

PLANNING COMMITTEE – 3rd NOVEMBER 2020

Application No:	20/01436/RMA
Proposal:	Erection of 1 No. four bed house with attached garage and 1 No. four bed house with detached garage
Location:	Land At Norwell Road, Caunton
Applicant:	Ms S Brown
Agent:	Mr Mike Sibthorp
Registered:	03.08.2020 Target Date: 28.09.2020
	Extension of Time Agreed Until 06.11.2020
Website Link:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QECCOGLBIN700

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

The Site

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

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

Relevant Planning History

19/01180/OUT – Erection of 2 dwellings, approved September 2019.

The Proposal

The application seeks reserved matters approval for appearance; landscaping; layout; and scale for the erection of two dwellings. As described by the development above, the proposal relates to 2 no. four bed dwellings, one with an attached garage and one with a detached garage. The plans have been revised during the life of the application following the original comments from the Conservation Officer such that the garages are now both single storey but with attached home office space.

The dwellings have approximate footprints of 188m² and 186m² respectively. Plot 1 would be

approximately 8.9m to the ridge and 5.0m to the eaves whilst Plot 2 would be around 8.3m to the ridge and 5.1m to the eaves.

The application has been considered on the basis of the following plans and documents:

- Design and Access Statement Planning Statement by Mike Sibthorp Planning;
- Site Location Plan;
- Block Plan – 1843.A.1.h dated June 2020;
- Plot 1 Plans – 1843.A.2.d dated May 2020;
- Plot 1 Elevations – 1843.A.3d dated June 2020;
- Plot 2 House Proposals – 1843.A.4a dated May 2020;
- Garage to Plot 2 – 1843.A.5b;
- Proposed Planting Scheme (and associated specification) dated 25.06.2020;
- Proposed Landscape Plan (and associated specification) dated 25.06.2020;
- Topographical Survey – 36721_T Rev. 0;
- Foul Drainage Assessment Form (FDA);
- Drainage Assessment dated 26th September 2020 by EWE Associates Ltd.

Departure/Public Advertisement Procedure

Occupiers of 20 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

Planning Policy Framework

The Development Plan

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

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 – Spatial Distribution of Growth
Spatial Policy 3 – Rural Areas
Spatial Policy 7 - Sustainable Transport
Core Policy 3 – Housing Mix, Type and Density
Core Policy 9 -Sustainable Design
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character
Core Policy 14 – Historic Environment

Allocations & Development Management DPD

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

Other Material Planning Considerations

- National Planning Policy Framework 2019

- Planning Practice Guidance (online resource)

Consultations

Caunton Parish Council – No comments received.

NSDC Conservation – Comments on original plans raised issue in terms of the prominence of the garages to the front boundary. Confirmed no objection to the revised plans.

NCC Highways – Original comments accepted means of access were safeguarded by the outline permission and confirmed visibility splays are appropriate. Requested changes to surface materials and further information regarding the means of taking the surface water away. Latest comments confirm no objections based on the revised plans.

Tree Officer - Proposed soft landscaping submissions are acceptable.

Trent Valley Internal Drainage Board - There are no Board maintained watercourses in close proximity to the site.

NCC Flood – Informal discussions included within the appraisal below.

Representations have been received from 8 local residents/interested parties which can be summarised as follows:

- The development will create further flooding on both the lane of Amen Corner and also the junction of Norwell Road and Beckway;
- Previous flood events have resulted in stranded cars and the use of water pumps to control the water;
- 2 new houses would only increase the flooding;
- Climate change identifies that there will be an increase in more extreme rainfall;
- The drains cannot cope with the sheer volume of rainwater;
- There has been structural and subsidence damage to neighbouring property caused by water since the development of the Hedge Row houses;
- The houses will be dominating and imposing to neighbouring properties and will lead to overlooking when there are no leaves on the trees which are deciduous;
- Privacy and peace for neighbouring residents will be disrupted;
- The houses will urbanise the green area of the village;
- Caunton is not a sustainable village;
- There is a sharp blind bend on Norwell Road;
- The properties will lead to a loss of natural light;
- There is no need or demand for large houses such as these in the village;
- There have been no drawings of what the property will look like;
- The construction of affordable housing has increased the amount of traffic on Norwell Road which is a very busy country road extensively used by cyclists horse riders and large farm machinery;
- The plans have no detail of the proposed garage for plot 2;
- Allowing this development will set a precedent for further development of green belt land adjoining the site;
- There is no reference to proposals to mitigate flooding;

- There is no confidence in the surface water measures shown on the plans.

