

Application No:	17/01564/FUL	
Proposal:	Resubmission for the erection of a single log cabin and access road for use as tourist accommodation.	
Location:	Land Off Mill Lane, North Clifton	
Applicant:	Mr David Watson	
Registered:	11.09.2017	Target Date: 06.11.2017

Update to Planning Committee

This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation as North Clifton Parish Council has written in support of the application which differs to the professional officer recommendation.

Members at the December Planning Committee unanimously agreed to defer the application pending the submission of protected species survey and to enable a site visit to take place.

For the avoidance of doubt changes to the previous report are shown in bold and italics.

The Site

The site is located to the east of the village of North Clifton. Spatial Policy 1 of the Newark and Sherwood Core Strategy defines North Clifton as an “other village within Newark and Sherwood.” This means that it does not form part of the Sub- Regional Centre, is not a Service Centre and is not a Principal Village. Furthermore, the site is considered to be located outside of the main built-up area of the village of North Clifton and as such is within the Open Countryside.

The application site itself is comprised of a clearing within an area of woodland located off Mill Lane to the eastern side of North Clifton. The submitted application documentation states that this woodland is owned by the applicant and located to the south of his current home and that recent management of the woodland has resulted in the creation of a vehicular access from Mill Lane to the south leading to a small clearing towards the eastern side of the woodland. This eastern area will form the location for the development which is a proposed detached building, associated access road, parking area and garden for use as tourist accommodation. The surrounding woodland provides dense landscaping from all sides rendering the proposal hidden from views from outside of the site.

Relevant Planning History

16/00702/FUL - Erection of a single log cabin and associated access road, parking area and garden for use as tourist accommodation. Refused on the grounds that the proposal has failed to demonstrate that the proposed isolated single unit of tourist accommodation would meet an identified proven need for development of this nature within the open countryside. 14.11.2016.

The Proposal

The proposed development is for the erection of a single holiday unit in the form of a timber clad building. It is proposed that the building would sleep 6 people. The building would be located in an existing open space surrounded by a wooded area, accessed by a road to be created by this development (in place of an existing informal access track).

The proposed building would provide accommodation over two floors (with accommodation in the roof space) and the approximate footprint of the building would be 135m² with a ridge height of 7.1m.

The external face of the building would be timber clad, with a slate roof, timber white door and window frames and it would have a first floor timber balcony as well as a ground floor veranda below this.

A planning, design and access statement has been submitted with the application which discusses the site and its location, details the proposal, evaluates the development in terms of national and local planning policy and provides an overall conclusion, addressing matters of design and access.

Following deferral of the application at the December Committee meeting, further supporting information has been submitted which consists of;

- ***A supporting letter and revised plans from the applicant which confirms that the external construction of the cabin would be full timber log instead of timber cladding on blockwork and their intention to store chargeable electric cycles at the site.***
- ***Hand written letter of support from Old Farm Spa at Harby***
- ***Letter of support from 'Mattreya' The Japanese Garden within North Clifton – tourist attraction and meditation centre.***
- ***A Protected Species Survey from C B E Consulting.***

Public Advertisement Procedure

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

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

Spatial Policy 1 – Settlement Hierarchy
Spatial Policy 2 - Spatial Distribution of Growth
Spatial Policy 3 – Rural Areas
Spatial Policy 7 – Sustainable Transport
Spatial Policy 9 – Selecting Appropriate Sites for Allocation
Core Policy 6 – Shaping our employment profile
Core Policy 7 – Tourism Development
Core Policy 9 – Sustainable Design
Core Policy 12 – Biodiversity & Green Infrastructure
Core Policy 13 – Landscape Character

Allocations & Development Management DPD (adopted July 2013)

Policy DM5 – Design

Policy DM8 - Development in the open Countryside

Policy DM7 – Biodiversity and Green Infrastructure

Policy DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2012

Planning Practice Guidance 2014

Landscape Character Supplementary Planning Document 2013

Newark & Sherwood Plan Review - Publication Amended Core Strategy July 2017

D2N2 Visitor Accommodation Strategy 2017

Consultations

North Clifton Parish Council – Support proposal. Comments that access to the property is from Mill Lane which has limited visibility and the potential to be an accident blackspot.

Also comments that while Purelands is in walking distance of the proposed development, a footpath or safe place to walk between them does not exist.

