

# Erection of Dwelling and Garage, Together with Creation of New Access to Tuxford Road



Land Adjacent to The Cottage, Mill Lane,  
Normanton on Trent, Newark, Nottinghamshire  
NG23 6RW

## PLANNING STATEMENT INCLUDING DESIGN & ACCESS STATEMENT AND HERITAGE IMPACT ASSESSMENT

May 2022

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This planning statement has been produced to support this individual planning application and the conclusions it reaches are based upon due diligence investigations of public records and the information provided to the company by the client and/or their representatives.

The author of this supporting planning report is: Anthony Bryan Northcote, Executive Director of TOWN-PLANNING.CO.UK. He holds a Higher National Certificate in Land Administration (Planning) with Distinction; Diploma with Distinction in Town Planning; Post-Graduate Diploma with Distinction in Urban and Regional Planning together with a Master of Arts Degree in Urban and Regional Planning. He was elected to the Royal Town Planning Institute in 1996 and now has over 32 years planning experience within the public and private sectors involving a full range of planning issues. In addition, he is also a Member of the Institute of Leadership and Management; a Member of the Chartered Institute of Management; a Member of the Town and Country Planning Association; a Member of the United Kingdom Environmental Law Association; a Fellow of the Geological Society; and an Incorporate of the Chartered Institute of Building.

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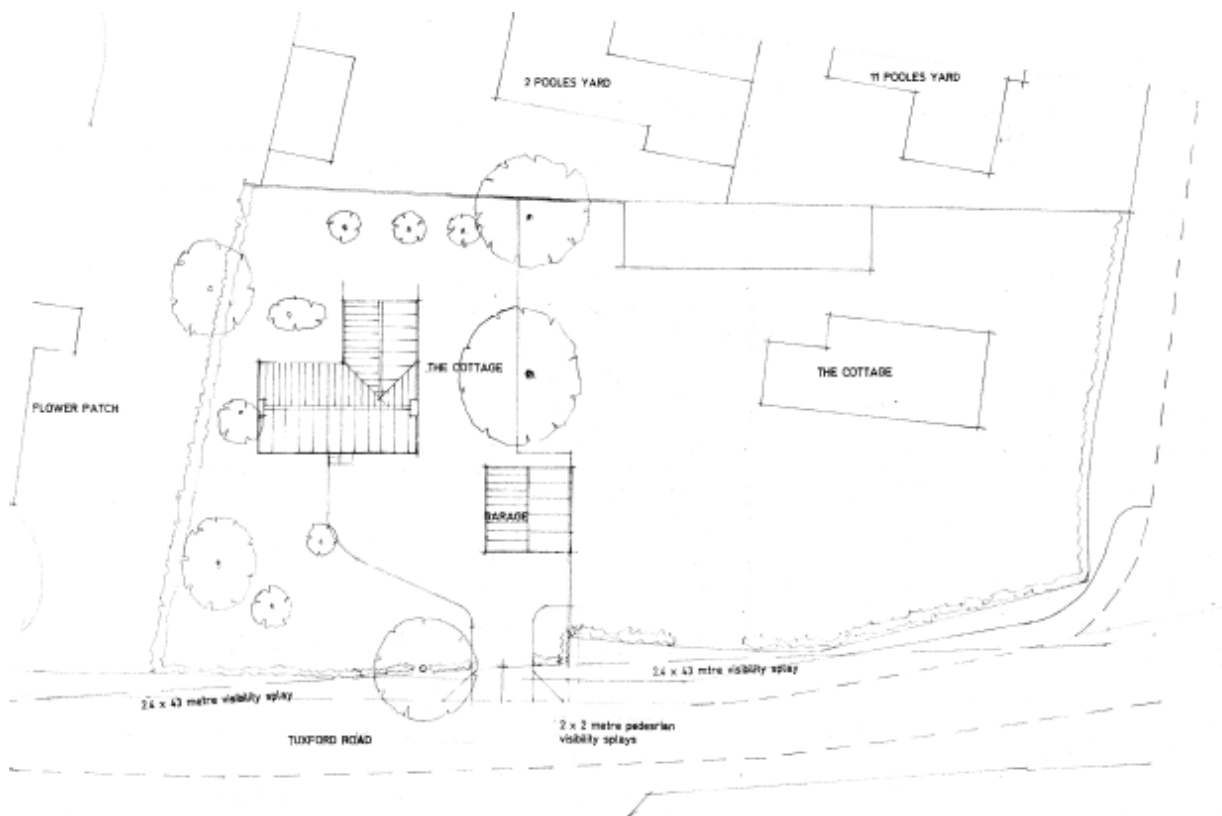
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## The Proposal

