

PLANNING COMMITTEE – 8 OCTOBER 2019

Application No:	19/01418/FUL	
Proposal:	New single storey bungalow	
Location:	Manor Farm, Moor Lane, East Stoke, NG23 5QD	
Applicant:	Mr G Stevens	
Agent:	Mr T Luddy	
Registered:	1 August 2019	Target Date: 26 September 2019
		Extension of Time: 9 October 2019
Link to Application Documents:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PVGJZDLB08700	

This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation as East Stoke Parish Council has objected to the application which differs to the professional officer recommendation.

The Site

The application site comprises a parcel of land approximately 0.09 hectares in area located within the garden area of Manor Farm. It is located on the south west side of Moor Lane which is located within the settlement of East Stoke and its Conservation Area. Manor Farmhouse is a two storey building contributing positively to the Conservation Area and sits side on to the road and its principle elevation faces the application site. An approximately 1 metre high brick wall forms the boundary between Manor Farm and Moor Lane. There are two separate vehicle accesses to the existing dwelling (one to the front and one to the rear) and a separate pedestrian access gate. Jays Bungalow is located to the north west of the application site. Open countryside is located to the south west of the application site.

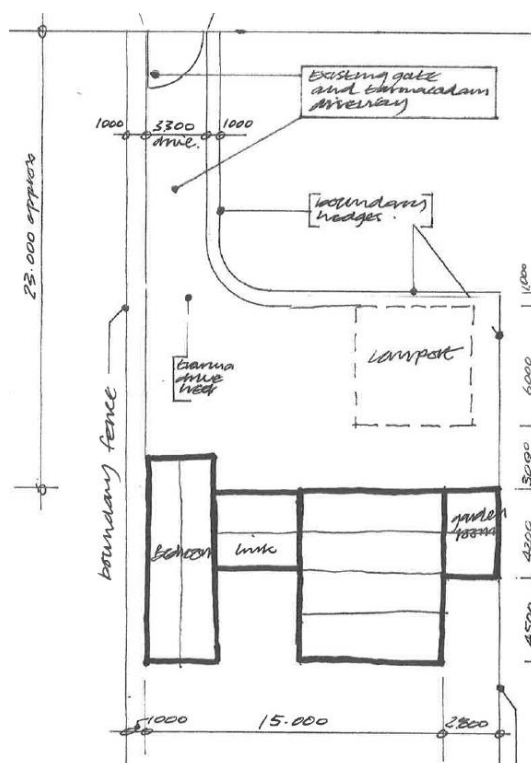
Relevant Planning History

17/01986/FUL Construction of new 2 bed bungalow and garage – refused by Planning Committee in accordance with the Officer recommendation 03.02.2018 for the following reason:

‘The application site is located within East Stoke and its Conservation Area. It is considered that the proposal as submitted would not make a positive contribution to the character of the Conservation Area by nature of its design, layout and the resultant loss of an important open space that is prominent when viewed from the street scene of Moor Lane. The proposal would not preserve or enhance the character or appearance of the Conservation Area as the proposal would be wholly incongruous with the character of the surrounding heritage assets (including Manor Farm a non-designated heritage asset) and reinforce the harm caused by the surrounding modern 20th Century bungalow developments.

The proposal therefore fails to comply with the character criterion of Spatial Policy 3 (Rural Areas) of the Core Strategy (adopted 2011 and emerging 2017) as the proposal would result in a detrimental impact on the character of the location. In addition, the proposal would be contrary to Core Policy 9 (Sustainable Design) and Core Policy 14 (Historic Environment) of the Core Strategy and Policies DM5 (Design) and Policy DM9 (Protecting and Enhancing the Historic Environment) of the Allocations & Development Management DPD (adopted 2013). The proposal is not in accordance with the objective of preservation set out under section 72, part II of the 1990 Planning (Listed Building and Conservation Areas) Act, and does not comply with heritage guidance in the National Planning Policy Framework which is a material consideration’.

