which it has been confirmed that no main modifications have been requested by the Inspector in relation to the OAN.

It is acknowledged that the OAN and consequently housing target for the District cannot attract full weight until after examination of the Development Plan. However, the OAN and issues around delivery have moved on considerably, with the EIP Inspector not raising any additional matters.

The OAN across the HMA has been reconsidered following Farnsfield 1, specifically addressing the points which persuaded the original inspector to conclude that an OAN of up to 550 would be appropriate. The OAN of 454 remains the only robustly and recently assessed figure before us as decision-makers to determine the appropriate figure against which 5 year delivery should be assessed. Indeed, Members will recall that Officers have consistently advised that a 5 year land supply against a 454 OAN could likely be demonstrated. However, uncertainly with respect to the weight which could be attached to the OAN, together with a lack of information on in-year completions (as you know at the end of each municipal year officers review and ultimately publish actual new housing completion information), a 'pragmatic' approach was recommended. This entailed an approach whereby having a 5 year land supply was accepted, but that could support schemes which fell immediately adjacent to main built up area boundaries and village envelopes within the settlement hierarchy (which Caunton is not), which are *acceptable in all other technical and environmental respects* (emphasis added) and which will demonstrably boost housing supply

in the short term (including imposing shorter timeframes for implementation and demonstration of no other site impediments e.g. infrastructure costs or contamination). This position was to be re-assessed as the Plan Review progresses.

The Council's position on new housing delivery was captured in July 2017 when its annual monitoring information was published. This identified that both stalled and new sites were contributing to an increased build-out rate. Indeed, based on housing completions as of 31st March 2017 the authority confirmed that it has a 6.2-year supply based on a housing target of 454 dwellings per annum.

Moreover, all 3 of the HMA Council's remain fully committed to the OAN figures we have each adopted, with Ashfield and ourselves having concluded Examination, and Mansfield progressing. On this latter point Members may have noted that Mansfield have been identified in a Written Ministerial Statement dated 16 November 2017 have been identified as an Authority who has made unsatisfactory progress on Plan Review. In light of this it is likely that Mansfield will be keen to progress their Local Plan at speed, on the basis of the Preferred Approach which has recently concluded its consultation period, utilising the figures set out in the SHMA as their housing requirement.

This position has also been confirmed by a recent (August 2017) appeal hearing decision which has accepted that this Council has a 5 year housing land supply against a target of both 454 and 500 dwellings per annum. Even on a 550 OAN the Inspector in that case concluded that any shortfall would most likely be made up by windfall schemes. An appeal in January 2018 also confirms that this Council has a 5 year land supply.

Given this position the Council considers that limited weight should now be attached to the Farnsfield Inspector's decision from 2016. To the contrary the OAN of 454 remains robust and against this it is considered that there is a 5 year housing land supply. Consequently, the policies of the Development Plan are up-to-date (also having regard to the PAS review of the Core Strategy Policies and in attaching weight to the fact that the Allocation and Development Management DPD Policies were independently examined and found sound post NPPF adoption) for the purpose of decision making.

The Principle of Development including an Assessment of Sustainability

The starting point in assessing this application is the Development Plan. Core Policies 1, 2 and 3 set out the settlement hierarchy in the District. Spatial Policy 1 details the settlement hierarchy to 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 are 'other villages' within which development will be considered against the sustainability criteria set out in Spatial Policy 3 (Rural Areas). The settlement of Hockerton falls into this 'other village' category. There is no defined settlement boundary for these villages and it is a matter of judgement as to whether sites are within or outside of the village. The overall approach to the Settlement hierarchy and the spatial approach to development does not change as a result of the Council's recently Examined Plan Review.

Spatial Policy 3 provides that local housing need will be addressed by focusing housing in sustainable, accessible villages. It states that 'Beyond Principal Villages, proposals for new development will be considered against the following criteria' then lists location, scale, need, impact and character for consideration. It goes on to say that development away from the main built-up areas of villages, in the open countryside will be strictly controlled and restricted to uses which require a rural setting such as agricultural and forestry and directs readers to Policy DM8 of the Allocations and Development Management DPD for policies that will then apply. As such Policy SP3 acts as a signpost to Policy DM8 of the A&DM(DPD) which is up to date given it postdates the NPPF (the recent Eakring appeal decision confirms that that Policy DM8 is "fully consistent" with the NPPF). Consideration of the Newark and Sherwood Amended Core Strategy DPD 2017 reaffirms this stance.

