

PLANNING COMMITTEE – 10 SEPTEMBER 2019

Application No:	19/01180/OUT	
Proposal:	Erection of 2 dwellings	
Location:	Land at Norwell Road, Caunton	
Applicant:	Ms S Brown	
Registered:	25.06.2019	Target Date: 20.08.2019
		Extension of Time Agreed: 13.09.2019

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as Councillor Michael is part owner of the site.

The Site

The application site relates to a broadly rectangular plot of approximately 0.2 hectares to the south of Norwell Road. The site as existing forms agricultural grazing land demarcated by a hedged boundary with Norwell Road. There is a slight decreasing gradient within the site in a westwards direction.

The site is immediately adjacent to, but outside of, the designated Conservation Area for Caunton. Neighbouring land uses include residential curtilages to the south and the approved residential curtilages of a recent housing scheme to the east of the site.

Relevant Planning History

There is no planning history of relevance to the site itself albeit the land to the east was approved for the development of 6 affordable homes in 2016 (reference 16/00382/FUL). These have been built and appear to be occupied.

The Proposal

The proposal relates to an outline application for 2 market dwellings with only matters of access to be considered. Access to the dwellings would be through the creation of two new access points from Norwell Road with the intention to retain the remainder of the hedged boundary. The application has been considered on the basis of the following documents:

- Site Location Plan;
- Illustrative Block Plan;
- Design and Access Statement;
- Ecology and Protected Species Survey dated July 2019.

Departure/Public Advertisement Procedure

Occupiers of 17 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

Planning Policy Framework

The Development Plan

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

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 – Spatial Distribution of Growth
Spatial Policy 3 – Rural Areas
Spatial Policy 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
Core Policy 14 – Historic Environment

Allocations & Development Management DPD

DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM8 – Development in the Open Countryside
DM9 – Protecting and Enhancing the Historic Environment

Other Material Planning Considerations

- National Planning Policy Framework 2019
- Planning Practice Guidance (online resource)

Consultations

Caunton Parish Council - NO OBJECTION but with COMMENTS noted regarding surface water and sewerage.

NCC Highways Authority – This is an outline application for two detached dwellings where approval for access only is required.

The illustrative block plan demonstrates two points of access onto Norwell Road. A bench is in place within the existing grass verge at the site frontage. Should this require relocating as part of the construction of the vehicular accesses, it will be at the expense of the applicant. An existing dropped kerb field access to the west of the site is required to be reinstated to full kerb as part of this application.

Therefore, the Highway Authority would not wish to raise objection to this proposal subject to the following:

1. No part of the development hereby permitted shall be brought into use until 2 dropped vehicular footway/verge crossings are available for use and constructed in accordance with the Highway Authority's specification.

Reason: In the interests of highway safety.

2. No part of the development hereby permitted shall be brought into use until the drives and parking areas are provided and surfaced in a hard bound material (not loose gravel) for a minimum distance of 5m behind the highway boundary. The surfaced drives and parking/turning areas shall then be maintained in such hard bound material for the life of the development.

Reason: In the interests of highway safety.

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

4. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided from each access in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6m in height.

Reason: In the interests of highway safety.

5. No part of the development hereby permitted shall be brought into use until the existing field access to the west of the site that has been made redundant as a consequence of this consent and as shown on dwg. no. MSP.1613/002B is permanently closed and the access crossing reinstated as full kerb 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.

Notes to Applicant

The development makes it necessary to construct two vehicular crossings 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.

The minor access reinstatement works referred to in Condition 5 above involves work on the public highway and as such requires the consent of the Highway Authority. Please contact 0300 500 8080 to arrange for these works to be carried out.

Should the bench in the existing verge at the site frontage be required to be relocated due to this development, this will be at the expense of the applicant.

NSDC Conservation -

Site Analysis

The proposal site is outside of, but in the immediate setting of, the Caunton conservation area (designated October 1974). The site comprises a small field, well screened from the road by a large hedge along the front boundary. Adjacent to the site is a small recent development of 2 storey dwellings. The immediate vicinity contains no historic buildings, although several 18th/19th century buildings are located further away, albeit well screened by hedges and trees.

Assessment of Proposal

The scheme would see 2 dwellings constructed on the site, although the application is in outline form with only the principle and access up for consideration at this stage. Given the distance between the site and the nearest historic building, the presence of a large hedge along the front boundary, and the number of new dwellings recently constructed in the vicinity, Conservation has no concerns with the principle of development, subject to an appearance, scale, layout and landscaping which helps to preserve the setting of the adjacent conservation area.