The application was subsequently dismissed at appeal on 30.01.2019. An extract of the refused proposed site plan is below:



15/01315/FUL Householder application for single storey and gable rendering and alteration to approved vehicular access to existing wall – permission 12.10.2015

15/00200/FUL Householder application for new pitched roof to replace flat roof. New vehicular entrance from Moor Lane and new driveway. Replace entrance door to house on Moor Lane with new window – permission 01.04.2015

0977737 Alterations and extensions to form family room – permission 14.10.1977

The Proposal

The application seeks full planning permission for the erection of a 2-bed bungalow. The dwelling would be single storey and have a linear form with gable ends measuring 18.3 metres by 4.8 metres by 2.4 metres to the eaves and 4.8 metres to the ridge. External materials would comprise reclaimed red facing bricks, a blue/black slate roof and timber or aluminium windows. The existing vehicular access with driveway, turning area and parking would be provided off Moor Lane. A rear and side garden area would also be provided.

The plans have been revised during the lifetime of the application to in line with comments received from the Conservation Officer (set out in detail on the Consultations section below) to include detailed design amendments, setting the dwelling deeper into the site in addition to moving the dwelling further away from the neighbouring dwelling and trees in order to address concerns raised by the Case Officer.

The following documents have been submitted with the application:

- Design and Access Statement
- 989-01 C Ground Floor Layout
- 989-02 C Proposed South and West Elevations
- 989-03 C Proposed North and East Elevations
- 989-04 B Revised Site Plan
- Site Location Plan (received 30.07.2019)
- Tree Survey Plan

Departure/Public Advertisement Procedure

Occupiers of four properties have been individually notified by letter.

A site notice was posted on 13.08.2019 a press notice was published 15.08.2019.

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 10 - Climate Change
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 14 – Historic Environment

Allocations and Development Management DPD (Adopted July 2013)

Policy DM5 - Design
Policy DM7 - Biodiversity and Green Infrastructure
Policy DM9 – Protecting and Enhancing the Historic Environment
Policy DM12 - Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance (NPPG)

Consultations

East Stoke Parish Council: Object. The council feel the proposed dwelling is not in keeping with the area concerned. There were four members present at the meeting and it was a unanimous vote to object.

NCC Highways: The proposal is for the construction of a new dwelling within the existing curtilage of Manor Farm. There is a vehicular access in place which will serve the proposed dwelling, therefore, there are no highway objections.

NSDC Tree Advisor: The proposal will result in the loss of 5 trees and little impact on retained if they are protected during construction activities. The trees to be removed are all small young mature specimens that could be replaced with some mitigation planting within the site. Therefore no objection subject to conditions.

NSDC Conservation Officer:

Comments received 24.09.2019:

The amended plans have moved the proposed building back 28 metres from the road, further than the original submission of 26.6 metres. The building has been reduced from 21.8 metres to 18.3 metres, allowing the trees to also be retained. Reducing the size of the building and moving it further from the Farmhouse and road reduces its visual impact.

However this is a sensitive location and a high quality design is expected to ensure it sits comfortably with the farmhouse and conservation area. A rooflight does not reflect the high quality expected. This should be removed. A simple window to the west elevation would be preferred. Conditions are recommended (set out in full in the Recommendation section below).

Comments received 18.09.2019:

The plans have been amended as suggested by the Conservation Officer. However, the location of the proposed dwelling has been amended moving the building north towards Manor Farmhouse. The amended location brings the building closer to the Farmhouse and therefore will impact the spaciousness of the garden. This does not address the objection raised by the conservation team in the previous scheme and raised by the inspector in the appeal decision. I understand this amended location is to retain mature trees to the south of the site. It is considered that the trees contribute to the character of the conservation area. Although the design is better and the location allows for the retention of some quality trees, the scale of the building means that it impacts the garden setting of Manor Farmhouse. Therefore, the proposal will harm to the character and appearance of the conservation area. The proposal therefore is contrary to the objectives of preservation required under section 72 of the Act. In addition the proposal does not follow the heritage objectives contained within the Council's LDF DPDs and section 16 of the NPPF.