This proposal relates to three main aspects:

- Erection of Detached Dwelling;
- Erection of Detached Open-Fronted Garage; and
- Creation of New Access to Tuxford Road



## Proposed Layout



## Front Elevation

## Site and Surroundings

The proposal relates to a site within the village of Normanton on Trent. The Cottage is a Grade II Listed Building, it has an address on Mill Lane from which there is pedestrian access. However, The Cottage faces Tuxford Road and has an existing driveway off Tuxford Road.

The Cottage was built in the late 18<sup>th</sup> Century, built of red brick and pantile; it has a later side extension to the west, a later two-storey extension to the rear and a linked outbuilding.



The Site © Ordnance Survey Aerial Photos, used under Open Government Licence

Normanton on Trent is a medium sized village with a population of 345 at the 2011 Census. It is an accessible location with the village itself containing a well-regarded Primary School; Church; Village Hall; Allotments; Defibrillator; Burial Ground; and two Public Houses.

In addition, the Parish is home to the large J G Pears site which is also home to a large Combined Heat and Power Plant. This is a source of local employment. The village is located 14km (8.5 miles) north of the town of Newark; 13km (8 miles) east of the town of New Ollerton; 15km (9 miles) south-east of the town of Retford; and 5km (3 miles) east of the small town of Tuxford. The nearest Secondary School is located in Tuxford. Normanton Trent lies within a joint Parish with Marnham which includes the three villages of High Marnham; Low Marnham; and Skegby. High Marnham contains another Public House and Children's Playground which caters for local residents

and visitors who stay in the caravan sites in High Marnham. Low Marnham contains another Church and Parish Hall.



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The village is at the southern edge of Bassetlaw and is close to the higher order settlement of Sutton on Trent in the neighbouring district of Newark and Sherwood. Sutton on Trent contains a Lincolnshire Co-operative convenience store; two churches; church hall; delicatessen; two hairdressers; library; Primary School; sports ground; public house; GP surgery; and three large employment sites. Sutton on Trent is located 3km (1.8 miles) south of Normanton on Trent which is within walking and cycling distance.

Normanton on Trent has a reasonable bus service; the No.37A Newark to Retford service that provides a work/study service to get people to/from Newark and Retford. The No.339 Tuxford to North Muskham service, this service links the village to Sutton on Trent and the town of Newark. The bus stop lies only 85m to the east of the site. In addition, the No.40 bus service links Normanton on Trent to the Tuxford Academy Secondary School.

## Relevant Planning History

The Cottage has quite a detailed planning history, in relation to the application site the relevant planning history is:

- 34/92/00004 - Erect One Dwelling and Construct New Access - Granted
- 34/04/00009 - Erect Dwelling and Construct New Access - Allowed on Appeal

The principle of a dwelling on the application site has therefore been deemed acceptable previously, including once on appeal in May 2005.

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## Design and Access Statement

### Amount of Development

The site is a good-sized plot measuring approximately 875m<sup>2</sup> excluding the vehicular crossover. The plot is currently side garden to The Cottage and contains no existing buildings. The proposed dwelling and new garage would have a built footprint of approximately 125m<sup>2</sup>.