NCC Highways Authority – ‘The access is taken via Mill Lane, a public highway. This is generally a single track road with infrequent traffic flows. Whilst this and the junction with the A1133 are not ideal, the risk of an accident generated by the proposal will be extremely low given the small scale of development.

Access details have not been submitted but it would appear from the location plan submitted and land ownership/control that adequate details to provide safe access can be achieved e.g. trees, hedges cut back to provide visibility splays.

No objections are raised subject to the following conditions to provide safe and adequate access on to Mill Lane:

No part of the development hereby permitted shall be brought into use until the access has been designed and provided with a minimum width of 3.5m, and; surfaced in a bound material for a minimum distance of 6m from the Mill Lane carriageway edge 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 and to reduce the possibility of deleterious material being deposited on the public highway.

No part of the development hereby permitted shall be brought into use until access visibility splays of 2.4m x 90m are provided in accordance with details to be first submitted 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 between 0.6 metres and 2m in height.

Reason: In the interests of highway safety

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

Reason: In the interests of highway safety.

Notes to applicant:

The development makes it necessary to construct a vehicular crossing over a verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Highways Area Office tel. 0115 9773496 to arrange for these works to be carried out.

NSDC Access and Equalities Officer – ‘As part of the developer’s considerations of inclusive access and facilities for all, with particular reference to disabled people, it is recommended that their attention be drawn to Approved Document M of the Building Regulations which contain useful standards in this regard. The changing requirements of occupants and a need for accommodation to be accessible is an important consideration. Inclusive access improves general manoeuvrability for all users including access for those with push chairs and baby buggies as well as disabled people etc. As a consequence, it is recommended that access to, into and around the dwelling be carefully examined together with provision of accessible features and facilities. It is recommended that the developer make separate enquiry regarding Building Regulations matters.’

Trent Valley Internal Drainage Board – No objection.

Representations have been received from 2 interested parties which can be summarised as follows:

Support letters have been received from Old Farm Spa in Harby, and Newton and Thorney Valley Shoot, which is a commercial shooting club.

Comments of the Business Manager

Principle of development

Policy

The site is located within the open countryside and therefore outside of the main built up and defined area of any settlement as depicted within the Council’s Allocations and Development Management DPD.

Chapter 3 of the National Planning Policy Framework (NPPF) recognises the need to support economic growth in rural areas. The NPPF states that local plans should ‘support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres’.

Core Policy 7 (Tourism Development) sets out that tourism and visitor based development will be supported subject to a number of criteria. These include that in relation to countryside locations, it is sensitive to site surroundings, including matters of landscape, nature conservation, heritage and biodiversity and that it is acceptable in scale. It also provides that outside of town centres, development should meet identified tourism needs and facilities will only be supported in rural areas where a rural location is necessary to meet identified tourism needs. It also provides that the development enhances and complements tourism attractions and themes in the District and supports the development of a year-round tourist economy.

The NPPF was published subsequent to adopted Core Policy 7. It is therefore also considered appropriate to assess the proposal against the NPPF and the revised (but not adopted) CP7. The NSDC Publication Amended Core Strategy proposes to amend Core Policy 7 – Tourism Development, to reflect the NPPF.

The starting point of this emerging Core Policy 7 is that the benefits of ‘sustainable’ rural tourism development are recognised. Therefore proposals which help realise the tourism potential of the District, support the meeting of identified tourism needs, complement and enhance existing attractions or that address shortfalls in existing provision would be supported.

In relation to proposals within the open countryside the emerging Core Policy 7 provides support for sustainable rural tourism development which meets one or more of the following:

- Forms part of a rural diversification scheme;
- Supports an existing countryside attraction;
- Has a functional need to be located in the countryside;
- Constitutes the appropriate expansion of an existing tourism or visitor facility;
- Supports local employment;
- Meets an identified need not provided for through existing facilities within the main-built up areas of ‘settlements central to the delivery of the spatial strategy’, or villages covered by Spatial Policy 3 ‘Rural Areas’; or that
- Supports rural regeneration through the appropriate re-use and conversion of existing buildings.

