

PLANNING COMMITTEE – 8 OCTOBER 2019

Application No:	19/01288/FUL		
Proposal:	Replacement of existing house with new dwelling		
Location:	Horstead, Station Road, Bleasby, Nottinghamshire, NG14 7GH		
Applicant:	Mr & Mrs Bellamy		
Agent:	Trevor Muir Architects		
Registered:	9th July 2019	Target Date:	3rd September 2019
			Extension of time agreed in principle
Website Link:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PUBIKXLBKB000		

The application is reported to Committee as Bleasby Parish Council's view is contrary to the recommendation of the Officer.

The Site

The site lies within the main built up area of Bleasby and currently comprises a traditional two-storey dwelling which sits perpendicular to the highway with its gable end facing on to the road. The dwelling has traditional cottage proportions although has been largely altered over time through modern alterations and additions and is currently in need of significant repairs and the land surrounding it requiring maintenance. The plot is broadly rectangular, open to the front and eastern side with a boundary wall to the west and fencing to the north. Adjacent dwellings lie to the east and SW of the site.

The site is also located within Flood Zone 2 of the Environment Agency flood risk maps.

Relevant Planning History

No site history.

The Proposal

The proposal seeks consent for the demolition of the existing dwelling and the construction of a new dwelling.

The new dwelling would have a footprint of approximately 160m² being largely rectangular with a single storey projection to the principal elevation. The dwelling would comprise 3no. bedrooms with an integral double garage and store and would be constructed of brick, pantile and slate with

timber windows and timber or aluminium doors. The dwelling would have a ridge height of approximately 8.4m for the main dwelling and 4.7m for the garage.

To the rear of the dwelling would be a garden which would be bounded by an existing brick wall. The entrance to the site would be gated with a timber gate and brick piers measuring a maximum of 1.7m in height.

The application has been amended since its submission following concerns from the Officer regarding the garage's scale and positioning close to the highway. Amendments to address these concerns are reflected in the revised plans received on 27th August 2019.

For the avoidance of doubt, the proposed plans show a 'future garage' sited to the south of the dwelling. No details have been submitted in respect of this garage and therefore this element does not form part of this planning application.

Submitted Documents

The following plans and documents accompany the application:

- Site location plan
- Existing site plan and site section – 2265/1 Rev.B
- Existing floor plans and elevations – 2265/2
- Proposed site plan – 2265/3 Rev.C
- Proposed floor plans and sections – 2265/4 Rev.C
- Proposed elevations – 2265/5 Rev.C
- Proposed site elevations/sections – 2265/6 Rev.A
- Daytime Bat Survey dates June 2019
- Flood Risk Assessment
- Planning and Heritage Statement dated 2 July 2019

Departure/Public Advertisement Procedure

5 neighbouring properties have been consulted by letter.

Relevant Planning Policies

The Development Plan

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

Policies relevant to this application:

Spatial Policy 1: Settlement Hierarchy

Spatial Policy 2: Spatial Distribution of Growth

Spatial Policy 3: Rural Areas

Spatial Policy 7: Sustainable Transport

Core Policy 9: Sustainable Design

Core Policy 10: Climate Change

Core Policy 12: Biodiversity and Green Infrastructure

Core Policy 14: Historic Environment

Allocations & Development Management DPD (adopted July 2013)

Policies relevant to this application:

Policy DM1: Development within Settlements Central to Delivering the Spatial Strategy

Policy DM3: Developer Contributions and Planning Obligations

Policy DM5: Design

Policy DM7: Biodiversity and Green Infrastructure

Policy DM9: Preserving and Enhancing the Historic Environment

Policy DM12: Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2019
- Planning Practice Guidance 2014

Consultations

Bleasby Parish Council – Bleasby Parish Council considered planning application 19/01288/FUL, Horstead, Station Road - Replacement of existing house with new dwelling at its meeting on 15th August 2019.

Council agreed that although the house is a thoughtful and sensitive design, they must Object due to lack of flood mitigation information and differing statements within the design statement, for example the new build being raised above existing heights.

Concerns were also raised that due to the prominent position of the site in the village the positioning of the house and garage frontage maybe more aesthetically aligned, the main view of the property from the end of the village will be the garage doors, and this is not in keeping.

