

**PLANNING WORKSHEET 11 – DELEGATED / PCG REPORT - GENERAL**

Valid Date: 4 July 2022

Expiry Date: 29 August 2022

<b>Application Ref.</b>	22/00863/FUL	
<b>Site Address</b>	Land Including Littlewood House Wheatley Road Sturton Le Steeple Retford Nottinghamshire	
<b>Proposal</b>	Demolition of an Existing Bungalow and erection of a Detached House and Garages with new vehicular access	
<b>Case Officer</b>	Eleanor Grant	
<b>Decision Level</b>	Delegated	
<b>Recommendation</b>	Refuse	
<b>Reason(s) for PCG referral</b>		
<b>PCG Sign off and date</b>		
	<b>Signature</b>	<b>Date</b>
<b>Case Officer</b>	Ellie Grant	09/08/2022
<b>Authorised signing Manager</b>		10 <sup>th</sup> August 2022

<b>Policy Considerations</b>	<p>Having regard to Section 54A of the Town and Country Planning Act 1990, the main policy considerations are as follows:</p> <p><b><u>National Planning Policy Framework 2021</u></b></p> <p>The National Planning Policy Framework (NPPF) sets out the Government's approach for the planning system and how these are expected to be applied.</p> <p>Paragraph 8 explains that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform an economic, social and environmental role.</p> <p>Paragraph 11 explains that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would</p>
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significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted. The relevant policies are as follows:

Part 5 – Delivering a Sufficient Supply of Homes

Part 12 – Achieving well-designed places

**Bassetlaw District Council – Local Development Framework**

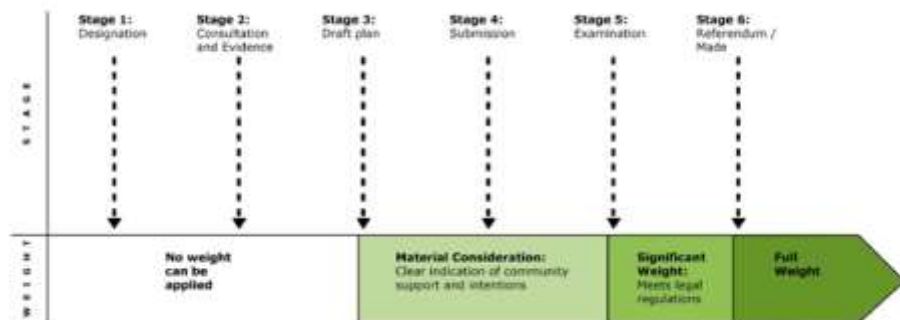
**Core Strategy & Development Management Policies Development Plan Document (Adopted December 2011):**

- CS1 - Settlement hierarchy
- CS9 – All other settlements
- DM3 – General Development in the Countryside
- DM4 - Design & character
- DM5 – Housing Mix and Density
- DM12 - Flood risk, sewage and drainage
- DM13 - Sustainable transport


**Neighbourhood Plan (including status and relevant policies)**

The chart below shows the weight to be given to the Neighbourhood Plan set against the stage of the plan-making process. The Sturton Neighbourhood Plan was made in 2016 and has since undergone review. The reviewed plan was formally made in November 2021. It can therefore be accorded full weight. The relevant policies are:

- Community Objective 5: to ensure that all new development relates positively in form and function, in particular with respect to materials, style and connections where it will adjoin the existing settlement.
- Policy 1: Sustainable development, infill and the development boundary
- Policy 2a: Protecting the landscape character, significant green gaps and key views
- Policy 2b: Enhancing biodiversity
- Policy 5: Design principles
- Policy 10: Housing mix and type
- Sturton Design Guide