The indicative layout shows 2 detached properties close to the road, with separate accesses through the front boundary hedge, and detached garages to the front. Whilst Conservation would discourage prominent garages to the front boundary, the proposed dwellings are similar in footprint to those recent dwellings to the south and east. On this basis, Conservation has no concerns with the indicative layout, although would require the following conditions to be imposed:

1. Standard outline condition;
2. Facing materials to be agreed (it is suggested red brick and non-interlocking red clay pantiles be used);
3. Boundary treatments to be agreed (including the retention of the front hedge);

The addition of chimney stacks (of an appropriate scale) would also help assimilate the buildings into the historic surroundings.

Summary

Conservation has **no concerns**, subject to conditions.

In reaching these views, Conservation has had regard to Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990, Policy CP14 of the Amended Core Strategy (March 2019), Policy DM9 of the Allocations & Development Management DPD (July 2013) and Section 16 of the Revised NPPF (Feb 2019).

Trent Valley Internal Drainage Board – The site is outside of the Trent Valley Internal Drainage Board district but within the Board's catchment.

The Board maintained Carlton/Caunton Beck Pt. 1, an open watercourse, exists in close proximity of the site and to which BYELAWS and the LAND DRAINAGE ACT 1991 applies.

The Board's consent is requires for any works that increase the flow or 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 Lead Local Flood Authority and Local Planning Authority.

6 letters of representation has been received which can be summarised as follows:

- There is no mains drainage or sewer system in the village;
- The access is on a blind hill with a sharp bend;
- The properties would be out of the price range for young families;
- The site is next to the village allotments and community area;
- The roads have problems with surface water flooding;
- The development will affects animals and birds that live in the site;
- The development will ruin the village feel and character of the area;
- The village does not have the amenities to support more housing;
- The site is green land that has always been used for farming and is immediately adjacent to the Conservation Area;
- The proposed development would have no benefits to the existing community;
- It would visually harm the landscape and sub-urbanise it;
- The access to Norwell Road is not safe;
- The road is used a lot by cyclists and horse riders;
- The access would be to a blind summit and there is a sharp bend at the bottom of the hill;
- The houses will lead to an invasion of neighbouring privacy;
- There will be an increase in noise and disturbance;
- Concerns that the access could cause surface water runoff and subsidence;
- Cauntton is a rural village with no shops, post office, doctors and poor public transport;
- The development will cause the loss of natural habitat and harm local wildlife;
- There has been increased surface water run off since the development of the Hedge Row houses;
- There is no evidence of local need – this was addressed by the construction of the affordable home on Norwell Road;
- Cauntton has no mains gas supply and no mains drainage;
- The affordable housing development has increased the amount of traffic on Norwell Road;
- The proposed development would overlook other properties;
- Allowing this development would set a precedent for further development of green belt land adjoining the proposed site;

Comments of the Business Manager

Principle of Development

The Council is of the view that it can demonstrate a five housing land supply and the Development Plan is up to date for decision making purposes.

The Adopted Development Plan for the District is the Core Strategy DPD (2019) and the Allocations and Development Management Policies DPD (2013). The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new residential development to the Sub-regional

Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 1 (Settlement Hierarchy) 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 2 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.

The first assessment which is necessary as part of the current assessment is to determine whether the site can be considered in the village or whether it falls outside of the village in which case requiring assessment as development in the open countryside.

In the context of the recent housing scheme immediately to the east of the site, the site itself now represents an infill plot between residential development to the south and the residential development to the east. Although the properties to the east represent a sparser form than the main bulk of the village to the south west, they would still in my view be considered as part of the village and therefore for the purposes of this application, it is considered appropriate to assess the site as being in the village and thus against the relevant criteria of Spatial Policy 3.

Location

The first criterion of Spatial Policy 3 requires new development to be in villages, which have sustainable access to Newark Urban Area, Service Centres or Principle Villages and have a range of local services themselves.

Caunton is a moderately sized village which, as detailed by the submitted Design and Access Statement, has a range of services including two public houses; a primary school; playing fields and allotments. It is also notable that Caunton itself is well connected to Newark and wider larger settlements such as Tuxford. The proposal therefore accords with the locational criterion of SP3.

Scale

The requirement of SP3 is that new development should be appropriate to the proposed location and small scale in nature. The proposal relates to two dwellings which are considered small scale in numerical terms when taken in the context of the size of the village. The scale of the proposal in terms of the exact detailing of the dwellings is not a matter for consideration at outline stage and would need to be considered at reserved matters stage should permission be forthcoming.