NSDC Conservation Officer –

Site Analysis

The property is not located within Bleasby Conservation Area or near any listed buildings. However, the building does not have some historic interest due to a historic building of Bleasby. Historic maps shows that this building was one of the first developments in this part of the village, dating the building to the late 19th century.



OS Map 1900

The property reflects the local vernacular, however it has been extensively altered. However, the simple single pile cottage with two fireplaces and what appears to be a later bay to the south. Although the building has some historic interest, its architectural significance has been eroded due to these modern alterations. Significant alterations would be necessary to restore the building with its traditional detail. Unfortunately this area of Bleasby has been seen significant development since the end of the 19th century. The cottages agricultural context has been eroded.

Due to the loss of its traditional architectural detail and historic context the building is not considered to be a non-designated heritage asset. However, due to the historic interest that has been identified this building should be recorded prior to demolition.

NCC Highways – This proposal is for a replacement dwelling served by the existing vehicular access. This is acceptable to the Highway Authority in principle, however, the site plan, ref. 2265/3 Rev. B, includes brick piers, gates and a proposed hedge along the site frontage.

The gates are required to be set back 5m from the highway boundary (rear of footway), and not as shown on the site plan. Visibility splays of 2.4m x 43m are required from the site access and the proposed brick piers and hedge to the east may require alteration to ensure these can be provided.

Therefore, the following conditions should be included to any permission granted:

1. No part of the development hereby permitted shall be brought into use until the access driveway within the site is surfaced in a bound material for a minimum distance of 5m rear of the highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. **Reason:** To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
2. The gates at the access point shall be set back 5m from the highway boundary (rear of footway) and constructed in accordance with details which have been first submitted to and approved in

writing by the Local Planning Authority. The approved gates shall then be retained 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 visibility splays of 2.4m x 43m are provided 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:** To maintain the visibility splays throughout the life of the development and in the interests of general highway safety.

Environment Agency – We have reviewed the submitted documents and on this occasion the Environment Agency will not be making any formal comment on the submission for the following reason(s):

From a flood risk perspective, the development falls within our flood risk standing advice (FRSA) which can be found on the Flood risk assessment: standing advice pages of the .gov.uk website. It is for the Local Planning Authority to ensure planning submissions adhere to this advice. There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency. The site is situated in flood zone 2.

If the proposal subsequently changes such that you feel it may pose a significant environmental risk then please do not to hesitate to contact us and we will review our position.

Trent Valley Internal Drainage Board – The site is within the Trent Valley Internal Drainage Board District.

The Board maintained Gate Burton Marsh, an open watercourse, exists along the boundary of the site and to which BYELAWS and the LAND DRAINAGE ACT 1991 applies.

The Board's consent is required to erect any building or structure (including walls and fences), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of any Board maintained watercourse or the edge of any Board maintained culvert. The proposed garage will require consent

Consideration should also be given for access to the existing manhole chamber.

The erection or alteration of any mill dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, whether temporary or permanent, with the channel of a riparian watercourse will require the Board's prior written consent. The Board's Planning and Byelaw Policy, Advice Notes and Application form is available on the website – www.wmc-idbs.org.uk/TVIDB

The Board's consent is required for any works that increase the flow or volume 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).

The Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/culvert or the Board's machinery access to the watercourse/culvert which is required for annual maintenance, periodic improvement and

emergency works. The applicant should therefore note that the proposals described within this planning application may need to be altered to comply with the Board's requirements if the Board's consent is refused.

The applicant is advised that they are likely to have a riparian responsibility to maintain the proper flow of water in any riparian watercourse which borders or flows through land owned or occupied by them.

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.

If you require any further information please do not hesitate to contact the Board's Operation's Manager, Mat Everett.

Ramblers Association – No comments received

A letter from Bleasby Parish Council Chair has been received on behalf of Bleasby Flood Action Group:

The Clerk to the Parish Council has already submitted the Parish Council's comments on the above application which indicated that the Council reluctantly accepted the case for the demolition of Horstead, but regretted this as the cottage is such a prominent feature of the village main street both visually and scenically, catching the eye as far back as the level crossing 400 metres away, as well as being of historic interest.

In addition to these concerns, issues regarding flooding were also discussed at the meeting with representatives of Bleasby Flood Action Group, having submitted its comments to the Parish Council via me, as Chair, as follows:-

Bleasby Flood Action Group wishes to express its concerns respecting the potential impact of the proposed new development upon a key site of the parish's drainage system and the subsequent implications and potential consequences regarding the increased risk of flooding were this development to be approved as currently proposed.