<b>Other relevant guidance/SPDs</b>	<b>Bassetlaw District Council – Successful Places:</b> A Guide to Sustainable Housing Layout and Design (Adopted December 2013)
<b>Relevant Planning History</b>	<p>2017: 17/01673/FUL – Change Of Use And Conversion Of Existing Outbuilding To Form New Detached Residential Dwelling With Associated Parking &amp; Amenity Space - Permission granted (not completed, lapsed).</p> <p>2020: 20/00928/HSE - Proposed New Vehicle Access Including Vehicle Manoeuvring Facilities with Associated Parking, Erect Double Garage, Conversion of Redundant Attic Space Including Roof Lights and Balcony at First Floor Level – Permission granted (not completed, lapsed).</p>
<b>Consultation date(s)</b>	<b>Consultation and Publicity Expiry Date:</b> 28 July 2022
<b>Summary of Consultation Responses</b>	<p><b>Sturton Le Steeple Parish – No response.</b></p> <p><b>NCC Highways – No objections:</b></p> <p>The Highway Authority has no objection to a replacement dwelling and the creation of a new access that is currently shared with the adjacent dwelling. A condition is requested to secure satisfactory access arrangements.</p> <p>– Prior to the dwelling being occupied the driveway shall be surfaced in a bound material (not loose gravel) for a minimum distance of 6.0m from the highway boundary, shall be drained to prevent the unregulated discharge of surface water onto the public highway, and a dropped vehicular footway/verge crossing shall be provided as detailed on Drawing Number P22.0510.03 Rev C.</p> <p>Reason: To ensure appropriate access and parking arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc), to minimise the chance of highway flooding and severe icing, and in the interest of highway safety.</p> <p>A licence will be required to be able to construct the vehicular crossing on Wheatley Road. Applications can be made here: <a href="http://www.nottinghamshire.gov.uk/transport/roads/request-a-dropped-kerb">www.nottinghamshire.gov.uk/transport/roads/request-a-dropped-kerb</a></p> <p><b>Environmental Health – No objections subject to conditions:</b></p> <p><b>Smoke:</b></p> <p>Due to the proximity of neighbouring residents, the burning of any waste on site arising from the demolition of the existing property, or the new development, is likely to give rise to a statutory smoke nuisance.</p> <p>I would, therefore recommend a condition that, irrespective of any exemption from the Environment Agency permitting the burning of waste, all waste arising from the demolition and building process is removed from site for proper disposal and is not burned on site.</p> <p><b>Noise:</b></p> <p>The residential nature of this development is unlikely to raise any major issues with respect to noise once building work is complete. It is a replacement of an existing</p>

	<p>dwelling. Any noise arising could be effectively controlled under Statutory Nuisance provisions.</p> <p>The demolition/building process itself could give rise to a nuisance to nearby residents - although this would be temporary. In order to minimise the disturbance from construction work, it may be appropriate to apply a Condition Requiring that construction work and ancillary operations which are audible at the site boundary, including deliveries to and removal of plant, equipment, machinery and waste from the site shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.</p>
<b>Summary of Publicity</b>	This application was advertised by neighbour letter and site notice. No letters have been received in response.
<b>Site Context</b>	<p>The application site is a detached bungalow situated on the north-east side of Wheatley Road, opposite the junction with Wood Lane. The bungalow has a large footprint and occupies a large plot. There are outbuildings belonging to the property situated within the land to the rear of the dwelling. A small portion of the land appears to have previously been transferred into separate ownership to create a small detached bungalow under reference 17/01673/FUL but this has not been completed and the outbuilding subject to conversion for the bungalow has been demolished. An application was approved to create a new access in 2020 which separated the dwelling from the adjacent bungalow site and also granted accommodation in the roofspace and a new garage for Littlewood House however the works were not carried out.</p> <p>The application describes the existing bungalow as derelict. Whilst the bungalow does appear in need of improvement it is not considered from appearance to be derelict. The windows and doors are intact and it appears structurally sound to keep the property watertight. Further views were limited due to a restricted access gate but is shown below.</p> 