The proposed gross internal floorspace of the dwelling and garage is:

Dwelling ground floor - 79.17m<sup>2</sup>

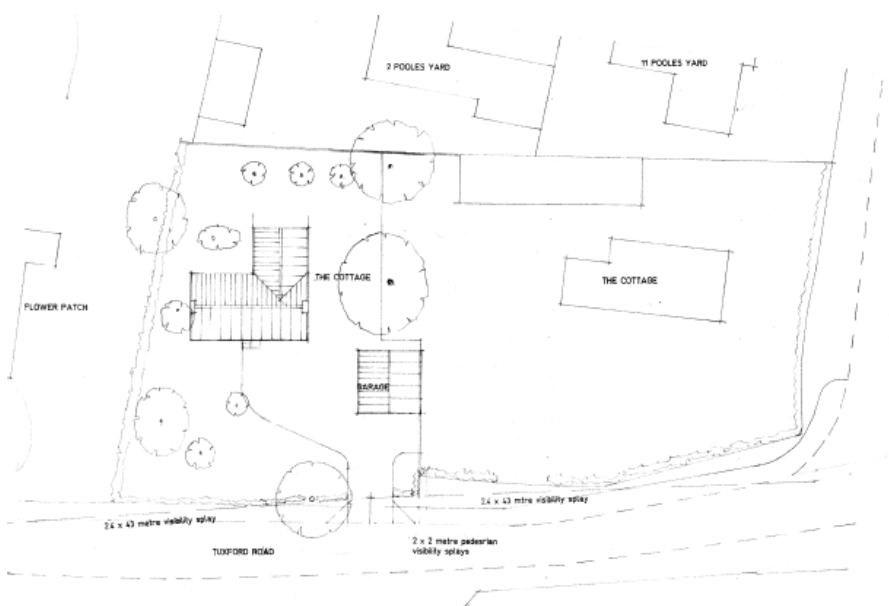
Dwelling first floor - 79.17m<sup>2</sup>

Garage - 27.04m<sup>2</sup>

Total - 185.38m<sup>2</sup>

### Site Layout

The application seeks permission to construct a dwelling on the same side garden area as approved twice previously for a dwelling. The proposal involves an 'L' shaped cottage style dwelling facing towards Tuxford Road, the garage is sited slightly to the front of the cottage to the eastern side with the gable facing the road.



### Proposed Layout

This proposal allows the three main elements: detached dwelling; detached open-fronted garage; and new access to Tuxford Road to be incorporated whilst retaining the most important trees on the site fringes.

### Scale of the Development

The proposal represents a single additional two-storey dwelling on the site, it has a three bedroomed layout. In terms of density on the plot, this would be around 11.43 dwellings per hectare; with the density of the overall The Cottage site rising to 9.23 dwellings per hectare. This is a low density of development which respects the character of the surrounding area.

### Landscaping

As far as landscaping is concerned, the site has some established vegetation comprising trees and hedgerows.



Figure 3 – Tree Category Plan

The site has mature trees around the edges including those in neighbouring land, the other trees on the site are largely fruit trees planted in recent decades. To erect the dwelling and garage requires the removal of two category C trees (T9 & T13 - both Apple) and four category U trees (T5, T6, T8 & T10 - Greengage, Apple, Damson & Apple).

To facilitate the access T2 (Spruce) situated close to the road which is probably a former Christmas Tree planted out in the garden. This tree has 20 years or more of useful life remaining so has been placed within Category B.

The loss of Spruce along the frontage of Tuxford Road cannot be avoided. The loss of this tree will not be particularly significant in terms of visual amenity of canopy cover as it is of small stature and there are far larger trees protected under a TPO on the opposite (south) side of this road.

There will be some impact on Beech T1 where the access crosses the eastern side of the RPA of this tree. Adjusting the RPA to take into account the impact of Tuxford Road, it is likely that around 25% of the RPA of this tree will lie underneath the access and driveway and this will require ground protection measures (incorporating a cellular confinement system) and a 'no-dig' construction methodology to be employed. The crown of this tree has been lifted and is trimmed to avoid cables on the north-eastern side and this reduction of the canopy will mitigate in part the impact of the access and driveway but a porous surface will be required to allow in water and air.