- Historically the existing building (Horstead) has flooded in living memory. The adjacent meadowland known as Carlin's Field has acted as a dispersal area for water backing up the dyke from the parish's main western drain, (known as Holme Dyke), when the Trent levels are high. The situation is aggravated in winter when the water-table is high, the ground is saturated and rainfall is heavy. In periods of heavy rainfall and flood, water flowing out meets water flowing in with the obvious overspill consequences.
- The Environment Agency's maps for 1 in 100 years clearly shows the extent of the floodplain extending right up to the back garden of the property in question. When projected on the 20% climate change forecast, the Agency's equivalent map indicates a floodplain that extends completely over the property up to Bleasby's raised main street, known as Station Road. By the Environment Agency's own description, this is the "Functional Floodplain", requiring specific planning obligations as defined in gov.uk.

- The same drain has recently been incorporated into the above road's main drainage system, surface road water being taken into vents in the kerbstones and then carried along a channel within the line of the kerb and is finally directed into this same drain. This adds significantly to the volume of surface water entering the drain via the culvert, Should these vents become blocked, or even the culvert or drain itself, the water will drain off the road into the low-lying Horstead property and, potentially, into adjacent low-lying properties.
- Properties on the other side of the road to Horstead already have a problem with water accumulating in their gardens since the continuation of the drain on that side was filled in during the construction of the access to Oaktree Close.
- In the flood of 2007 many properties on the same side of Station Road as the Horstead property were flooded and affected by sewage backflow causing several homes having to be completely renovated with the occupants housed elsewhere for considerable periods.
- The Flood Risk Assessment carried out states in paragraph 4 that extensions are considered acceptable within Flood Zone 2 "as long as the ground floor level matches existing levels" and yet at paragraph 10 it is stated that it is proposed that the new building should have a new ground flood level of 16.30 which is above the 1 in 1000 year floodplain. This represents an increase of 0.64m (2 ft) above the stated ground floor level of 15.66 of the existing building thereby hindering the natural flow of surface water to the drain.
- Other factors affecting the possibility of increased flood risk include the increased area of hard surfacing and roofing surface which will increase the volume of surface water which has to be accommodated without increasing the existing "flow or volume of water" as is required by the TV Internal Drainage Board. A soakaway on low-lying ground with seasonal high water-table levels may not be able to meet these exacting requirements.

It is the view of Bleasby Flood Action Group that the planning requirements of both the Environment Agency and the Trent Valley Internal Drainage Board, and even the Central Government website information on such planning applications, whilst complex and conflicting in places, are not being adhered to in this application (which is unsurprising owing to the complexity) and that further clarification, consistency and assurance should be sought by the interested parties.

A letter has been received from Barbara Cast on behalf of Bleasby Local History Society:

As President of Bleasby Local History Society I would like to comment on the application for Horstead in Bleasby.

The cottage is early 19th century and, according to a Bleasby resident who was born there and still lives in the village, it was built with bricks unused in the building of the workhouse in Southwell which, if true, makes its date around 1824.

It has, however, been unsympathetically modernised and does not have much distinction except that, on entering Bleasby village from the railway line, it is a dominant feature of the main street.

If it is to be replaced with a modern building it is important that the dominant feature to be replaced is sympathetic to the streetscene. Looking at the plans it is obvious that a large and unattractive garage door will be a dominant feature. The roofline and frontage needs to replicate as far as possible the existing house's frontage.

Two letters have been received from local residents, one supporting the application, the other supporting the application but with concerns regarding overlooking from an ensuite window.

Comments of the Business Manager

Principle of Development

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.

The Core Strategy outlines the intended delivery of growth within the District including in terms of housing. Spatial Policy 1 sets out a hierarchy which directs development toward the Sub-regional Centre, Service Centres and Principal Villages before confirming at the bottom of the hierarchy that within 'other villages' in the District, development will be considered against the sustainability criteria set out in Spatial Policy 3 (Rural Areas). Bleasby is identified as falling within the 'other village' category identified within the Core Strategy and has a limited range of services and facilities.

The application therefore falls to be assessed against Spatial Policy 3 (Rural Areas) in the first instance and Policy DM8 (Development in the Open Countryside) where this becomes necessary.