Need

The wording of the 2019 Core Strategy requires new housing to demonstrate that it would help to support community facilities and local services. Given the location of the site in the confines of the village, I am satisfied that the occupiers of the proposed dwellings would have sufficient opportunity to support and help sustain the longevity of the existing local services within the village.

Impact

The Impact criterion lends itself to discussion in the context of other material consideration such as the impact on the highways network and neighbouring amenity (discussed in further detail below). In respect of local infrastructure, I am again satisfied that the development for two dwellings could be accommodated for within existing village infrastructure without causing a detrimental impact.

Character (including in the heritage context)

The character element of Spatial Policy 3 confirms that new development should not have a detrimental impact on the character of the location or its landscape setting. This stance is carried to Policy DM5 which confirms that the rich local distinctiveness of the District's landscape and character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

Given the outline nature of the proposal it is not possible, nor appropriate, to assess the full character implications of the development. Nevertheless, the proposed change of the site from open paddock land to two residential curtilages would inevitably lead to a significant character change. This must also be taken in the context of the setting of the adjacent Conservation Area.

The importance of considering the impact of new development on the significance of designated heritage assets, is set out in detail in section 16 of the National Planning Policy Framework (NPPF). Paragraph 189 requires LPAs to ensure that in the submission of applications affecting heritage assets applicants should describe the significance of any heritage assets affected, including any contribution made by their setting.

At a local level there are a suite of policies which are also of relevance. These include Policies CP14 and DM9 of the Council's LDF DPDs. CP14 acknowledges the rich and distinctive historic environment of the District and seeks to ensure *'the continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment.'* The policy goes on to explicitly identify the need for the *'preservation and enhancement of the special character of Conservation Areas.'*

Policy DM9 mirrors CP14 in that, *"all development proposals concerning heritage assets will be expected to secure their continued protection of enhancement"*. In respect of development proposals *"affecting heritage assets and their settings, including new operational development and alterations to existing buildings, where they form or affect heritage assets,"* proposals *"should utilise appropriate siting, design, detailing, materials and methods of construction."*

The site is not within the Conservation Area boundary and neither are the open fields to the south east of the application site or the neighbouring allotments. Thus whilst these open areas have character benefits in the context of the rural setting of the village, their benefits are not specifically attributed any heritage value. Although indicative, the block plan submitted to accompany the application shows that the two dwellings would be detached dwellings which broadly align with the building form to the south of the site which are within the Conservation Area. I therefore see no reason why a detailed application could not demonstrate an appropriate design which takes further cues from the Conservation Area setting in terms of detailing and materials. On this basis I have identified no character harm which would prevent the approval of an outline application for two dwellings.

Housing Mix and Density

Core Policy 3 states that the District Council will seek to secure new housing development which adequately addresses the housing need of the District, namely: family housing of 3 bedrooms or more; smaller houses of 2 bedrooms or less; and, housing for the elderly and disabled population.

The development proposed is a windfall site and therefore would provide an added contribution towards the District's housing supply. There are no exact details as to the intended housing mix at this stage but it is entirely reasonable to assume that any reserved matters submission could present a mix which meets the aspirations of Core Policy 3 above.

Impact on Trees and Ecology

Core Policy 12 of the Core Strategy and Policy DM7 of the Allocations and Development Management DPD (ADMDDPD) outline the importance of the protection and enhancement of the area's biodiversity and open spaces. The protection of individual sites is vital as part of the preservation of the overall 'Green Infrastructure' network of green spaces, landscapes and natural elements that intersperse and connect the District's settlements and surrounding areas.

The stance of the Design and Access Statement is that the site does not offer a habitat for any protected species albeit this was not originally evidenced through any submitted surveys. Having visited the site it is clear that despite its open agricultural nature, there is a significant proportion of the site which is characterized by long unkempt grassland. On this basis, an ecological walkover survey was requested during the life of the application.

The initial appraisal as received focused on the likelihood of the site to support bats; badgers and common bird species. It is acknowledged that the site comprises an area of rough grassland with associated ruderal vegetation. No ecological constraints were found to be associated with the proposed development albeit a number of recommendations are made to protect any unidentified ecological potential. These measures could be secured by appropriately worded conditions.

The intention is for the existing hedgerow along the northern boundary to be retained with the exception of the creation of two vehicular accesses. This is welcomed in principle and any approval could be conditioned to ensure that clearance works do not take place in bird breeding season and also that any reserved matters submission includes details of further landscaping to potentially enhance the ecological value of the site.

Impact on Residential Amenity

Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. Again given the outline nature of the application it is not appropriate to assess fully matters of amenity. However, taking account of the indicative block plan submitted it appears that appropriate distances could be achieved between existing neighbouring properties and the proposed dwellings. I therefore see no reason to resist the outline application on the basis of amenity matters.