<p><b>The Proposal</b></p>	<p>The application proposes to demolish the bungalow Littlewood House and replace it with a larger 5-bedroom two storey dwelling with associated garage.</p> <p>The dwelling will have a rectangular plan form with a pitched roof and 4 projecting gables; two at the front and two at the rear. The dwelling will be 8.95 metres to ridge height and be approximately 15.3 metres wide by 12.6 metres deep. There will be glazed detailing in the gables.</p> <p>The garage will be situated to the front of the dwelling along the south-east boundary. The garage will be a triple with capacity for three cars and toilet area. It will be 1.5 storeys to allow for storage in the roofspace. It will measure approximately 12.8 metres wide by 6.5 metres deep and 6 metres tall. Rooflights are proposed within the roof space.</p>
<p><b>Assessment of Proposal</b></p>	<p><b><u>PRINCIPLE</u></b></p> <p>The starting point for assessing planning applications is the adopted development plan which comprises of the Core Strategy 2011. The site is located within the East Markham development boundary as defined by the adopted core strategy 2011.</p> <p>Paragraph 33 of the NPPF states that development plans should be reviewed every 5 years. Bassetlaw's Core Strategy was published in 2011 and makes no new site allocations, whilst the Draft Local Plan is yet to be published.</p> <p>Policy CS1 of the Bassetlaw Local Development Framework states that development will be restricted to areas within defined Development Boundaries. This location is not within a defined development boundary and so is assessed against Core Strategy policies CS9 and DM3. Policy CS9 states that residential development proposals will not be supported other than for replacement dwellings.</p> <p>Policies in an adopted development plan do not become automatically out of date; relevant policies must be considered having regards to their consistency with the NPPF.</p> <p>Policy DM3 of the Bassetlaw Local Development Framework states that proposals for replacement buildings outside development boundaries will be supported where:</p> <ol style="list-style-type: none"> <li>i. (other than where these are existing houses) it is unviable to use or convert the buildings for other uses (see Policy DM2);</li> <li>ii. the buildings to be replaced are of a permanent design and construction;</li> <li>iii. the replacement is located over the footprint of, or close to, the original building;</li> <li>iv. the scale, design and form of the replacement is appropriate to its setting and location;</li> <li>v. the proposed use and number of units will be sustainable and appropriate in terms of location and accessibility;</li> <li>vi. the proposed use will not have an adverse impact on the vitality or viability of local centres; rural service centres; and shops and services in surrounding villages; and</li> </ol>

- vii. they will not create significant or exacerbate existing environmental or highway safety problems.

It should be noted that since the Core Strategy was published, the Authority has now identified a 13.5 year land supply for housing. As such, the need for additional housing delivery in line with NPPF targets has lessened within the district.

There is a made Neighbourhood Plan (N.P) for the Sturton Ward which was reviewed in 2021. This contains site allocations for the settlement and therefore it is considered to be up to date in line with the guidance contained within paragraph 14 of the NPPF and accordingly the policies contained within it are given full weight. The Neighbourhood Plan therefore forms part of the development plan for the area and provides the most up to date planning policy for this area. The Neighbourhood Plan affects the site in question, though the site is not included in any of the village development boundaries. Policy 1 of the N.P states that development outside of the defined boundaries will be carefully considered against relevant national and local policy.

In this instance, development in this location is acceptable because it is for a replacement dwelling, as opposed to isolated new residential development. However, it should also be noted that a site review of the property and associated land in the Sturton Design Code (NP38) states that this site would be suitable for residential development.

The above policy context establishes that there is an acceptable principle of development in this location, subject to the consideration of the following material considerations.

### **SUSTAINABILITY OF THE DEVELOPMENT**

Paragraph 8 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:

**“an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

**a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

**an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including

making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

In reaching a decision on this case, the NPPF at paragraph 9 makes it clear that the objectives referred to above should play an active role in guiding development towards sustainable solutions and are not criteria against which every planning application should be judged against.

The erection of a replacement dwelling in this location will make a small but positive contribution to building a strong, responsive and competitive economy through the creation of temporary construction related jobs on site and the on-going contribution to the local economy both in terms of employment, spending and service usage from the creation of one additional household in the area.

### **VISUAL AMENITY**

Section 12 of the NPPF refers to achieving well designed places. Specifically, paragraph 126 states that good design is a key aspect of sustainable development; it creates better places in which to live and work in and helps make development acceptable to local communities. Paragraph 130 states that decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state it is “proper to seek to promote or reinforce local distinctiveness” (para 130) and permission should be “refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions” (para 134).

Policy DM4 of the Bassetlaw Core Strategy provides general design principles which should be applied to all schemes. The policy states that all development proposals will need to be in keeping with the character and appearance of the wider area and when they are in historic locations, they should respect existing development patterns. All schemes must respect their context and not create a pastiche development which would be incorrect in their context.

Policy 5 of the Sturton Neighbourhood Plan states that proposals should be of a high-quality which responds to the surrounding local character. Proposals should be positioned sensitively and be of a scale and form which will not dominate neighbouring properties. Materials should be in keeping with the local vernacular.

The Sturton Design Code Paragraph 4.3 states that development should be of a density and height which reflect the surrounding context. It goes on to add that the existing roofline of adjoining properties should be respected to create a consistent

roofline and rhythm along streets.