The front garden has an existing mixed hedgerow which will be retained except where the new access is proposed. A detailed hard and soft landscaping scheme will need to be secured through a pre-occupation planning condition. Overall, the existing landscaped character can be retained.

### Appearance

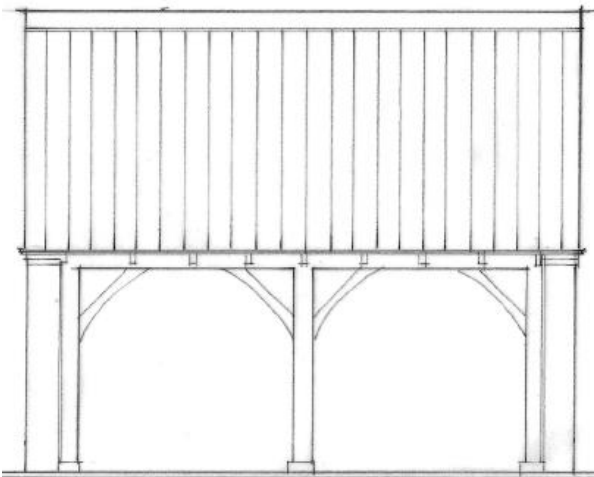
The proposed dwelling is based on a traditional cottage style appearance. It has an 'L' shaped form and it is anticipated that it would be constructed of red brick and pantile.

The garage is designed in a traditional open-fronted oak framed design, but is shown as being constructed in red brick clad under a pantile roof. This is the more common form of outbuilding in the surrounding area.





Front Elevation



Proposed Garage

### Materials

The existing dwelling is red brick clad with a pantile roof. The proposal would be for the new dwelling to be in the traditional red brick together with a clay pantile roof. The porch canopy would have a clay pantile covering. The garage would also be in the traditional red brick together with a clay pantile roof.

Materials for other features such as windows and doors are to be decided but wood effect uPVC has been accepted elsewhere in Bassetlaw on similar sites. Rainwater goods are likely to be cast iron effect uPVC, such as Brett Martin or similar.