Comments received 12.08.2019:

Site analysis - The proposal site is within the East Stoke conservation area (designated 17th March 1992) and Manor Farm is regarded as a building that contributes positively to the conservation area's character and appearance. The site is also in the setting of the East Stoke Registered Battlefield and East Stoke medieval settlement scheduled ancient monument. The site comprises an area of garden to the side of Manor Farm, an early-19th century farmhouse set in spacious

grounds. To the west of the site is a 1970s bungalow, of a standard design and considered to have a neutral impact on the conservation area's character and appearance.

Assessment of proposal - Planning permission was recently refused by way of 17/01986/FUL for a 2 bedroom bungalow on the site, primarily aligned parallel to the road and of a similar width to the plot, although set back 22m and adjacent the neighbouring bungalow. The subsequent appeal was dismissed. This new scheme would see a new single storey dwelling of a linear form, aligned perpendicular to the road and set further back into the site than previously proposed (now 26.6m back), behind the rear wall of the adjacent bungalow.

Principle of development - The appeal decision emphasises the importance of the large garden to the setting of Manor Farm and to the character and appearance of the conservation area overall. Paragraphs 8-11 of the appeal decision states:

"The grounds of Manor Farmhouse are larger than some other properties within the conservation area on Moor Lane. As seen on my site visit, the spaciousness of this garden provides a strong setting for the striking, symmetrical, three-bay frontage of the host farmhouse and is a distinctive element of the character of Moor Lane's streetscene and the conservation area.

The proposal is for a new bungalow with a double-depth, m-plan roof system and perpendicular wings. The width of the proposed dwelling would take up most of the width of the appeal plot and a substantial proportion of the depth of the host dwelling's front garden. I consider that the combination of the proposed dwelling's width, type, style and footprint would not blend in as a historic rural outbuilding, subservient to the host dwelling. Both individually and cumulatively, along with the late twentieth century bungalow on the neighbouring site, it would form an incongruous addition to the conservation area.

Whilst the proposed dwelling would be set back around 22m from the site entrance, from what I saw on my site visit, it would be prominent, viewed from Moor Lane.

...I consider that the proposed development would unduly intrude into and detract from the spaciousness of the plot and the setting of the host building."

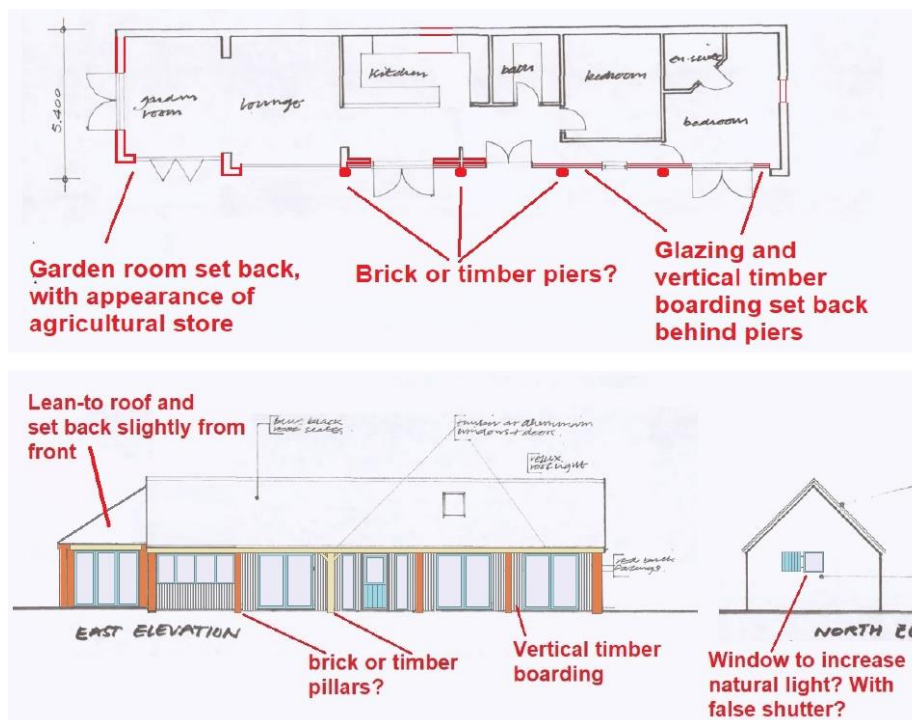
The inspector was of the view that the large side garden was an important aspect of the character of the conservation area, worthy of preservation from development, especially due to its contribution to the setting of the farmhouse. That view was based on only the front half of the site being visible from the road at the time, the rear area being hidden behind a group of trees which are located half way back into the site. However, it is evident that it was the siting, design and scale of the proposed dwelling, being substantially wide when viewed from the road, which was fundamental to the appeal being dismissed. The inspector did not state that the principle of any new building was unacceptable. Indeed, under permitted development, a substantial building together with means of enclosure up to 2m could be constructed in this area without requiring planning permission. Whilst the appeal decision was firm on the previous proposal, it did not confirm whether or not there was an alternative solution which could overcome those concerns.