Core Policy 7 also requires proposals to be acceptable in terms of the following;

- Design and layout; and
- Individual and/or cumulative impact on local character (including the built and natural environments), heritage assets, biodiversity, amenity, transport infrastructure, community services and landscape character

These issues will be discussed in greater detail within later sections of the assessment

If the proposal is considered to constitute sustainable rural tourism it follows to assess the specific nature of the proposal. Whilst the criteria of CP7 set out above carry ~~limited~~ **meaningful** weight as a draft policy at this stage **(as there are no unresolved objections, it is not an area that the Inspector has asked the Council to look at making modifications post the closing of the Examination Hearings and the Plan is clearly at advanced stage of preparation)** and they form a useful starting point for assessment. Policy DM8 of the A&DM DPD is also relevant to the

consideration of tourist accommodation in the countryside and stipulates that tourism developments in rural locations are required to demonstrate that their proposed development would meet an identified tourism need. A second consideration is whether or not the development constitutes a form of appropriate rural diversification and can support local employment, community services and infrastructure. Policy DM8 will likely be changed through the plan review process in a similar manner to CP7. The adopted policy strictly controls development in the countryside but supports tourist accommodation in principle where it is necessary to meet identified tourism needs and can support local employment, community services and infrastructure.

Need

The D2N2 Visitor Accommodation Strategy 2017 aims to provide a robust assessment of the future opportunities for visitor accommodation development across Derbyshire & Nottinghamshire and the requirements for public sector intervention to support & accelerate visitor accommodation. In addition to considering and analysing existing provision, the study looked at new provision of accommodation across the above area. The D2N2 Visitor Accommodation Study shows significant interest in, and market potential for, the development of all forms of non-serviced accommodation (holiday cottages, holiday lodges and lodge parks, golf lodges, fishing lodges, eco lodges, holiday resorts, holiday parks, caravan and camping sites, camping pods, glamping, treehouses, hostels, bunkhouses and outdoor education centres) across the D2N2 area, particularly in Sherwood Forest.

Whilst this report sets out a need for tourist accommodation within the District, it is still necessary to ensure that the accommodation is provided in the right location to meet the need they would serve.

The applicants planning design and access statement states that a rural tourism action plan developed by Visit England should also be considered alongside relevant policy given the nature of the proposed development. The applicant ascertains that the Action Plan has been developed with the vision to maximise the potential that rural tourism has to offer to bring substantial benefits to local economies and communities and contribute to 5% growth in the tourism market, year to year, by 2020. The planning design and access statement goes on to state that the proposed tourist accommodation will be within close proximity to the River Trent (where fishing activities are available) and the Dukeries Trail to the south east of the site and that this trail can be accessed by the quiet roads of Mill Lane, Cottage Lane and Wheatholme Lane.

Further information was requested on local need throughout the lifetime of the previous application and has been resubmitted in support of this current proposal. The details of which are as follows;

- A letter from Visit Lincoln which states support for the provision of self catering accommodation on Mill Lane North Clifton. This support is offered on the basis that Lincoln has seen an increase in visitor number and positive economic impact as a result of tourism.
- A letter from Lincoln County Council which states support for the proposal on the a basis that studies have shown that Lincoln has a lack of visitors accommodation on offer and

that in their experience visitors like to state in high quality accommodation in rural locations.

- A Steam data trend report from 2014 detailing the economic impact of tourism in Newark and Sherwood via statistics. Amongst other data this report states that during the period of assessment number visitors to the district were down (from 2013 to 2014) but the economic impact of tourism in the area is increasing i.e. visitors in 2014 are spending more money than visitors in 2013. The report also states that the economic impact of visitors stays in non-serviced accommodation (as proposed) has increased by 13.8% between 2013 and 2014.
- A document which provides visitor numbers to tourist attractions in Southwell and Newark for last year and this year to date.
- A map showing the route from the proposal site to Sustrans cycle route 647 (which in turn links to the Dukeries trail which incorporates this Sustrans route as well as others).
- A document which details cycle use on a nearby road.
- A letter of support from the proposal from the Lincolnshire Showground Society based on their view that the proposed accommodation is in close proximity to the Lincolnshire showground venue.
- A letter from the agent acting on behalf of the applicant detailing all of the submitted documentation that accompanies the application.

New supporting information has also been submitted in support of this application which areas follow;

- A letter of support from Purelands meditation and relaxation centre and Japanese garden North Clifton, who state that as there is no accommodation at their site, this facility would be very convenient.
- A letter of support from the Wildlife Trust which considers that the approval of the development proposal would be a positive benefit for the biodiversity of the District.
- An initial acceptance confirmation letter from the LEADER rural development scheme which, if the full application is accepted could provide funding for the scheme.