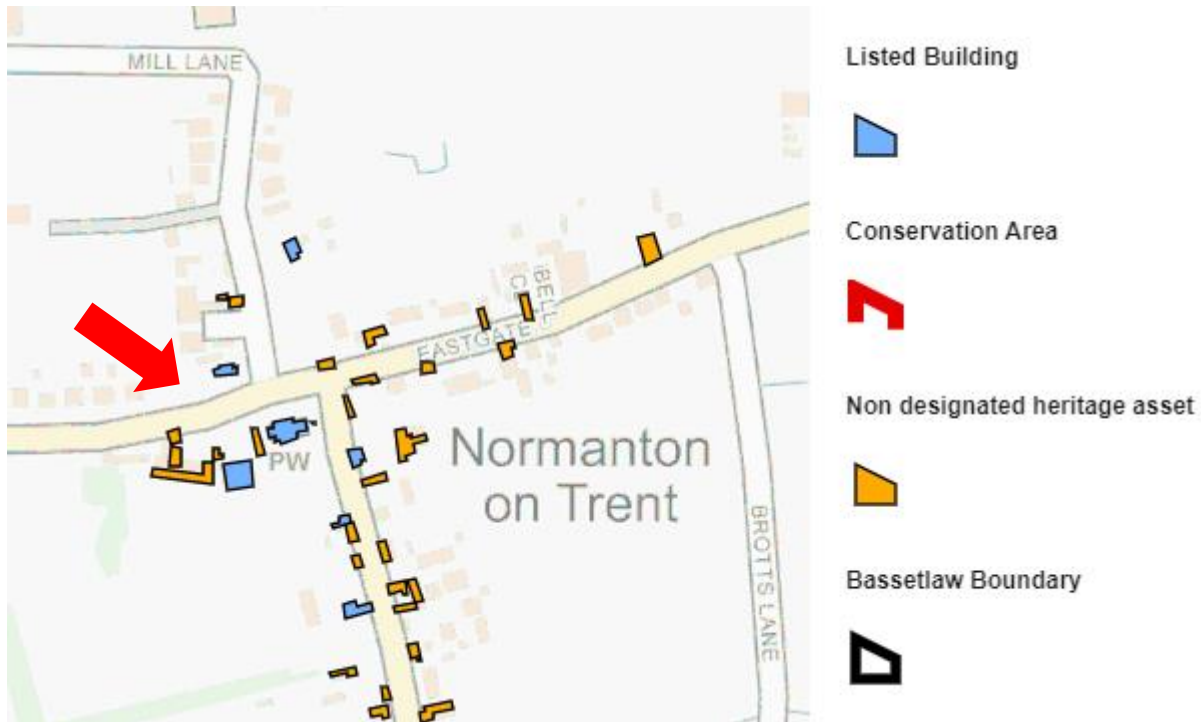
## Accessibility

Accessibility to the proposed dwelling house will involve level access provided to the dwelling via all of the doors. This will give safe and ready access to all age groups together with the disabled.

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## Heritage Impact Assessment

### Description of Heritage Assets



Extract from Bassetlaw Heritage Mapping (Site Marked by Arrow)

The Cottage and attached outbuilding is a Grade II Listed Building as is Normanton Hall Lodge opposite the site. St Matthew's Church a Grade II\* Listed Building lies approximately 45m to the south-east on the opposite side of Tuxford Road. Marrisons House on Mill Lane and School House on South Street are the next closest listed buildings, both Grade II and lie around 130m and 105m away respectively. The barns and building at Normanton Hall opposite are all identified as non-designated heritage assets. It is believed that these buildings are now known as The Old Barn and The Coach House as residential dwellings.

Planning Practice Guidance (Reference ID: 18a-039-20140306) identifies that: *“A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.”*

### Significance of Heritage Assets

The site is within the setting of The Cottage as a Grade II Listed Building and within the wider setting of Normanton Hall and St Matthew's Church a Grade II and II\* listed building respectively. As such the statutory duty under s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies.

Policy DM8 of the Bassetlaw Core Strategy refers to Heritage Assets. Criterion B states: *“The setting of an asset is an important aspect of its special architectural or historic interest and proposals that fail to preserve or enhance the setting of a heritage asset will not be supported. Where appropriate, regard shall be given to any approved characterisation study or appraisal of the heritage asset. Development proposals within the setting of heritage assets will be expected to consider:*

- i. Scale;*
- ii. Design;*
- iii. Materials;*
- iv. Siting; and*
- v. Views away from and towards the heritage asset.”*

This development plan policy 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 importance of considering the impact of new development on the significance of heritage assets is a material planning consideration.

However, this policy in criterion B does not differentiate between designated and non-designated heritage assets as required by the NPPF. In addition, Policy DM8 fails to balance impacts on heritage assets against benefits as the NPPF requires. Accordingly, the Policy does not adhere to the NPPF.

As the Bassetlaw Core Strategy pre-dates the NPPF it is necessary to consider the conformity of Policy DM8 to the NPPF. Having regard to the advice in paragraph 219 of the NPPF which states: *“Due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”* Policy DM8 fails to incorporate two principles set out in the NPPF namely: ‘Impacts versus Benefits; and Difference between Designated and Non-Designated Heritage Assets’, in our view Policy DM8 can be afforded limited

weight and should be considered to be out-of-date. As such the application should be determined having regard to the NPPF as a material planning consideration.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, for example. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In determining applications, The NPPF in paragraph 197 advises that local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness. LPAs should also look for opportunities to better reveal the significance of conservation areas when considering new development.

As the name suggests, The Cottage has interest and significance as a cottage within a village streetscene. It has been considerably extended over time but its main significance results from its simple cottage frontage and keeping the dwelling and outbuilding as functionally distinct built structures.