It should be added that the access part of the scheme has already been completed, in accordance with a previous approval.

The proposed building would be set back more than 4m further into the site, in an area currently hidden from view behind trees. Whilst the scheme would likely result in some of those trees being removed, Conservation acknowledges that the openness of the side garden would not be overly affected when viewed from the road, as the development would primarily be focused on the

currently hidden area to the rear. Furthermore, a suitably worded condition could restrict the front part of the plot from new buildings, structures or means of enclosure which would interrupt this open character.

Proposed design - The principle of development aside, the proposed design is of a cart shed type structure, although with an external chimney stack and a flat roof element which would be very much domestic in appearance. This type of mixed-pastiche (or negative pastiche) approach is not normally supported in a heritage context as it neither reflects traditional architecture, nor contributes new or innovative design to the historic environment. This approach would fail to preserve the character and appearance of the conservation area. In terms of the design only, the proposal does have the general shape and appearance of a traditional cart shed, although with some domestic elements. It is possible to remodel this, to present a truer pastiche of a traditional cart shed, which would very much reflect traditional farm buildings in the wider conservation area. Sketches to illustrate this approach are included below:



Please note this is only an illustration relating to the design of the building, and does not relate to the overall principle (discussed previously).

Summary-Object. It is considered that by reason of its mixed pastiche design, the proposed dwelling would fail to reflect traditional architecture in the vicinity and would fail to preserve the character and appearance of the conservation area. The proposal is therefore considered contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy DM9 of the Allocations & Development Management DPD (July 2013), Core Policy 14 of the Amended Core Strategy (March 2019) and Paragraphs 184, 190, 192, 193, 194, 195 & 200 of the Revised NPPF.

Two letters of written representation has been received from local residents. Main issues raised include:

- View of trees and sky would be replaced with bricks and tiles;
- Building is too close to neighbouring property;
- Affect house values;

- A bungalow has previously been refused at appeal. All of its grounds lay inside a well-established Conservation Area.

Following re consultation with adjoining neighbouring dwellings, one further observation has been received stating that the built is still too close to the boundary and 4 metres away would be a better compromise.

Comments of the Business Manager

Principle of Residential Development

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.

The Council can robustly demonstrate that it has a 5 year housing land supply and that for the purposes of decision making the Development Plan is up to date.

The settlement hierarchy for the district is set out in Spatial Policy 1 whilst Spatial Policy 2 deals with the distribution of growth for the district. This identifies that the focus of growth will be in the Sub Regional Centre, followed by the Service Centres and Principal Villages. At the bottom of the hierarchy are 'other villages' which do not have defined built up areas in terms of village boundaries. Consequently given its location in a rural area, the site falls to be assessed against Spatial Policy 3 (Rural Areas) of the Core Strategy. This 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 as set out below.