While the support letter from the Purelands meditation centre in North Clifton is noted, I am also mindful of the comments made by the Parish Council and that there is no pedestrian footpath from the site to this attraction. Moreover, much of the information submitted is about the tourism attractions and economic benefits of tourism in the wider district of Newark and Sherwood (reference is made to Southwell and Newark with regard to this) as well as neighbouring Lincoln.

No specific information relating to the need for the size of the proposed accommodation has been submitted with the application.

Sustainability

In order to assess the acceptability of the proposal against revised CP7, it is firstly necessary to consider whether the proposal constitutes sustainable tourism.

Due to the location of the proposed tourist accommodation in relation to the surrounding attractions referenced it is difficult to see how the proposal will offer support to this industry in a sustainable manner. The applicant states that Lincoln is nearby and only a 20 minute journey (Newark being a 30 Minute journey). Based on the distance from the proposal site these locations and their associated tourist attractions would only be accessible by the use of the private car to meet these travel times. The above policy context seeks to encourage sustainable rural tourism that supports local employment and I do not consider that the general acknowledgement of the wider district and areas such as Lincoln status as tourist destinations sufficiently demonstrates that the proposal is a sustainable form of development that supports local employment or indeed that there is an identified need for the tourist accommodation in this very rural location contrary to the aims of policy DM8.

It is acknowledged that there is cycle route in close proximity to the site (0.8 miles away) and section of the river Trent nearby (2.5miles where fishing can take place). While these could be utilised for leisure purposes by the users of the proposed log cabin it is considered that the existence of these leisure activities in the surrounding countryside is not, in itself, justification for the development proposal. Furthermore, I am of the view that these forms of leisure activities would not directly support local employment or aid the development in meeting any of the other criteria within Core Policy 7.

In terms of the emerging Core Policy 7 criteria, it is recognised that the proposal has the potential to have a very limited support to the local employment through the construction of the log cabin and through the occupants of the log cabin using local services/attractions. Whilst I recognise the need to balance the social, environmental and economic benefits of the proposal when considering whether or not a development is considered to be sustainable, I am concerned that the location of proposal is not sustainable as the site itself is not linked to a tourist attraction and it has not been demonstrated that the proposal would fully meet any of the sustainable tourism development criteria listed within the emerging Core Policy 7 criteria.

Impact on Visual Amenity and Character of the Area

The NPPF states that good design is a key aspect of sustainable development. Core Policy 9 and Policy DM5 of the DPD require new development to 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. Furthermore Policy DM8 states that all proposals will need to satisfy other Development Management Policies, take account of potential visual impact they create and in particular address the requirements of landscape character in accordance with Core Policy 13.

Core Policy 7 also requires proposals to be acceptable in terms of scale, design and impact upon local character, the built and natural environment, including heritage assets, amenity and transport.

The proposed lodge would be two storey, contain 3 bedrooms and 2 bathrooms, have an overall floor space of 163m² excluding the covered balcony feature and measure 7m to the ridge of the dual pitch roof design.

The timber clad external appearance of the proposed building is considered to relate well to the surrounding woodland setting, however the two storey design and overall footprint of the proposed building is considered to be comparable to a relatively large detached dwelling and not the modest proportions of a typical log cabin type building or sympathetic to the rural setting of the locality.

The proposed building, associated parking and garden would be accessed from an existing access track and whilst no additional hard standing is proposed on the submitted block plan it is envisaged that additional hardstanding may be required to formalise the access & create usable practical parking. It is considered that the proposed access and parking would be required to facilitate the development especially with regard to car parking given the remote location of the development. Due to the proposed development rural location, the impact that the proposal would have on the wider landscaper character must still be assessed.

The proposal site lies within landscape charter policy Zone ES01 contained within the Newark and Sherwood Landscape Character Assessment East Nottinghamshire Sandlands area as defined by the authorities Landscape Character Assessment SPD. The SPD states that this area of landscape is poor in condition and low in sensitivity. The landscape actions of this area are therefore to create in line with policy SP13 which stipulates that development proposals are expected to positively address the implications of the landscape zones in which the proposals lie. The landscape actions for ES01 also stipulate that there is a requirement to conserve what remains of the rural landscape by concentrating new development around existing settlements and to create new development which reflects the local built vernacular. The proposed development would not be built close to the existing built form of the village of North Clifton rather it is isolated and set within the existing natural landscape. Furthermore the proposed development is not considered to reflect the local built vernacular, in fact, its design is considered to be at odds with the existing built form of buildings in North Clifton which are typical built from red bricks and clay tiles. However, it is noted that the proposed building and associated development would be mostly hidden from view (except for the entrance to the access from Mill Lane) it is therefore considered that the proposal would not have a significant visual landscape impact.