Comments of the Business Manager

Principle of Development

The principle of the development is now established through the granting of the outline consent with the means of access being the only matter that was considered and ultimately approved. It is therefore neither necessary nor appropriate to rehearse the principle of two new dwellings within the site. Only reserved matters including appearance, landscaping, layout and scale of the development proposed is open for consideration.

Housing Mix and Type

Core Policy 3 of the Core Strategy confirms that the District Council will seek to secure an appropriate mix of housing types to reflect local housing need which will be dependent on any localized housing need information.

The density of the development within the site has already been established by the outline consent. The outline application indicatively suggested that the two dwellings would be as per the current application in terms of footprint albeit it did not secure the size of the dwellings in terms of number of bedrooms. As detailed by the description of development, the reserved matters submission presents 2 four bedroomed properties albeit both with a study and home office at ground floor which would be big enough to form another bedroom if desired. The reference to the number of bedrooms in the description of development is not considered fatal to the assessment as it is clear in either scenario that the two dwellings would deliver large executive family homes. If approved, planning permission would not be required for any changes to the internal configuration presented.

Core Policy 3 acknowledges that there is a need for family housing of 3 or more bedrooms. More specifically, the District Council has commissioned a District wide housing needs survey which splits the District into smaller sub-areas. Caunton falls within the Rural North sub area where there is a need for both four and five bed dwellings in the market sector. These do not form the majority need (which is three bedroom properties) however it is notable that this survey is now some 6 years old (published 2014) and due to be updated imminently. It is therefore not considered to be reasonable to be overly perspective to the size of the properties noting that they follow the principle suggested at outline stage and would satisfy an identified need for larger family houses.

Impact on Character (including in the heritage context)

Policy DM5 of the Allocations and Development Management DPD considers matters of design. Criterion 4 of this policy outlines that the character and built form of new proposals should reflect the surrounding area in terms of scale, form, mass, layout, design, materials, and detailing. Noting the proximity of the designated Conservation Area (the southern boundary of the site abuts the boundary of the CA) Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.

The proposal relates to two substantially sized dwellings with associated garages. The submitted Design and Access Statement outlines the context of the site including the recent delivery of 6

affordable dwellings of a modern design immediately east of the site (also outside of the designated Conservation Area). It is presented that the dwellings have been designed with traditional design elements. Materials proposed include red brick and clay pantiles. Whilst the design elements and use of materials are accepted as being commensurate to modern development in the surrounding area, the scale of the proposed dwellings in comparison to the recent development to the east would be considerably larger in footprint (albeit not dissimilar in height with the neighbouring dwellings being approximately 8.2m to pitch height). Nevertheless the site represents somewhat of a transitional corner plot between larger spacious plots to the south to the more modestly sized semi-detached dwellings to the east. Due to the set back of the principle elevations of the proposed dwellings (and indeed roadside boundary hedging), the change in scale is not considered to have a harmful impact to the wider character of the area. Particularly given that there is a rising gradient eastwards such that the recent affordable housing scheme is built on slightly higher land than the site.

Notwithstanding the close proximity of the designated Conservation Area, the proposed dwellings would be visually read in conjunction with the more modern development to the east of the site with broadly the same set back from the highway. It is notable that the east of the village (as the road turns sharply at Norwell Road) is formed of post war development quite distinct from the majority of the main village core. The site in itself therefore does not warrant an overly perspective design approach.

The Conservation Officer commented on the original scheme accepting that the design of the dwellings was in keeping with the traditional vernacular with positive design elements such as arched window heads and dentillated string courses. The comments did however go on to raise an objection to the scale of the originally proposed two storey garages considered that they would be overly prominent and fail to preserve the setting of the Conservation Area. As is detailed above, the applicant has addressed these concerns through revised plans during the life of the application which now demonstrate the use of single storey garages (with modest attached home offices).

Even in the context of the wider Conservation Area, there are modern developments which the proposed dwellings would respond well to in their design and materials. The use of projecting garages is also not an uncommon feature in the village. In any case the majority of the roadside hedge would be retained which would assist in softening the impact of the built form. Overall, the proposed dwellings are considered to have a neutral impact on the setting of the Conservation Area and the character of the surrounding area outside of the heritage context. Precise details of the materials are provided by the submitted Design and Access Statement (para. 45) and are considered acceptable without the need for further details.

Impact on 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.

The site is bounded by residential curtilages to the east and south. To the east, Plot 1 would be built broadly in line with the neighbouring dwelling at no. 1 Hedge Row (albeit the garage would project beyond the neighbouring principle elevation).