The application proposes to rebuild a large bungalow as a two storey house. The block plan shows that the footprint of the dwelling will be reduced by around 5 metres in width from the south-east. The replacement dwelling will offer in the region of 320sqm of floorspace over two floors, approximately 80 sqm more than the original dwelling (approx. 240sqm originally). Given that the original dwelling had a larger footprint, albeit at single storey only, the dwelling is considered to be a similar footprint to the existing dwelling for the purposes of policy DM3iii.

The proposed dwelling has taken some direction from design features of the original dwelling by incorporating forward projecting gables at either side of the front elevation.

However, there are concerns in regards to design. Whilst the footprint provided is not significantly dissimilar to that of the original dwelling, the design is considered insensitive to the surrounding context. The property sits in a rural location in the open countryside, outside of any development boundary. There are 7 properties here, including Littlewood House, which are considered to be of a low density of development. The properties vary between two storey dwellings and bungalows, with both of the immediately adjacent properties to Littlewood House being bungalows. The proposed dwelling will be approximately 8.9 metres to ridge height. When compared, this will be around 2 metres taller than existing two storey properties in this location. As such, the scale is of concern to the Officer as the property will stand noticeably taller than the surrounding properties as a stark contrast, meaning that it will not assimilate with the form of development in this location and will have a domineering impact to the adjacent properties.

It should also be noted that these properties could appear very prominently within the landscape setting. The Mid Nottinghamshire Farmlands Landscape Character Policy Zone 5. The assessment indicates that this area is generally rural in character and made up of farmland with pockets of development. The Landscape policy assessment for this zone states that the land is flat and so any development is highly visible. It is therefore in a location of high landscape sensitivity. A particularly large dwelling will therefore appear prominent within the landscape setting.

The garage is also considered to be of an overly-large scale within the immediate surroundings. The principle of a garage to the front of the house is acceptable and can be seen at High Pasture to the north-west. However, there are concerns in regards to the scale of the proposed. The garage will be comparable in size to the dwelling adjacent granted under 17/01673/FUL (since lapsed). The garage will also have a first floor for storage which may have the potential to be used as ancillary accommodation or a separate dwelling.

For the reasons outlined above, the proposed dwelling is considered to be of a scale which would fail to integrate with the surrounding character. It is therefore considered to be at odds with Section 12 of the NPPF, Policy DM4 and Neighbourhood Plan Policy 5.



## **RESIDENTIAL AMENITY**

Policy DM4 of the Core Strategy requires that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. This requirement also forms part of paragraph 130 of the NPPF.

3.11.11 of the Councils adopted Successful Places SPD states Proposals should not cause a loss of daylight, over-shadowing or create overbearing relationships between buildings where this would be detrimental to residential amenity and goes on to describe how the impact of an extension on the daylight enjoyed by neighbouring occupiers can be assessed using the 45 degree rule.

The site sits between two bungalows; The Little Bungalow to the south-east and Cranleigh to the north-west. It is unclear what the impact will be to the plot which was established under reference 17/01673/FUL as the outbuilding which would form part of the bungalow has been demolished with no structures on site.

The Little Bungalow is unlikely to be affected by the replacement dwelling. The dwelling will be reduced approximately 5 metres from the north-eastern boundary and the garage will be some distance away from the property boundary.

The proposed dwelling will sit 3 metres from the boundary with Cranleigh, a bungalow to the north-west. Cranleigh has photovoltaic panels fitted to the south-east side roofslope which are roughly 2-3 metres from the shared boundary. The impact to photovoltaic panels is a material consideration in planning applications, as set out within McLennan R v Medway Council & Anor (2019) EWHC 1738 (Admin) (10 July 2019) where it was stated 'interference with the solar panels is a material planning consideration.....in addressing, (however modestly, on an individual scale), issues of climate change'.

Existing elevations have not been submitted with the application but it is roughly estimated that the replacement dwelling will be around 4 metres taller than the existing bungalow at Littlewood House. In consideration of the proposed height of the dwelling within 3 metres of the shared boundary it is likely that the photovoltaic panels would be subject to a loss of daylight, particularly in the winter months where the sun is lower.

The proposed dwelling is not considered to pose risk of overshadowing to Cranleigh as the 45 degree right to light would be preserved. There would also be no loss of privacy; there will be one first floor window which will serve a bathroom which would be conditioned to be obscurely glazed.