Despite this, it is considered that the erection of a building of this size and scale would alter the rural character of the area and would represent a form of encroachment of built form within the open countryside.

Taking into account all of the above points the proposal is considered ***to be of an inappropriate form and scale to its context, and would not complement the existing built and landscape environments*** result in an adverse impact upon the rural character of the area contrary to Core Policies 7 and 9 of the Newark and Sherwood Core Strategy (2011) and Policies ***DM5*** and ***DM8*** of the Allocations and Development Management Development Plan Document (2013).

Impact on Biodiversity and 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. Paragraph 118 of the NPPF includes that opportunities to incorporate biodiversity in and around developments should be encouraged.

I note that the applicants planning, design and access statement includes information regarding the ecological value of the site. This information is based on a desktop assessment using the MAGIC website. This assessment concludes that the woodland has limited ecological value. It also states that it is not proposed to remove trees or hedges on site to create an opening in the woodland to construct the building or associated access, parking or garden area given the existing situation. A site visit has confirmed that trees within the red line boundary have been removed more recently than aerial photography records indicate. ~~It is considered that the submitted information lacks the detail of a full preliminary ecological survey undertaken by a qualified ecologist and arboricultural survey which would normally be expected to supplement a development proposal in such a location.~~ ***The site area comprises of a plantation of pine and is described within the ecology survey as semi-mature trees approaching the time when they would ordinarily be felled. Bearing in mind the above appraisal which considers the principle and need for the proposed tourist accommodation to be unacceptable, it is felt unreasonable to request further information in the form of a dedicated tree survey.***

I am mindful that the NPPF states at paragraph 18 that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused. Equally I am aware that paragraph 99 of Government Circular 06/2005 states that:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances...”

~~Without an ecological survey the impacts upon protected species are not known and cannot be avoided, mitigated or compensated for and it would be difficult to secure appropriate enhancements. Likewise, given the close proximity of the proposed building and access to trees, it is not possible to assess the impact of the development on them in the absence of the submission of a tree survey including suggested mitigation measures. Taking all this into account I have to conclude that the applicant has failed to demonstrate that the impact of the development upon ecology and trees would not be adversely affected and this is contrary to local and national policy and guidance. I fully accept that this may be addressed, but without evidence to demonstrate this I am left with no alternative.~~

Since the December Committee a Protected Species Survey has been submitted which finds the site to contain land of fairly low ecological value as there is very limited diversity in terms of habitat and flora and concludes that the use of the site for seasonal recreational purposes should not have a significant impact on local biodiversity. However, I note that the survey shows that badger activity has been found within the survey area and that one badger sett has been

found within 40m of the existing clearing. The survey includes mitigation measures including temporary fencing during construction and working methods to be employed in order to prevent accidental harm to badgers. In considering that the submitted survey has stated that the sett would be located 40m from the proposed log cabin site, I am of the opinion that with the recommended mitigation measures secured by a condition attached to any grant of planning permission, the proposal would be unlikely to result in any detrimental impact to the local badger population.

Overall it is considered that the proposal could be implemented without any significant impacts on biodiversity in accordance with Core Policy 12 and Policy DM5.

Residential Amenity

The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM5 of the DPD states that development should have regard to its impact upon the amenity of surrounding land uses and neighbouring development to ensure that the amenities of neighbours and land users are not detrimentally impacted.

Due to the site location there are no dwellings immediately adjacent to the proposed cabin, with only three dwellings within approximately 250 metres these being Slate House at Hall Farmyard (under the applicant's ownership) to the north of the site, Mill Hill House to the east (located on the edge of the woodland and next to A1133) and the Lodge to the south of Mill Lane. The holiday cabin will be wholly enclosed by trees and, being some distance from these nearest, will ensure that they will not be overlooked or overshadowed.

In assessing the impact of the proposed cabin it is considered that the site location set within a dense forested area is isolated from the small number of nearby residential development and as such will not create any amenity impact with regard to privacy either.