The side elevation of the neighbouring property features their front door as well as a small window at first floor and what appears to be a secondary window at ground floor. Plot 1 would be around 6.5m away from the neighbouring side gable but with the closest part of the dwelling

being the attached projecting garage and connecting home office. The revised plans now show this element of the dwelling to be single storey with an approximate pitch height of 5m (just under the eaves of the proposed dwelling) and eaves of around 2.3m.

Other than two roof lights there are no windows on the east elevation of the garage / connecting home office but there are three windows on the eastern gable end of the proposed house. The window at first floor is intended to serve a bathroom and therefore could reasonably be conditioned to be obscurely glazed. With this mitigation in place, Officers have identified no harmful impacts to no. 1 Hedge Row in terms of overlooking or loss of privacy.

However, amenity can also be adversely affected by overbearing impacts. This has been carefully considered in respect to the garage element of the proposal which projects approximately 5.5m forwards of the neighbouring property principle elevation. There are windows at both ground and first floor of the neighbouring dwelling albeit these are set some distance from the edge of the dwelling. A rough rule of thumb which is often used in amenity assessments is the '45° test' whereby the angle from roughly the centre of the neighbouring window is taken. In this case, the projecting garage 'passes' the test insofar as the outlook from the window would largely bypass the garage unless at a greater than 45° oblique line of sight. In this context, it is not considered reasonable to resist the application on overbearing impacts arising from Plot 1. It is notable that the revised plans represent an improvement to this amenity relationship by reducing the height of the garage to single storey.

Whilst the rear of Plot 1 would be towards paddock land, the rear boundary of Plot 2 would be shared with the neighbouring curtilage of Holly House with an approximate distance of 21m between respective built forms. Albeit the neighbouring dwelling has a single storey projection such that two storey to two storey distance would be more akin to 25m. The proposed dwelling would be on slightly higher land than the neighbouring property. However, the shared boundary is heavily vegetated which the landscaping plans show to be retained. Owing to the existing landscaping and the aforementioned distances, it is not considered that Plot 2 would impose harmful amenity impacts to Holly House.

Plot 2 would also be close to the residential curtilage of Orchard Lodge to the south west. The west elevation of Plot 2 would be orientated towards an area of the wider paddock land which does not appear to form part of the residential curtilage for the neighbouring dwelling. In any case, the western elevation of the proposed dwelling would only feature one first floor window which again would serve a bathroom and therefore could reasonably be conditioned to be obscurely glazed. Any outlook from the rear elevation of Plot 2 would be at an oblique line of sight towards Orchard Lodge and at a distance of over 20m away. I therefore do not consider there to be any adverse impacts to this property.

In terms of the amenity space for the proposed occupiers, both plots would be afforded a generous rear amenity space commensurate to the size of the dwellings.

Taking the above into account, overall the proposal is considered to comply with the amenity provisions of Policy DM5.

Impact on Highways

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to

new development and appropriate parking provision and seeks to ensure no detrimental impact upon highway safety.

The position of the two vehicular accesses has been accepted by the outline permission which also included a number of conditions in relation to highways matters including securing dropped kerbs; surface materials and visibility splays. A condition was also imposed requiring the closing up of the field access the west of the site. These conditions would remain relevant and require compliance before the development could be brought into use (albeit details have largely been shown on the submitted plans for the reserved matters submission as discussed further below).

Other Matters

The block plan shows a retaining wall along part of the eastern boundary of the proposed Plot 1. Clarification on the height of the proposed wall has been sought during the life of the application. This has been shown on the latest block plan demonstrating that the wall at the point of the built form would be approximately 1.8m in height, decreasing to around 0.9m. This would not impose harmful character or amenity impacts which would warrant concern.

Officers have also requested detail of the boundary treatment proposed between the two plots (the original block plan suggested this would part retaining wall too) but the agent has requested that these details be provided through condition.

As confirmed above, the conditions originally attached to the outline application remain relevant and require compliance unless specifically addressed through the reserved matters application.

Condition 1 – Time

The reserved matters application has been received within three years of the outline decision (12th September 2019). In order to comply fully with this condition, development would need to commence within two years from the date of the last reserved matters approval.

Condition 2 – Reserved Matters details

All reserved matters have been submitted for consideration with the current application as required by this condition.

Condition 3 – Landscaping

Landscaping details have been submitted with the current application and are considered acceptable. A condition would be required to secure their implementation through the current application.