Location

The first criterion 'Location' states 'new development should be in villages, which have sustainable access to Newark Urban Area, Service Centres or Principal Villages and have a range of local services themselves which address day to day needs'. The policy further states that 'within settlements which do not meet the locational criterion of this policy but are well related to villages that do, consideration will be given to the infilling of small gaps with 1 or 2 dwellings so long as this does not result in the joining of outlying areas into the village in question, or the coalescence with another village'.

I consider the application site to be within the village and would result in the infilling of a small gap which would not result in the joining of outlying areas into the village. East Stoke has limited services and facilities itself other than a WI Hall and church. However, it is approximately 5 km from Newark and is served by regular bus routes including a regular bus route between Nottingham and Newark. Whilst there would be some reliance on use of the private motor vehicle this would not be uncommon with other, more sustainable settlements. It is not considered that the location of a dwelling in East Stoke would cause any difficulty in accessing services and facilities which exist in other relatively nearby settlements. I am also aware of the view of an Inspector in relation to an allowed appeal decision for the construction of a new dwelling in East Stoke (12/00387/FUL) who concluded that a new dwelling in East Stoke would achieve the principles of sustainable development. It is therefore considered that East Stoke is a sustainable location for a new dwelling.

Scale

New development should be appropriate to the proposed location and small in nature. This criterion relates to both the amount of development and its physical characteristics, the latter of which is discussed further in the Character section below. One additional dwelling is considered small scale in numerical terms and as such is unlikely to detrimentally affect local infrastructure such as drainage and sewerage systems. It is also considered one additional dwelling is unlikely to materially affect the transport network in terms of increased traffic levels in volume.

Need

New housing can be considered acceptable where it helps to support community facilities and local services. I consider the proposed bungalow likely to support community services and facilities including the church, hall and the local bus services.

Impact

New development should not generate excessive car-borne traffic from out of the area. New development should not have a detrimental impact on the amenity of local people and not have an undue impact on local infrastructure, including drainage, sewerage systems and the transport network. These matters are dealt with in the relevant sections below.

Character

Policy SP3 states new development should not have a detrimental impact on the character of the area. This matter is dealt with in the relevant section below (if applicable).

Impact on Visual Amenity including the Character and Appearance of the Conservation Area and the Setting of the Local Interest Building

The site is located within East Stoke Conservation Area. As such, the local planning authority must have regard to the desirability of preserving or enhancing the character and appearance of the area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Consideration should also be given to the setting of Manor Farm which is regarded as a non-designated heritage asset.

Policy CP14 of the Core Strategy requires continued preservation and enhancement of heritage assets. Local planning authorities need to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. This is supported by the NPPF which 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 states that new development should achieve a high standard of sustainable design and layout that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development.

The Conservation Officers' comments are set out in full in the 'Consultations' section above and they raise no objection to the revised plans received which address the concerns they raised including the revised siting of the buildings and the removal of the rooflight window.

It is noted that a dwelling on this site has previously been dismissed at appeal. However, it must be stressed that the proposed dwelling is significantly different from the previously refused dwelling. The refused dwelling had a double-depth, m-plan roof system and the main part of the dwelling measured 17.5m x 8.8m. It was not considered to make a positive contribution to the character of the Conservation Area due to its more complex design and layout which spanned a greater proportion of the site resulting in the loss of an important open space visible from the street scene of Moor Lane. The current proposal is more sensitive to its location and its more simplistic design taking the form of a subservient traditional outbuilding. Its narrow gable end measuring 5.4 metres wide facing the road (as opposed to 17.8 metres previously) combined with the significant set back of 28 metres from Moor Lane (as opposed to 22 metres previously) helps to reduce its prominence. As such, I consider the views of both the Officer and Inspector in recommending refusal/dismissing the application to have been addressed in this revised submission.

Subject to conditions, the proposal would preserve or enhance the character or appearance of the Conservation Area and the setting of the surrounding heritage assets (including Manor Farm a non-designated heritage asset) in accordance with the character criteria of Spatial Policy 3 (Rural Areas) of the Core Strategy in addition Core Policies 9 and 14 of the Core Strategy and Policies DM5 and DM9 of the Allocations & Development Management DPD.