St Matthew's Church occupies a prominent raised position on the junction of Tuxford Road and South Street. The open and undeveloped frontage to both roads allows for views of the Church to be seen in the public vista and be a prominent visual feature in the village streetscene.

### **Impact of the Proposal on the Significance of Heritage Assets**

The proposal will not result in harm to the setting of any nearby Listed Buildings, consequently the statutory duty under s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is met. The proposed dwelling can be considered to be within the setting of the Grade II Listed The Cottage.

The existing side garden is split away from The Cottage by the existing driveway, boundary treatment and vegetable garden. The Cottage has a wraparound garden to the front (south) and side (east) of the house; that forms the formal garden setting of The Cottage and gives the dwelling

its corner plot location. The driveway forms the hard surfaced setting to the western side of The Cottage.

The side garden which forms the application site has no strong functional or visual connection with The Cottage and attached outbuilding. The intervening trees help to reduce any visual inter-relationship with The Cottage. It has a different character to the formal front/side garden wrapping around the dwelling. The Cottage was listed in 1985 and twice previously since the property was listed, including once on appeal, it has been deemed that a dwelling can be sited on this site without resulting in harm to the setting of the listed building. There is no reason why a different conclusion should be reached now.

The application site is self-contained due to the existing vegetation and other buildings, has no visual or functional inter-relationship with Normanton Hall. The application site also due to the existing vegetation and other buildings, also has no visual or functional inter-relationship with the Church.

The traditional siting, built-form character and design appearance of the proposed dwelling would respect the traditional built form of the village and would have a neutral impact on the setting of designated heritage assets.

Overall, special regard has been had to the impact of the proposal on the setting of the listed buildings and it is considered that the setting of these buildings and their special interest would continue to be preserved and there would be no detriment to the relationship and juxtaposition to The Cottage to the east of the site.

The proposal would preserve the character and appearance of the setting of heritage assets and is therefore compliant with the statutory duties under s66 of the Act.

The scheme is in accordance with the Development Plan and guidance within the NPPF and Planning Practice Guidance.

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## The Development Plan

The parts of the adopted Development Plan most relevant to the determination of this application are:

### Core Strategy & Development Management Policies DPD

- CS1 - Settlement hierarchy
- CS9 - All Other Settlements
- DM4 - Design & character
- DM5 - Housing Mix and Density
- DM8 - The Historic Environment
- DM12 - Flood risk, sewage and drainage

### **Material Planning Considerations**

Other relevant material planning considerations include:

National Planning Policy Framework

Planning Practice Guidance

### **Principle of Development**

Paragraph 12 of the NPPF states that the development plan is the starting point for decision making. Policy CS1 of the Core Strategy states that until the adoption of the site allocations DPD, development in the settlements identified in the hierarchy will be restricted to the area inside defined settlement boundaries. However, additional permission may be granted where the development proposal would address a shortfall in the district's five-year housing supply. No site allocations DPD has ever been progressed despite the intervening 11 years.

Policy CS9 of the council's Core Strategy identifies Normanton on Trent as an 'All Other Settlement' that has limited or no services and facilities and which are unsuitable for growth.

Paragraph 33 of the NPPF states that policies in development plans should be reviewed and where necessary updated every 5 years. This is also a legal requirement under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Bassetlaw Core Strategy dates from 2011 and its policies have not been reviewed in the last 5 years. The Council is working on a new local plan to replace it, although this has not yet reached its examination. In the publication version of the emerging Local Plan, Normanton on Trent is proposed to be identified as a 'small rural settlement' where limited growth would be allowed.

In this situation, paragraph 219 of the NPPF states that policies in an adopted development plan do not become automatically out of date because they were published before the framework; policies must be considered having regards to their consistency with the framework.

The Core Strategy was prepared using a settlement hierarchy which included development limits to control development and does not have any new site allocations. As such it restricts the delivery of new development which is out of step with the growth that is expected to be delivered as identified in the NPPF. As such, the weight given to policy CS1 and policy CS9 that flows from it has to be reduced.