Condition 4 – Finished floor levels

Finished floor levels have been indicated on the proposed block plan and are considered appropriate in responding to the existing gradient within the site.

Condition 5 – Drainage details

The original block plan showed drainage intentions including the use of a soakaway for each plot which is considered to be a sustainable means of drainage. However, as is summarized above, a number of the neighbouring comments raised concern with the drainage intentions owing to recent surface water flood events.

Despite not being a statutory consultee for an application of this size, Officers have taken the opportunity to discuss the proposals with NCC as the Lead Local Flood Authority. Their comments on the original submission raised concern that the drainage intentions were in some respects contradictory and therefore the actual intentions were not clear.

The applicant has responded to this through the submission of a drainage assessment during the life of the application. NCC Flood have confirmed that the proposals within are now much clearer and are acceptable in principle. This document could be added to the approved plans and documents condition such that the intentions of the outline condition have now been adequately satisfied.

Condition 6 – Avoidance of bird breeding season

This condition would require compliance albeit does not require the submission of further details.

Condition 7 – Ecological recommendations

This condition would require compliance albeit does not require the submission of further details.

Condition 8 – Dropped kerbs

This condition would require compliance albeit does not require the submission of further details.

Condition 9 – Hard surfacing of driveways

This condition would require compliance albeit does not require the submission of further details (notwithstanding that the submitted plans show tarmac for 5m from the highways edge).

Condition 10 – Driveway Drainage

The landscaping plans show that the driveways would be constructed on aggregate flatstone. This would be permeable to allow surface water to drain into the site rather than onto the highways and therefore would meet the requirements of the condition.

Condition 11 – Visibility splays

As is discussed above, the agent has been asked to clarify the visibility splays during the life of the application. These have now been shown on the block plan and accepted by NCC Highways.

Condition 12 – Closure of existing field access

The submitted Design and Access Statement implies that the landscaping plans show details of the closure of this access. The latest block plan shows where the kerbs would be re-instated.

Conclusion

Outline planning permission for two dwellings has already been granted on the site by permission dated September 2019. As is discussed in the above appraisal, there is nothing in the detail of the scheme now presented which would be harmful to a degree to prevent the reserved matters approval subject to the conditions outlined below.

RECOMMENDATION

That reserved matters are approved subject to the conditions and reasons shown below:

Conditions

01

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

- Block Plan – 1843.A.1.h dated June 2020;
- Plot 1 Plans – 1843.A.2.d dated May 2020;
- Plot 1 Elevations – 1843.A.3d dated June 2020;
- Plot 2 House Proposals – 1843.A.4a dated May 2020;
- Garage to Plot 2 – 1843.A.5b;
- Proposed Planting Scheme (and associated specification) dated 25.06.2020;
- Proposed Landscape Plan (and associated specification) dated 25.06.2020;
- Drainage Assessment dated 26th September 2020 by EWE Associates Ltd.

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 approval.

02

The development hereby permitted shall be constructed entirely of the material details submitted within the Design and Access Statement (paragraph 45) unless otherwise agreed in writing by the local planning authority through an application seeking a non-material amendment.

Reason: In the interests of visual amenity.

03

The approved soft landscaping shown on the documents:

- Proposed Planting Scheme (and associated specification) dated 25.06.2020;
- Proposed Landscape Plan (and associated specification) dated 25.06.2020.

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.

04

The first floor window opening on the eastern side elevation of Plot 1 and the first floor window opening on the western side elevation of Plot 2 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.

05

No development in respect to the features identified below shall be commenced, 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. Development shall thereafter be undertaken and retained for the lifetime of the development in accordance with the approved details.

External windows including roof windows, doors and their immediate surroundings, including details of glazing and glazing bars.

Treatment of window and door heads and cills.

Verges and Eaves.

Reason: In order to preserve the setting of the adjacent Conservation Area.

06

No part of the development shall be brought into use until details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. The approved boundary treatment for each plot on site shall be implemented prior to the occupation of each individual dwelling and shall then be retained in full for a minimum period of 5 years unless otherwise agreed in writing by the local planning authority through the seeking of either a non material amendment or a subsequent discharge of condition application.

Reason: In the interests of residential and visual amenity.

Notes to Applicant

01

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).

02

The applicant's attention is drawn to those conditions on the decision notice and those contained on the outline consent which will also be of relevance, which where appropriate should be discharged before the development is commenced. It should be noted that if they are not appropriately dealt with the development may be unauthorised.

03

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

BACKGROUND PAPERS

Application case file.

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

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

Lisa Hughes
Business Manager – Growth and Regeneration