Overall, the proposed dwelling is considered to pose material harm to the exposure of the photovoltaic panels at Cranleigh.

## **HIGHWAYS MATTERS**

Paragraph 110 of the NPPF states that schemes can be supported where they

provide safe and suitable access for all. This requirement is also contained in policy DM4 of the Council's Core Strategy. Paragraph 111 of the NPPF makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 92 of the NPPF states that all development should aim to achieve healthy, inclusive and safe places which encourage social interaction, are safe and accessible and enable and support healthy lifestyles. Paragraph 110 of the NPPF requires schemes to provide safe and suitable access for all users as well as looking at appropriate opportunities to promote sustainable transport modes.

Paragraph 112b of the NPPF requires schemes to address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

Paragraph 112e of the NPPF requires schemes to be designed to enable charging of plug-in electric vehicles (EV) and other ultra-low emission vehicles (ULEV) in safe, accessible and convenient locations. As with mobility vehicles, there are currently no County standards on what provision developers must provide as part of their schemes, but this is to change soon as the County is working on such a policy and has considered it to be appropriate to request provision here in line with the requirements of paragraph 112e of the NPPF.

The proposal includes plans to create a new access from Wheatley Road which would provide sole access for Littlewood House. The new access would be situated centrally within the frontage, slightly east of Wood Lane (public bridleway). It is noted that a similar access point was previously granted on site as part of 20/00928/HSE which is an extant permission however it was never constructed.

The Highways Authority have raised no objections to the creation of this access. There will be a 2.7 metre opening which will require some loss of the boundary hedgerow and a new dropped kerb to be created. There is adequate space within the driveway for the manoeuvring of vehicles.

As such, there are no negative impacts anticipated to highway safety.

### **ECOLOGY/TREES**

The content of paragraph 180 of the NPPF is applicable as it states that in dealing with planning applications, councils must consider the harm of a scheme on biodiversity. Some harm to biodiversity is allowed, but it states that significant harm should be avoided, adequate mitigation should be provided or if this is not possible, the loss should be compensated for. If none of the above is possible, then permission should be refused.

The Sturton Design Guide states that landscaping should be integrated into all development to reinforce the rural character of the area. The Mid-Nottinghamshire Farmlands Landscape Character Assessment also emphasises the importance of trees and hedges within the landscape. As such, any new development should

retain and enhance these features where possible.

The site plan indicates that trees within the frontage shall be retained, as will the hedgerows on the frontage and north-west side elevation. There will be a minor loss of hedgerow to create the new vehicular access.

Adequate enhancement of the site would be expected. If planning permission is granted a condition to submit a landscaping scheme will be imposed.

### **FLOODING/DRAINAGE**

The NPPF at paragraph 159 and policy DM12 of the Core Strategy makes it clear that development in areas at risk of flooding should be avoided by directing development away from the areas at the highest risk. The site lies in a flood zone 1 area as designated by the Environment Agency which is land at least risk of flooding from local rivers and this is where development is directed in the NPPF to minimise the risk of flooding.

Paragraph 167 of the NPPF requires that proposals do not increase flood risk elsewhere and should be developed in line with a site specific flood risk assessment which incorporate a Sustainable Urban Drainage solution. Should flooding events occur, the NPPF also requires that schemes demonstrate how the residual flooding impact would be dealt with.

Details of drainage have not been submitted with the scheme. However, the applicant would be required to liaise directly with the relevant drainage Authority to ensure adequate management of drainage and foul water.

### **CONTAMINATED LAND**

Paragraph 183 of the NPPF requires that in making decisions on schemes consideration is taken account of the ground conditions and any risks arising from contamination.

There are no known receptors for contaminated land on this site. However, as this site is a redevelopment, should any contamination be found during the course of development, the Authority should be contacted for advice.

### **COMMUNITY INFRASTRUCTURE LEVY**

The proposal is liable for Community Infrastructure Levy payments. CIL is payable at £55 per sqm in this location.

### **CONCLUSION/PLANNING BALANCE**

The application proposes a replacement dwelling outside the settlement boundary. Whilst a replacement dwelling is acceptable in principle, the proposal is considered to be of a scale which would be detrimental to the character of Wheatley Road and the surrounding landscape character. It would also likely have a detrimental impact

	to the operation of Photovoltaic Panels on the adjacent property as a result of the proposed scale. It is therefore recommended for refusal.
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