Accordingly, due to the limited weight afforded policy CS1 of the Core Strategy, this scheme should be determined in accordance with the presumption in favour of sustainable development in part d) of paragraph 11 of the NPPF. This requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF when taken as a whole.

In relation to the supply of housing, the NPPF requires Councils to identify and update, on an annual basis, a supply of specific deliverable sites sufficient to provide for five years' worth of housing provision against identified requirements (paragraphs 74 to 77). For sites to be considered deliverable: they have to be available; suitable; achievable and viable. It is understood that the Council can demonstrate 12.7 years' worth of housing (as published in November 2021 in the 5-year supply statement) and as such, a deliverable 5 years supply of housing can be achieved.

The fact that the Council has a 5-year supply does not however prevent the presumption in favour of sustainable development from being engaged by the development plan policy framework being out-of-date. Consideration of whether this proposal constitutes sustainable development will be assessed in relation to the relevant planning issues.

### **Character and Design**

Policy DM4 of the Bassetlaw Core Strategy states that permission will only be granted for residential development that is of a high-quality design, respects the character of the area and historic development patterns.

Similar advice is contained in paragraph 130 of the NPPF which states that development should be sympathetic to local character including the surrounding built environment and landscape setting. The site lies within the existing built form of Normanton on Trent and is part of the established streetscene. The site lies adjacent to existing residential development to the south, east and west, the character is residential and the proposal will complement the established character.

The development would form a natural part of the existing village built form and would not extend the settlement into the open countryside. The density and layout would reflect the settlement pattern which is largely characterised by dwellings fronting on to the main highway.

As such the development would reflect the historic linear form of development in the settlement and would therefore not conflict with the policies and guidance outlined above.

### Living Conditions

Policy DM4 of the Bassetlaw Core Strategy states that permission will only be granted for residential development that is of a high-quality design, that does not have a detrimental effect on the residential amenity of nearby residents. Similar advice is contained in paragraph 130 of the NPPF which states that development should provide a high standard of amenity for existing and future users.

In addition, the advice in the Successful Places SPD also states that new dwellings and flats/apartment should be provided with a minimum outdoor amenity space of 50m<sup>2</sup> for 2 bed dwellings, 70m<sup>2</sup> for three bed dwellings and 90m<sup>2</sup> for 4+ dwellings. The proposed dwelling and the existing dwelling have outdoor amenity space substantially greater than any of these standards. Adequate levels of private residential amenity space for future occupiers of the new dwelling and for existing occupiers could be achieved.

The layout would ensure that it would not result in any significant loss of privacy, overshadowing or loss of privacy for existing or future residents. There is around 25m between the sides of the proposed and existing dwelling with a tree in-between aiding prevention of any overlooking. Suitable boundary treatment can also be secured by condition, as such the development would comply with the provisions of the policies outlined above.

### Access and Highways

Policy DM4 of the Core Strategy also states that permission will only be granted for residential development that is of no detriment to highway safety. Similar advice is contained in paragraph 110 of the NPPF which states that development proposals should ensure that safe and suitable access can be achieved for all users.

Tuxford Road is an unclassified road, as such technically planning permission is not required to create a new access. The proposed layout illustrates 2m by 2m pedestrian visibility splays and shows that suitable 2.4m by 43m visibility splays can be achieved in both directions.



The scheme therefore can satisfactorily demonstrate that it would provide safe and suitable access to the site for all users. It would not result in an unacceptable impact on highway safety.

### Landscaping and Ecology

Policy DM9 states that new development proposals will be expected to demonstrate that they will not adversely affect or result in the loss of features of recognised importance such as protected trees, hedgerows, Local Wildlife Sites and protected species. Similar advice is contained in paragraph 174 of the NPPF which states that development should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

As demonstrated in the tree survey the site has mature trees around the edges including those in neighbouring land, the other trees on the site are largely fruit trees planted in recent decades. To erect the dwelling and garage requires the removal of two category C trees (T9 & T13 - both Apple) and four category U trees (T5, T6, T8 & T10 - Greengage, Apple, Damson & Apple).