Impacts on Highways

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.

The only matter for consideration at this stage is for two new vehicular accesses proposed on the northern boundary of the site from Norwell Road. It is noted that some of the consultation responses received have raised concern in respect to the positioning of the accesses close to the bend in the road. The indicative block plan also shows that each dwelling would have an area of hardstanding for vehicular maneuverability. The details of the application have been assessed by Nottinghamshire County Council as the relevant highways expertise and no objections raised subject to conditions. I see no reason to disagree with these comments and concur that subject to the measures outlined by the conditions, the development could deliver safe highways arrangement.

Conclusion

The development proposed represents a windfall development in a rural area. Having assessed the proposal against the relevant criteria of Spatial Policy 3, the dwellings proposed would be acceptable in principle in that they would support the local services of the village without imposing any resultant harmful impacts. The benefits of the scheme in terms of additional housing delivery must therefore be afforded positive weight. The remainder of the appraisal above assesses all other material planning considerations and does not identify any resultant harm which would outweigh the housing benefits. The exact details of the scheme would be subject to further consideration at reserved matters stage. The proposal is therefore recommended for approval subject to the conditions as outlined below.

RECOMMENDATION

That outline planning permission is granted subject to the conditions outlined below:

Conditions

01

Applications for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

02

Details of the appearance, landscaping, layout and scale ('the reserved matters') shall be submitted to and approved in writing by the local planning authority before development begins and the development shall be carried out as approved.

Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

03

Any details submitted in relation to reserved matters for landscaping shall include a schedule (including planting plans and written specifications, cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species and shall include details of a management plan. The scheme shall also take into consideration the recommendations for ecological enhancement detailed at paragraph 5.3 of the Ecology and Protected Species Survey undertaken by Inspired Ecology dated July 2019.

Reason: In order to ensure the landscaping of the site promotes biodiversity on the site in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2019).

04

No development shall be commenced until details of the existing and proposed ground levels and finished floor levels of the site and approved buildings (respectively) have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential and visual amenity in accordance with the aims of Policy DM5 of the Newark and Sherwood Allocations and Development Management DPD (July 2013).

05

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.

06

To avoid negative impacts to nesting birds, any clearance works of vegetation on site should be conducted between October to February inclusive, outside the bird breeding season. If works are conducted within the breeding season, between March to September inclusive, a nesting bird survey must be carried out by a qualified ecologist prior to clearance. Any located nests must then be identified and left undisturbed until the young have left the nest.

Reason: In order to protect biodiversity on the site in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2019).

07

The development hereby approved shall be carried out in accordance with the ecological recommendations of the Ecology and Protected Species Survey undertaken by Inspired Ecology dated July 2019. These measures can be briefly summarized as follows:

- Best practice in relation to bats (including dark unlit corridors maintained around the site);
- Provision of bat roost units (at least two into the new buildings on the northern and southern elevations);
- Vigilance and best practice regarding badgers and other ground mammals
- Provision of bird boxes.

Reason: In order to protect biodiversity on the site in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2019).

08

No part of the development hereby permitted shall be brought into use until 2 dropped vehicular footway/verge crossings are available for use and constructed in accordance with the Highway Authority's specification.

Reason: In the interests of highway safety.

09

No part of the development hereby permitted shall be brought into use until the drives and parking areas are provided and surfaced in a hard bound material (not loose gravel) for a minimum distance of 5m behind the highway boundary. The surfaced drives and parking/turning areas shall then be maintained in such hard bound material for the life of the development.

Reason: In the interests of highway safety.

10

No part of the development hereby permitted shall be brought into use until the driveways are constructed with provision to prevent the unregulated discharge of surface water from the driveways to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

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

11

No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided from each access in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6m in height.

Reason: In the interests of highway safety.

12

No part of the development hereby permitted shall be brought into use until the existing field access to the west of the site that has been made redundant as a consequence of this consent and as shown on dwg. no. MSP.1613/002B is permanently closed and the access crossing reinstated as full kerb 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.

Notes to Applicant

01

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

02

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) Order 2010 (as amended).

03

The development makes it necessary to construct two vehicular crossings 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.

The minor access reinstatement works referred to in Condition 5 above involves work on the public highway and as such requires the consent of the Highway Authority. Please contact 0300 500 8080 to arrange for these works to be carried out.

Should the bench in the existing verge at the site frontage be required to be relocated due to this development, this will be at the expense of the applicant.

Background Papers

Application case file.

For further information, please contact Laura Gardner on extension 5907.

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

Lisa Hughes

Business Manager – Planning Development