Impact on Highways

Policy DM5 seeks to ensure adequate access and parking is provided for development and SP7 relates to sustainable transport. The proposal would utilise an existing access off Moor Lane and on this basis, the Local Highway Authority raise no objection to the proposal. As such, the proposal is not considered likely to result in any adverse impact upon highway safety in accordance with Policy DM5 and SP7.

Impact on Neighbouring 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.

Jays Bungalow is located immediately to the west of the application site and appears to be located at a slightly higher level than the application site (separated by a 1.8 metre high approx. close boarded fence) and has a rear conservatory. It contains an obscure glazed window in its side elevation which is visible from the application site. The side of the proposed bungalow would be located 1.5 metres away from the boundary and its frontage would be set back from the rear of J's bungalow by 3 metres approx. The 18.3 metre length of the bungalow would be adjacent to the 26 metre (approx.) long rear garden of Jays Bungalow. Due to the single storey nature of the bungalow proposed including low eaves height of 2.4 metres which slopes upwards away from the boundary, it is not considered that any adverse impact upon the amenity of the occupier of Jays Bungalow would result by virtue on any overlooking, loss of outlook or overbearing impacts.

In relation to Manor Farm, its front elevation would face towards the application site. There would be a separation of at least 22 metres from the front elevation of Manor Farm to the nearest window in the proposed dwelling which is considered to be an acceptable level of separation to ensure no adverse overlooking impacts. An acceptable level of private garden area for Manor House would be retained. Notwithstanding the issues raised in relation to character, careful

consideration would need to be given to proposed boundary treatment which can be dealt with via the imposition of a planning condition.

Two windows are proposed in the side elevation facing towards Jays Bungalow – one serving a bedroom and one serving an en-suite bathroom. They would be located almost entirely below the adjacent fenceline so that no overlooking issues would result. Whilst the level of outlook for the bedroom window would be constrained by this fenceline, it is not considered that this would be so detrimental to justify refusal of the application. Overall, I consider an adequate level of amenity would be afforded to the proposed dwelling itself, with sufficient private amenity space proposed.

Subject to conditions, it is not considered that that an unacceptable impact upon the amenity by virtue of overlooking, overshadowing and loss of privacy upon the occupiers of Jays Bungalow or Manor Farm would result in accordance with Policy DM5 of the DPD.

Impact on Trees

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.

The proposal would result in the loss of 5 ornamental/fruit trees. Whilst this loss is regrettable, the Tree Officer raises no objection to their loss subject to compensatory tree planting. There are two larger trees located to the rear of the site which would be retained as part of the proposed development. Subject to conditions requiring a landscape scheme and tree protection measures, the proposal is considered to comply with the aims of Core Policy 12 and Policy DM5 in this respect.

Conclusion

The site is located within East Stoke and its Conservation Area where the principle of development can be considered acceptable when assessed against the criteria set out in Spatial Policy 3. The proposal is considered acceptable with regards to location, scale, need, impact and character. The proposal as submitted would preserve or enhance the character and appearance of the Conservation Area and the setting of surrounding heritage assets (including Manor Farm a non-designated heritage asset). The proposal would also be acceptable in terms of flood risk, impact on residential amenity and highway safety.

Subject to conditions, the proposal is considered to be in accordance with relevant local and national planning policy and is recommended for approval.

RECOMMENDATION

That full planning permission is approved subject to the following conditions:

01

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

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

02

The development hereby permitted shall not be carried out except in complete accordance with the following plans reference:

- 989-01 C Ground Floor Layout
- 989-02 C Proposed South and West Elevations
- 989-03 C Proposed North and East Elevations
- 989-04 B Revised Site Plan
- Site Location Plan (received 30.07.2019)

unless otherwise agreed in writing by the Local Planning Authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.

03

Notwithstanding the submitted details, no development shall be brought into use until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. For the avoidance of doubt, the schedule should include new tree planting to compensate for the trees to be removed as a result of the proposed development.

any proposed walls, fences, gates or other means of enclosure

car parking layout and materials;

other vehicle and pedestrian access and circulation areas;

hard surfacing materials.