As SP3 villages do not have defined village envelopes, it is a critical consideration in the consideration of this application as to whether the application site is located in the village or in the open countryside. The site is located within the village core and therefore I am satisfied that the site lies within the village.

Spatial Policy 3 directs its guidance towards new development, rather than replacement however I am mindful of the requirements for development within rural areas, which include access to local services. Bleasby has a train station, primary school, church and public house and as such I would consider the site to be sustainable. Other requirements include impact, scale and character which are assessed below. Whilst replacement dwellings are not covered by Spatial Policy 3 explicitly, this type of development is accepted in principle even by more restrictive policies (such as Policy DM8) and weight is usually given to any visual amenity improvements brought about by redeveloping a site. It is as such considered that the principle of a replacement dwelling in this location is likely to be acceptable subject to the below considerations.

Impact upon Character of Area

The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive. Core Policy 9 states that new development should achieve a high standard of sustainable design that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development.

The dwelling is identified on the on historical maps dating back to 1900 and therefore is considered likely to have some historical value. It is however accepted that the previous alterations to the dwelling have eroded any potential historic and architectural significance.

Further to this, Bleasby has been seen significant development since the end of the 19th century and as such, the cottage's agricultural context has been eroded.

I acknowledge that the building does hold some history for the village and local area however, due to the loss of its traditional architectural detail and historic context the building is not considered to be a non-designated heritage asset and therefore its demolition would not be considered harmful to any heritage asset. Notwithstanding this, due to the historic interest that has been identified the internal conservation officer has recommended that the building should be recorded prior to demolition.

Turning next to the design of the proposed dwelling, the scale of the building is reasonably significant, and much larger than the existing dwelling occupying the site. The area surrounding the site accommodates dwellings of various designs, ages and scales and as such I would not consider this part of Main Street to have a uniformed appearance; further to this, the dwellings are located at various distances from the highway and as such there is no dominant building line along the street.

I note the comments received in relation to this increased scale, however the site is large and the scale is not dissimilar to dwellings surrounding the site. As there is no uniformity to the character of the area, I am of the view that the site can accommodate a larger dwelling without appearing cramped or overbearing. The layout of the site would provide open space surrounding the dwelling that would break up the massing within the site. Amendments were however sought by the Officer to bring the built form away from the front boundary of the site, along with reducing the height and width of the integral garage in order to reduce the overall impact of the development within the street scene. The building line would now sit no further forward than the existing dwelling with a gable height perpendicular to the road that would be lower than the existing dwelling. Following these amendments, I am satisfied that the proposal would not have a detrimental impact upon the street scene.

In terms of the gates proposed to the site entrance, there are examples of gated entrances along the main road through Bleasby and as such the addition of gate piers and timber gate would not be an alien feature. The proposed gate and piers would be no greater than 1.7m in height which I do not consider to be overbearing upon the street scene, proposed dwelling or the wider character of the area. In addition to the gate, hedgerows are proposed along the site boundary which would soften the boundary with the highway which is welcomed.

Overall, I consider that the replacement dwelling complies with Spatial Policy 3 of the Amended Core Strategy, Policy DM5 of the DPD and the NPPF in terms of its design and impact upon the character of the area.

Impact upon Residential Amenity

Policy DM5 of the DPD states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. The NPPF also seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

The proposed dwelling would sit centrally within the plot, maintaining a distance of 20.8m from the main part of the Meadows to the south of the site, and almost 15m from the north-eastern

corner of this property's integral garage (with rooms above). In terms of the dwelling to the east, Carlins Field House, the gable-to-gable distance would be 10.4m and separated by the driveway serving this neighbouring property. Properties to the north of the site would be separated by the public highway. Given these respective distances, I am satisfied that a two storey dwelling, and associated single storey off-shoots, is unlikely to have an overbearing impact upon neighbouring dwellings or result in unacceptable levels of overshadowing.

In terms of overlooking, the above distances are sufficient in respect of overlooking upon The Meadows to the south. I note that the windows on the eastern elevation of The Meadows would create overlooking to the very southern end of the rear garden of Horstead, however there would be a separation distance of 14.2m between the first floor window on The Meadows and the site boundary which I consider to be on the cusp of acceptability. Moreover, the outlook towards the proposed rear garden of the dwelling would largely be at an oblique line of sight.