The Council recognises that an inspector's decision in respect of Land to the South of Bilsthorpe Road in Eakring (APP/B3030/W/17/3169590), dated 23rd January 2018, concluded that policy DM8 of the Allocations and Development Management Plan Document, and Policy SP3 of the Core Strategy, are inconsistent with paragraph 55 of the NPPF and out of date, so that the weight given to any conflict with them should be greatly reduced. The Council respectfully disagrees with the inspector's conclusion, which it considers to be unlawful. At the time of writing the Council intends to challenge the decision under section 288(1) of the Town and Country Planning Act 1990. Pending the determination of its claim, the Council will proceed on the basis that Policy DM8's approach to controlling development in the countryside for the purpose of promoting a sustainable pattern of development in accordance with Spatial Policy 3 is fully consistent with the Framework. Policy DM8 will therefore be accorded full weight.

As SP3 villages do not have defined village envelopes, it is a critical consideration in the determination of this application as to whether the application site is located within the main built-up area of the village or beyond. If it is beyond it is, as a matter of policy (in accordance with Policy SP3) within the open countryside. The supporting text to Policy SP3 states that the main built-up area 'would normally refer to the buildings and land which form the core of the village where most housing and community facilities are focused. Often villages have outlying development which, whilst part of the village, does not form part of the 'main built-up area'; proposed new development which results in the joining of such areas to the main built-up area should be resisted.

The existing built form and village of Hockerton is not evident as you approach the site from the east along A617 until you reach the Old Rectory (opposite the application site). Dwellings prior to this are considered to be remote or are set back/screened in such a way that they are not highly visible in the street scene. The village Hall is the first building on entry into the built up area of Hockerton that can be viewed on the north side of the road. The site is clearly part of a wider open field and the site is therefore within the open countryside in my judgement. The primary policy and most relevant in this case is therefore DM8 which is up to date. Paragraph 14 of the NPPF is not engaged and the titled balance does not apply.

DM8 states that development in the countryside will be strictly controlled and limited to a number of exceptions. In relation to new build dwellings it only allows those for rural workers or where they (reflecting paragraph 55 of the NPPF) are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and that are sensitive to the defining characteristics of the local area. I do not consider that the proposal meets either of these exceptions and the proposal is not therefore considered to represent sustainable development contrary to the Development Plan and its aims to create a sustainable pattern of development within the District.

Equally, the Agent has not submitted any justification with the application to demonstrate that the proposal meets these exceptions. They do however put forward a case that other material considerations are relevant in this case in terms of the proposal addressing a local need for new dwellings in the settlement and that significant weight should be attached to the community/public benefits of the scheme in relation to the village hall. These matters are explained further in the 'Other Material Considerations' section of this report.

Sustainability

Furthermore, the applicant considers that the LPA should assess the proposal on the basis of paragraph 49 of the NPPF such that housing is considered in the context of the presumption in favour of sustainable development. I am mindful that the NPPF also represents a material planning consideration, notably the 3 dimensions to sustainable development with the economic, social and environmental roles that it plays. Recent case law (East Staffs BC v SSCLG [2017]) deals substantively with the interpretation of the wording "presumption in favour of sustainable development", and reaffirms the primacy of the development plan and that any reliance placed upon the phrase "golden thread" in order to justify a wider presumption in favour of sustainable development is wholly misconceived. The NPPF does not contain a general "presumption in favour of sustainable development", which can be set against the statutory presumption in favour of the development plan in section 38(6) of the 2004 Act.