It is therefore concluded that the development accords with DM5 of the Allocations and Development Management DPD.

Highway Safety

Spatial Policy 7 of the Core Strategy seeks to ensure that the 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. I note that the highway authority have raised no objection to the proposal. I am therefore satisfied that the proposal would not result in any highway safety issues subject to the imposition of the suggested conditions and informative if the application were to be approved. The provision of a single tourist accommodation unit is not envisioned to have a significant impact on the transport infrastructure within the locality.

Conclusion

The site is located within the open countryside. Whilst I recognise the economic benefits of sustainable tourism and visitor based development and the need to realise the tourism potential of the District, I am not currently convinced that the location of development would represent a sustainable form of development, consistent with the objectives of national policy and Core Policy 7 as proposed for amendment. The proposed development only offers the potential for a very

limited degree of support to local employment and does not meet with any of the other criteria within the emerging Core Policy 7 for sustainable rural tourism within the open countryside. Furthermore the proposed log cabin would not be acceptable in terms of scale, size and layout by virtue of the significant size and footprint of the proposed building within a rural landscape, contrary to the aims of the existing and emerging Core Policy 7 **and Core Policy 9 of the Newark and Sherwood Core Strategy (2011) and Policies DM5 and DM8 of the Allocations and Development Management Development Plan Document (2013)**. The applicant has also failed to successfully demonstrate an identified proven need for tourist accommodation in this very rural location, contrary to the aims of the NPPF para 28 and Policies Core Policy 7 of the Core Strategy and DM8 of the adopted Allocations and Development Management DPD.

~~The applicant has failed to demonstrate that no adverse impact upon trees of ecology would result from the proposed development through the submission of ecological and tree surveys contrary to Core Policy 12 (Biodiversity and Green Infrastructure) of the Core Strategy (March 2011) and Policies DM5 (Design) and DM7 (Biodiversity and Green Infrastructure) of the Allocations and Development Management DPD (July 2013);~~

Accordingly it is recommended that planning permission be refused.

RECOMMENDATION

That full planning permission is refused for the following reasons:

1. The application site is located within the open countryside. Policy DM8 requires that tourist development meets an identified proven tourism need and is proportionate to existing tourist attractions. Core Policy 7 of the Newark and Sherwood Core Strategy DPD states that, outside of town centres, tourism development should meet identified tourism needs and facilities will only be supported in rural areas where a rural location is necessary to meet identified tourism needs and when development is acceptable in terms of scale, design and impact upon local character.

In the opinion of the District Council the proposal has failed to demonstrate that the proposed isolated single unit of tourist accommodation would meet an identified proven local need for development of the nature proposed or be proportionate to an existing tourist attraction, at this location. The site is not considered to be in a sustainable location and the design, layout, size and scale of the proposed accommodation has not been justified. The proposed development only offers the potential for a very limited degree of support to local employment and does not meet with any of the other criteria within the emerging Core Policy 7 (Publication Amended Core Strategy July 2017). It is therefore considered that the proposal would result in an unsustainable form of development that would have an adverse impact upon the rural character of the area contrary to Core Policy 7 **and 9** of the Newark and Sherwood Core Strategy (2011) and Policies **DM5 and DM8** of the Allocations and Development Management Development Plan Document (2013). This proposal is also considered contrary to the National Planning Policy Framework (2012), which is a material consideration.

- ~~2. Given the site's location in a rural area and the presence of mature vegetation and trees there is a potential for the site to support protected species. No ecological/protected species surveys or tree survey information has been submitted in support of the application. In the opinion of the Local Planning Authority the application has failed to~~

~~demonstrate the impact of the development upon trees and the ecological value of this rural site and therefore it is not possible to minimise, avoid or mitigate any harm. The application is therefore contrary to Core Policy 12 (Biodiversity and Green Infrastructure) of the Core Strategy (March 2011) and Policies DM5 (Design) and DM7 (Biodiversity and Green Infrastructure) of the Allocations and Development Management DPD (July 2013), the NPPF as well as paragraph 99 of the Government Circular 06/2005 which are material planning considerations.~~

Notes to Applicant

01

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

02

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

BACKGROUND PAPERS

Application case file.

For further information, please contact Gareth Elliott on ext 5836.

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

Matt Lamb

Business Manager Growth & Regeneration

Committee Plan - 17/01564/FUL