Turning next to Carlins Field House to the east, the two dwellings would sit side gable end to each other. The proposed side elevation facing this neighbour would have 3no. windows facing onto this neighbouring property serving a WC and utility room at ground floor and ensuite at first floor. The proposed dwelling would be located close to the site boundary and therefore given that these rooms are not habitable, I consider it reasonable to condition the windows to be non-opening under 1.7m in height and obscurely glazed to protect the amenities of this neighbouring property.

In terms of the properties across the highway, I note that a local resident has raised concern that windows would overlook the properties opposite the site whereas the existing dwelling does not. I acknowledge this change in outlook from the site and accept that the proposed dwelling would offer additional ability to overlook compared with the existing dwelling. However, the addition of windows to the principal elevation, overlooking the public highway, is a typical relationship experienced on a residential street and as such given that the properties are separated by the public highway I would not consider this relationship to warrant a reason for refusal.

Given the above, I am satisfied that the proposal would not have a detrimental impact upon residential amenity and thus accords with Policy DM5 of the DPD.

Impact upon Flood Risk

The site is located within Flood Zone 2 of the Environment Agency Flood Maps. Core Policy 10 of the Core Strategy requires development to be located in order to avoid both present and future flood risk. Core Policy 9 requires new development proposals to proactively manage surface water. The NPPF provides that development should be located in the least sensitive areas to flood risk through the application of the sequential test and exception test where necessary.

Paragraph 158 of the NPPF confirms that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. It goes on to state that development should not be permitted if there are reasonably available sites elsewhere at a lower risk of flooding.

In terms of the sequential test, the proposal would pass insofar as there are no sequentially preferable sites to replace a dwelling than within the site itself. Essentially the proposal would not increase the number of properties at risk of flooding.

The proposal is accompanied by a flood risk assessment which states that the finished floor levels in the proposed dwelling would be set above the 1 in 1000 year flood level and would be higher

than the floor levels of the existing dwelling. I note the concerns raised by the Parish Council and Flood Advisory Group with regards to flooding and appreciate their issues with regards to levels, however in accordance with the Environment Agency's standing advice (which they have advised is the appropriate guidance to follow with regards to replacement dwellings) the proposed floor levels would be set at 16.30mAOD which would be 440mm above the known 1 in 100 year flood level; the Environment Agency seek for floor levels to be a minimum of 300mm above this known flood level and therefore the development would meet the requirements of the standing advice. Further to this, the proposed levels would also a minimum of 200mm above the 1 in 1000 year flood level. I therefore do not consider it reasonable to object to the proposal on flood risk grounds given the proposal's compliance with the Environment Agency's guidance.

In addition to the above, Trent Valley Internal Drainage Board have commented on the proposal with regards to the proximity of the development to a culvert which lies within the site. The applicant has been made aware of the comments and has advised that they have had discussions with the IDB. Some of the comments refer to a future proposed garage which does not form part of this application and therefore are not taken into account as part of this assessment. The applicant is however aware of these comments.

Impact upon Highway Safety

Policy DM5 is explicit in stating that provision should be made for safe and inclusive access to new development whilst Spatial Policy 7 encourages proposals which place an emphasis on non-car modes as a means of access to services and facilities.

The site would be served via the existing access from Main Street and would provide 2no. parking spaces within the integral garage as well as a large driveway for parking. The Highway Authority have assessed the application have raised no objection to the scheme, subject to details of the proposed gates, access surfacing and appropriate visibility splays. Subject to compliance with the conditions suggested, I am of the view that the proposal would not have a detrimental impact upon highway safety.

Impact upon Ecology

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM7 of the DPD states that significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development.

Due to the age and use of the building, it is considered suitable habitat for bats and birds. A protected species survey accompanies the application which concludes that there was no evidence of bat activity in the site area or building. Further to this, there was no presence of recent bird nests in the building but the ecologist has however advised that no works should take place in bird nesting season without a qualified ecologist on site as a precaution.

Planning Balance and Conclusion

The proposal seeks consent for the demolition of the existing dwelling and the construction of a new dwelling. The principle of the replacement is considered to be acceptable. The existing dwelling is shown on historic maps however both the dwelling and surrounding area have altered

significantly overtime and as such is not considered to be a non-designated heritage asset and therefore its demolition would not be harmful from a heritage perspective.