In terms of the social role of sustainability, development is expected to support '*strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.*' Paragraph 55 provides that "*To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities....Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances...*"

Hockerton itself has a limited range of services and facilities other than the Village Hall which forms parts of the application site (notwithstanding its aforementioned suitability for use); a public house; and gym/wellness centre. The church is no longer used as a church. Whilst there are bus services to Newark I would still expect residents of Hockerton to be reliant on the use of the private car. Despite this, the larger settlement of Southwell (located c2km away) is relatively easily accessed from the village through the existing highway network and contains the schools and other services most likely to be used by the residents of Hockerton.

The policy objective of promoting sustainable development in rural areas by locating them where it will enhance or maintain the vitality of rural communities is to be secured through the plan-led system (paragraphs 17(1) and 196 of the NPPF). As such, it is necessary to strike the balance between recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it" (Para 17(5) of the NPPF). The two goals are interrelated. To that end, the LPA, is entitled to decide that a sustainable pattern of *development* may involve the restriction of development in countryside even though it might not be regarded as "isolated" in the terms of paragraph 55 of the Framework.

This Council has set policies within its Development Plan that plan for development in the right places with the majority of growth expected to take place in the sub regional centre, service centres and principal villages. A notional allowance of 200 dwellings was set for SP3 villages (notwithstanding that this site is not considered to fall within the village) but this relates to a period of 20 years (up until 2026) and covers 69 settlements. As of April 2017 there have been 122 completions and 225 commitments in the form of planning permissions, therefore together this notional allowance has already been exceeded and there is no reliance upon these villages (or indeed the countryside) to provide the growth that the Development Plan envisages.

Indeed, Hockerton had 57 households according to the 2011 Census. Since then there have been 10 completions within the village (representing a 17.5% increase in households overall) and there are also 13 commitments (which would represent a 40% increase in households overall in Hockerton). This is beyond the level of growth anticipated for Hockerton.

In terms of the economic role I note that the NPPF states that the planning system should help to *“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure”*

I acknowledge that the proposal for housing would play an economic role by temporarily supporting the construction sector. The additional residents could also help support local businesses. However, I believe this would be at the expense of the environmental role as I shall explore in more detail shortly. In my opinion, contrary to the above quoted paragraph from the NPPF, the land is not the right place and fails to respect the plan-led system which this District has followed, promoted, and worked hard with communities to produce to allow logical and transparent decision-making.

Whilst it is appreciated that the site would play a social role in terms of boosting housing supply (as detailed further in the ‘Other Material Considerations’ section of this report), this would be by a very minor degree and would be at the expense of further encroachment of the village into the countryside which I believe this would be at the expense of the environmental dimension of sustainable development. I explore the environmental impact including impact of heritage assets in more detail later in this report.

The issue of determining whether a site is within a settlement or not is important in relation to precedent also. This site is like many other sites on the fringe of a rural settlement. Whilst the site is not ‘isolated’ insofar as the distance to the village itself, the site itself has the appearance of open countryside given that it is part of a larger agricultural field. This could also be repeated elsewhere in many other situations.

Overall, the proposal is not considered to represent sustainable development. For the avoidance of doubt, the proposal has not been assessed against the provisions of Core Policy 2 (Rural Affordable Housing) given that the proposal has not been submitted as a wholly affordable housing exception site.

Impact upon Visual Amenity including the Setting of Listed Buildings and Non-Designated Heritage Assets

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Core Policy 9 requires a high standard of sustainable design that protects and enhances the natural environment and contributes to the distinctiveness of the locality and requires development that is appropriate in form and scale to the context. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

In relation to landscape impacts, the proposed site is within the Mid Nottinghamshire Farmlands Policy Zone (MN PZ 34) 'Hockerton Village Farmlands' character area as defined within the Council's Landscape Character Supplementary Planning Document (SPD). The landscape generally within the zone is very gently undulating. Visual features tend to be medium distance views to frequently wooded skylines although often enclosed by vegetation and there is a mixture of intensive arable fields with strongly trimmed hedges and low intensity farming with permanent improved pasture. The landscape condition is described as good with a few detracting features including the A617 and landscape sensitivity is defined as moderate. The policy action for the zone is to 'Conserve and Reinforce' with policy actions to conserve the rural character of the landscape.