To facilitate the access T2 (Spruce) situated close to the road which is probably a former Christmas Tree planted out in the garden. This tree has 20 years or more of useful life remaining so has been placed within Category B.

The loss of Spruce along the frontage of Tuxford Road cannot be avoided. The loss of this tree will not be particularly significant in terms of visual amenity of canopy cover as it is of small stature and there are far larger trees protected under a TPO on the opposite (south) side of this road.

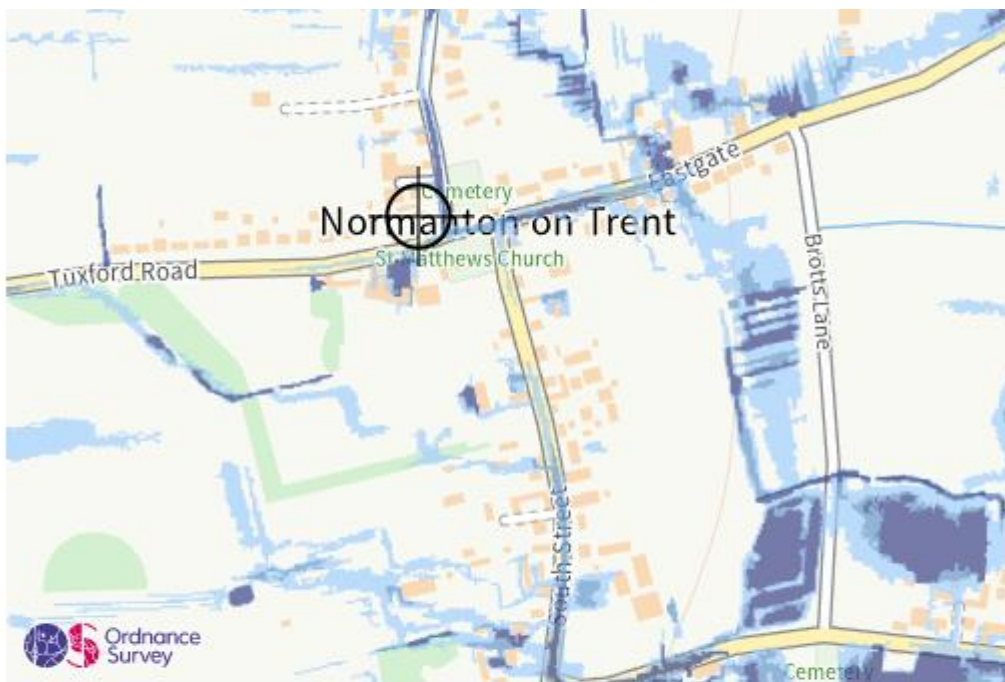
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The front garden has an existing mixed hedgerow which will be retained except where the new access is proposed. A detailed hard and soft landscaping scheme will need to be secured through a pre-occupation planning condition. Overall, the existing landscaped character can be retained.

The site is already residential garden has no ecological potential that would be adversely affected. The consultant who undertook the tree survey is also an ecologist and did not see any need for undertaking an ecological appraisal. A suitably worded condition can be imposed to secure biodiversity enhancement measures if wanted.

### Flooding and Drainage

Policy DM12 of the Core Strategy address flooding and drainage. The site is in flood zone 1 and is not at risk of surface water flooding.



Extent of flooding from surface water

● High ● Medium ● Low ○ Very low ⊕ Location you selected

Surface Water Flooding Map © Environment Agency

### Planning Balance and Conclusion

The proposal would provide a new dwelling within the existing built form of the village. The proposed siting, layout and design would not result in harm to heritage assets or result in any other harm. As such the proposal amounts to sustainable development and planning permission should be granted in accordance with the presumption of sustainable development.