In terms of the building that will replace the existing dwelling, the proposed building is substantially larger in scale, although it would not be dissimilar in scale to other buildings within the vicinity and as such it is considered that the proposal would not have a harmful impact upon the character of the area, particularly as there is no uniformed street scene. The proposal has been amended to move the dwelling away from the front boundary of the site in order to reduce the overall dominance which is welcomed; further to this, the front boundary is proposed to be softened by hedgerow which would reduce the overall impact of the development.

With regards to residential amenity, the proposal is considered to be acceptable, with sufficient separation distances between properties subject to appropriate conditioning of windows on the eastern elevation to ensure the dwelling does not overlook the property to the east.

The Parish Council and Bleasby Flood Advisory Group have objected to the proposal primarily on flood risk grounds. It is acknowledged that the site lies within flood zone 2 however as the application is for a replacement dwelling, there is no more appropriate site for the dwelling to be located given that it is a site-specific application. The proposal would include floor levels that exceed the minimum set by the Environment Agency's flood risk standing advice and as such is considered acceptable from a flood risk perspective.

Furthermore, the proposal is considered to acceptable in terms of its impact upon highway safety and ecology.

It is therefore concluded that the proposal accords with local and national planning policy and as such is recommended for approval.

Community Infrastructure Levy

Bleasby lies within a CIL chargeable area. The current charge for residential development in Bleasby is £100/sqm which is chargeable to residential development. The proposal would have an increased floor area from the existing building and therefore this net additional increase would be the chargeable floor area in this instance. The calculation of the charge is detailed in the table below:

CIL Rate (charging area)	£70
Proposed Floorspace	208m ²
Existing Floorspace	95m ²
Chargeable Proposed Floorspace	113m ²
TPI at Date of Planning Permission	327
TPI at Date of Charging Schedule	327
CIL Charge	£11,300.00

Recommendation

That full planning permission is granted, subject to the following conditions;

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 accordance with the following approved plans:

- Site location plan
- Proposed site plan – 2265/3 Rev.C
- Proposed floor plans and sections – 2265/4 Rev.C
- Proposed elevations – 2265/5 Rev.C
- Proposed site elevations/sections – 2265/6 Rev.A

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

No development above damp proof course shall take place until manufacturers details (and samples upon request) of the external facing materials and window/door frames (including colour/finish) have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

04

Development shall not commence until a programme of historic building recording and full recording report has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.

05

Prior to first occupation/use of the development hereby approved full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- 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, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction;
- proposed finished ground levels or contours;
- means of enclosure;
- car parking layouts and materials;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures for example, furniture, play equipment, refuse or other storage units, signs, lighting etc.
- proposed and existing functional services above and below ground (for example, drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);
- retained historic landscape features and proposals for restoration, where relevant.

Reason: In the interests of visual amenity and biodiversity.

06

The approved soft landscaping shall be completed during the first planting season following the first occupation/use 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. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations. The approved hard landscaping scheme shall be completed prior to first occupation or use.

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

07

The window openings on the eastern elevation shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be

complied with before the development is occupied and thereafter be retained for the lifetime of the development.

Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties

08

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any order revoking, re-enacting or modifying that Order), no windows including dormer windows (other than those expressly authorised by this permission) shall be constructed on the eastern elevation of the development hereby permitted.

Reason: To safeguard against the overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties.

09

No part of the development hereby permitted shall be brought into use until the access driveway within the site is surfaced in a bound material for a minimum distance of 5m rear of the highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).

010

The gates at the access point shall be set back 5m from the highway boundary (rear of footway) and constructed in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority. The approved gates shall then be retained for the life of the development.

Reason: In the interests of highway safety.

011

No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided 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: To maintain the visibility splays throughout the life of the development and in the interests of general highway safety.

012

The finished floor levels of the development hereby approved shall be no lower than 16.30m AOD as specified in the Flood Risk Assessment unless otherwise agreed with the local planning authority.

Reason: in the interest of flood risk.

Notes to Applicant

01

This application has been the subject of pre-application discussions and has been approved in accordance with that advice. 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).

02

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

The proposed development has been assessed and it is the Council's view that **CIL IS PAYABLE** on the development hereby approved.

BACKGROUND PAPERS

Application case file.

For further information, please contact Nicolla Ellis on Ext 5833.

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 - 19/01288/FUL