Due to the rising gradient of land, it is considered likely that the proposed development would be highly visible and prominent in the street scene, and would be seen as encroachment into a currently open field forming part of the wider open countryside.

In relation to heritage impacts, the Conservation Officers' comments are set out in full in the 'Consultations' section above. They raise concern that the indicative details of the proposed extension to the village hall and housing layout would fail to demonstrate that an extension could be accommodated sensitively. Whilst it is acknowledged that the detailed design of the proposal would be subject to further consideration at the reserved matters stage, this does not overcome the Conservation Officers concerns in relation to the principle of the intensity of development. They consider the proposal to result in a significant change to the open rural setting of Bank Cottages and the group comprising the listed Grade II* Church of St Michael and the old Rectory. Whereas the existing open setting of the field is a positive aspect of their collective setting, by virtue of its indicative scale, form and layout, the development would erode the rural setting of Bank Cottages and the Rectory/Church composition. Fundamentally, the intensity of the development would introduce a negative aspect to the setting of these heritage assets. It is acknowledged that existing green infrastructure provides some mitigation in this context, and the development might be capable of further landscape softening. However, impact on the listed buildings here is not purely limited to direct intervisibility, and our experience of the landscape around the assets is material in this case.

In relation to archaeology, the Conservation Officer has identified that there could be potential for archaeological remains to be present. In the absence of a desk based archaeological assessment, it is recommended that a suitably worded condition would ensure no adverse impact in accordance with planning policy.

Overall, I am concerned that the proposal would result in encroachment into the open countryside to the detriment of the visual amenity of the rural landscape and would be harmful to the significance of the heritage assets comprising the village hall, Bank Cottages, the Old Rectory and the Church of St Michael. The scheme therefore conflicts with the objective of preservation under section 66 of the Act, the aims of the NPPF and Core Policy 9, 13 and 14 of the Core Strategy and Policies DM5 and DM9 of the DPD. This in my view all counts against the scheme in terms of the environmental dimension of sustainable development.

Impact on Highway Safety

Spatial Policy 7 of the Core Strategy amongst other things requires proposals to minimize the need for travel through measures such as travel plans or the provision or enhancement of local services and facilities; provide safe, convenient and attractive accesses for all; be appropriate for the highway network in terms of volumes and nature of traffic generated and avoid highway improvements which harm the environment and character of the area. DM5 mirrors this.

Despite an original objection, I note that the latest position of the Highways Authority which have not raised objections to the scheme in terms of highway safety subject to a number of conditions relating to the construction and use of the proposed access. As such, the proposal is not considered likely to result in any adverse impact upon highway safety.

Impact on Trees and Ecology

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

A Tree Survey has been submitted with the application. There is one Category B tree located within the application site and is considered to have amenity value. The small section of hedge to the front of the site is a Category C hedge. Indicative plans show the retention of the tree and hedge and it is considered that suitably worded conditions could ensure their protection in accordance with the requirements of policy.

No ecology survey has been submitted with the application. However, because the majority of the site is currently arable land and no demolition of buildings/limited removal of natural vegetation is proposed, it is considered likely that the site has low ecology potential. As such, the lack of information submitted in relation to ecology would not warrant refusal of the application in this instance.

Impact upon Residential Amenity

Policy DM5 requires development to be acceptable in terms of not having a detrimental impact on residential amenity both in terms of existing and future occupiers. Indeed 'always seeking to secure a good standard of amenity for existing and future occupants of land and buildings' is one of the 12 core planning principles set out in the NPPF.

The submitted layout indicates that the proposed houses could be sited a sufficient distance from one another as well as from the existing dwellinghouses, so as not to have a detrimental effect on one another. This issue would need to be considered in greater detail when the reserved matters of appearance, layout and scale are applied for, however, I am satisfied that the illustrative layout provides sufficient certainty that the objectives of Policy DM5 can be achieved.

Flood Risk and Drainage

Core Policy 9 (Sustainable Design) provides that development should ‘through its design, proactively manage surface water, where feasible, the use of Sustainable Drainage Systems.’ CP10 seeks to mitigate the impacts of climate change whilst Policy DM5 also seeks to ensure development is safe for the intended users without increasing flood risk elsewhere. This broadly reflects the advice in the NPPF.