Reason: Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area.

04

The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting

season with others of similar size and species unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained.

05

No works or development shall take place until an arboricultural method statement and scheme for protection of the retained trees/hedgerows has been agreed in writing with the District Planning Authority. This scheme shall include (include pertinent sections)

- a. A plan showing details and positions of the ground protection areas.
 - b. Details and position of protection barriers.
 - c. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.
2. All works/development shall be carried out in full accordance with the approved tree/hedgerow protection scheme.

Reason: To preserve and protect existing trees and new trees which have and may have amenity value that contribute to the character and appearance of the area.

06

The following activities must not be carried out under any circumstances.

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.
 - b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
 - c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.
 - d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
 - e. No soak- aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
 - f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
 - g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
 - h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.
4. No works or development shall take place until the District Planning Authority has approved in writing the full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards
5. The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest, unless otherwise agreed in writing with the District Planning Authority. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the District Planning Authority.

Reason: To preserve and protect existing trees and new trees which have and may have amenity value that contribute to the character and appearance of the area.

07

Any clearance works of vegetation (lopped, topped, felled or otherwise removed), shall not be undertaken during the bird nesting period (beginning of March to end of August inclusive) unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adequate provision is made for the protection of nesting birds on site.

08

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of:

Class A: The enlargement, improvement or other alteration of a dwellinghouse, including extensions to the property and the insertion or replacement of doors and windows.

Class B: Additions etc. to the roof of a dwellinghouse.

Class C: Any other alteration to the roof of a dwellinghouse.

Class D: The erection or construction of a porch outside any external door of a dwellinghouse.

Class E: Development of building etc. incidental to the enjoyment of a dwellinghouse.

Class F: The provision or replacement of hard standing within the curtilage of a dwellinghouse.

Class G: The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Class H: The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

Or Schedule 2, Part 2:

Class A: The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Class B: Means of access.

Class C: The painting of the exterior of any building.

Unless consent has firstly be granted in the form of a separate planning permission.

Reason: To ensure that any proposed further alterations or extensions preserve the character and appearance of the Conservation Area in accordance with Policy CP 14 of the Core Strategy and

Policies DM5 and DM9 of the Allocations and Development Plan Development Plan Document (DPD).

09

All external joinery including windows and doors shall be of a timber construction only which shall be retained for the lifetime of the development. Details of their design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The development shall be carried out only in accordance with the agreed details.

Reason: Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area.

10

In relation to the above condition, trickle vents shall not be inserted into the windows/doors hereby permitted.

Reason: To ensure the development preserves the character and appearance of the Conservation Area.

11

Before any window or door heads and cills are installed, details of their design, material and construction, in the form of scale drawings and material samples/specifications, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed heads and cills details.

Reason: Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area.

12

Before any construction occurs above damp proof course (DPC), samples of all new brick and timber boarding to be used in the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed brick details.

Reason: To ensure the development preserves the character and appearance of the Conservation Area.

13

Before any construction occurs above damp proof course (DPC), a brick sample panel, showing brick, bond, mortar and pointing technique, shall be provided on site for inspection and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed sample panel details.

Reason: To ensure the development preserves the character and appearance of the Conservation Area.

14

Ventilation of the roof space shall not be provided via tile vents.

Reason: To ensure the development preserves the character and appearance of the Conservation Area.

15

No works shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. Works shall thereafter be undertaken and retained in accordance with the approved details.

Verges and eaves

Rainwater goods

Soli vent pipes and extractors

Reason: To ensure the development preserves the character and appearance of the Conservation Area.

Note 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

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

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

03

In order to avoid impacts to nesting birds we also request that all demolition and tree/shrub removal work be undertaken outside of the bird-breeding season (March-September inclusive). If works are to be carried out during this time then a suitably qualified ecologist should be on site to

survey for nesting birds. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

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.

Lisa Hughes
Business Manager – Planning Development

Committee Plan - 19/01418/FUL