The site lies within Flood Zone 1 which is at lowest risk of flooding. I note from consultee responses that there is nothing to suggest that surface water disposal cannot be adequately disposed of in a sustainable way.

A package treatment plant is proposed to deal with foul sewage which is the least preferred option in relation to the hierarchy of drainage options as set out in National Planning Practice Guidance. Whilst I have no information before me to demonstrate that there are no alternative drainage option is achievable on site, I note that the Environment Agency raises no objection in principle subject to the potential requirement for a permit. The imposition of a condition would ensure an acceptable scheme for surface water and foul water disposal is submitted to and agreed by the LPA.

Other Material Considerations

Housing Need

CP3 states that the LPA will seek to secure new housing which adequately addressed the local housing need of the district, including family housing of 3 bedrooms or more, smaller houses of two bedrooms or less and housing for the elderly and disabled population. Mix will be dependent on the site location (in terms of settlement), local circumstances, viability and any local housing need information. Paragraph 50 of the NPPF states that “To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand...”

The Development Plan (in terms of the policies identified below) reflects and is compliant with the NPPF. The Council has sought to plan for a mix for communities and has identified the size, type and range of housing that is required taking into account local demand as is reflected in the above policies.

In relation to the density of the development, this is below the average density one would normally expect for development sites (in relation to Core Policy 3). However given this is an open countryside location, this is not an average development site (or in my view a development site at all) and therefore to comply with the plan policy would in itself be harmful in this location.

The applicant commissioned a Housing Needs survey for the parishes of Hockerton and Kirklington in September 2017 to support the application. The full comments of the Strategic Housing Officer are set out in the ‘Consultations’ section above and concludes that the survey has identified a need for one affordable dwelling and a preference from 5 respondents to the survey for smaller dwellings than they currently occupy. Concern has been raised that the survey evidence does not constitute a housing need, only an indication of demand.

The dwellings would comprise the following (in-line with the findings of the Housing Needs Survey Report):

House Type	Market	Affordable (shared ownership)
Two Storey 3-bed	2	1
Bungalow 3-bed	2	0
Bungalow 2-bed	1	0

A draft S106 Legal Agreement has been submitted with the application to ensure that the proposed new homes are to be built and sold to ‘local people’ only. However, as previously stated in the ‘Principle of Development’ section above there are already 13 commitments within the village of Hockerton (ranging from 2 – 4-bed in size). In addition to this, there are currently 5 properties for sale on the open market (Rightmove Feb 18) consisting of 2 x 5 bedroom, 1 x 4 bedroom and 1 x 3 bedroom. Not all of the commitments and advertised properties could meet the demand in the Housing Needs Survey because they exceed 3 bedrooms in size, however it is considered that some of this need could be met.

There is also no guarantee at this stage that the affordable dwelling would be secured by a Registered Provider who is able to offer a shared ownership tenure.

To conclude, I do not find that there is an overwhelming need for housing that would justify development in the open countryside which is contrary to the Development Plan.

Community Benefits

The submitted Planning Policy Statement suggests that significant weight should also be attached to the community/public benefits of the scheme. Indeed, I fully sympathise with the Parish Council’s views set out in the Consultations section above. I can see from the size, position and lack of facilities that it may be difficult for the community to maximise the use of the current village hall.

The Design and Access Statement states that the Applicant intends for a separate Agreement between himself and Hockerton Parish Council whereby the land upon which the Village Hall ‘extension’ is to be built, will be ‘gifted’ (at nil land value) to the Parish Council. The Applicant is not intending to build the extension or provide the parking themselves. As such, there is no guarantee at this stage that the extension/improvements to the village hall are achievable. Indeed it may be possible for the housing to come forward without the village hall extension (unless prevented through a suitably worded S.106 Agreement).

Furthermore, there has been no cross subsidy argument submitted with the application. As such, it has not been demonstrated that 6 new dwellings are required to make the improvements to the village hall happen i.e. it has not been explored as to whether the land can be purchased by the Parish Council for the extension at market value cost and why 6 dwellings are required to make this happen.

Even if the extension and improvements to the village hall were implemented (presumably at the Parish Council's own cost), Hockerton has a relatively small population and there is no guarantee that the gifting of the land would ensure the viability of the hall in the long term.

To conclude, I do not find that there is an overwhelming benefit to the community that would justify development in the open countryside which is contrary to the Development Plan.

Planning Balance and Conclusion

The applicant has advanced an argument that the Council doesn't have a 5 year supply of housing, a matter which this Council strongly disputes and which has been supported by appeal Inspectors. On the contrary, the Council's position is that we do have a 5 year supply of housing, that we can robustly demonstrate this and therefore the Development Plan is up to date for the purposes of decision making in terms of the supply of housing.

The application proposes a scheme for 6 new dwellings in the countryside. Having assessed the scheme against the Development Plan I have concluded that the scheme does not meet any of the exceptions listed within Policy DM8 (which as rehearsed above is considered to be up-to-date, post NPPF, and carry full weight) as to why development away from the built settlement should be permitted. This is equally the case when assessed against the NPPF, a material consideration, albeit the Development Plan should in any event be the primary decision-making tool in an overall balance.

Whilst a Housing Needs Survey has been submitted with the application, this does not justify encroachment in the countryside in this instance which would be contrary to the Development Plan given the harm. Nor does the provision of an affordable housing unit (which I note is a provision exceeding that which would ordinarily be required by a development of this scale). In concluding this I give weight to the location of the site within an open field which would have an adverse impact on the landscape and visual appearance of this rural setting and would be harmful to the significance of the heritage assets comprising the village hall, Bank Cottages, the old Rectory and the Church of St Michael.

Whilst the gifting of part of the site to the Parish Council to extend and improve the village hall could represent a benefit to the proposal, I am not convinced that the scale of the proposal is the minimum necessarily to enable such benefits to occur. In any event this scheme would not actually deliver the extension so desired by the Parish Council.

Although the impacts on the highway, ecology and trees are acceptable, this does not override the harm identified. Taking all matters into account the proposal is considered to represent unsustainable development and the harm caused would not be outweighed by the benefits of the scheme. The proposal is therefore recommended for refusal.

RECOMMENDATION

That outline planning permission is refused for the following reason:

Reasons for Refusal

01

The proposed development would result in additional dwellings within the open countryside outside of the main built up area of Hockerton. Policy DM8 of the Allocations and Development Management DDP (2013) strictly controls and limits the types of development in the countryside. The proposal does not accord with any of the exceptions listed. This policy is consistent (as tested in adopting the DPD) with the National Planning Policy Framework (NPPF).

The proposal does not accord with any of the exceptions listed. Furthermore, the site is located within an open field and it has not been demonstrated that the development would not result in an adverse impact on the this rural setting which would also be harmful to the significance of the heritage assets comprising the village hall, Bank Cottages, the old Rectory and the Church of St Michael.

The proposal is therefore contrary to the aim of promoting a sustainable pattern of development within the District and is not therefore considered to represent unsustainable development. The harm identified would not be outweighed by the benefits of the scheme contrary to Spatial Policy 3 (Rural Areas), Core Policy 9 (Sustainable Design), Core Policy 13 (Landscape Character) and Core Policy 14 (Historic Environment) of the Core Strategy (2011) and Policies DM5 (Design), DM8 (Development in the Open Countryside) and DM9 (Protecting and Enhancing the Historic Environment) of the Allocations and Development Management Development Plan Document (2013) as well as being contrary to the National Planning Policy Framework (NPPF) a material planning consideration.

Notes to Applicant

01

The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason(s) for refusal. Working positively and proactively with the applicants would not have afforded the opportunity to overcome these problems, giving a false sense of hope and potentially incurring the applicants further unnecessary time and/or expense.

02

You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website www.newark-sherwooddc.gov.uk/cil/

BACKGROUND PAPERS

Application case file.

For further information, please contact Helen Marriott on ext 5793.

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 - 17/02139/OUT

