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Rushcliffe Metropolitan Borough Council  
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West Bridgford  
NG2 7YG

OwenBunny/2

27 February 2024

Dear Emily

**10 Moor Lane, Bunny**

**Proposed replacement dwelling (incorporating demolition of the existing dwelling in a Conservation Area)**

Please find enclosed our detailed planning application for the above which is submitted on behalf of our client, Thomas Owen.

Mr Owen's childhood home is the adjacent property, *The Old Vicarage*<sup>1</sup>, where his parents still reside.

The opportunity arose to purchase the adjacent 10 Moor Lane. Mr Owen acquired it so that both families may live in closer proximity.

The application proposals have been informed by a Heritage Assessment, a Protected Species Appraisal and an Arboricultural Assessment – and all are necessarily submitted to comprise part of the application documentation.

The application site comprises 10 Moor Lane and its residential garden.

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<sup>1</sup> Listing no M10321.



10 Moor Lane is a single two-storey residential property of little architectural value (see above) – accessed via a private driveway direct off the public highway, between *The Old Vicarage* and 12 Moor Lane (see below).



The enclosed **Protected Species Appraisal** confirms the existing dwelling is neither used nor suitable for use by bats (and recommends that no further survey work is required).

The site lies within the built-up area of **Bunny** where there is a *presumption in favour* of new residential development, and is surrounded on three sides by neighbouring households.

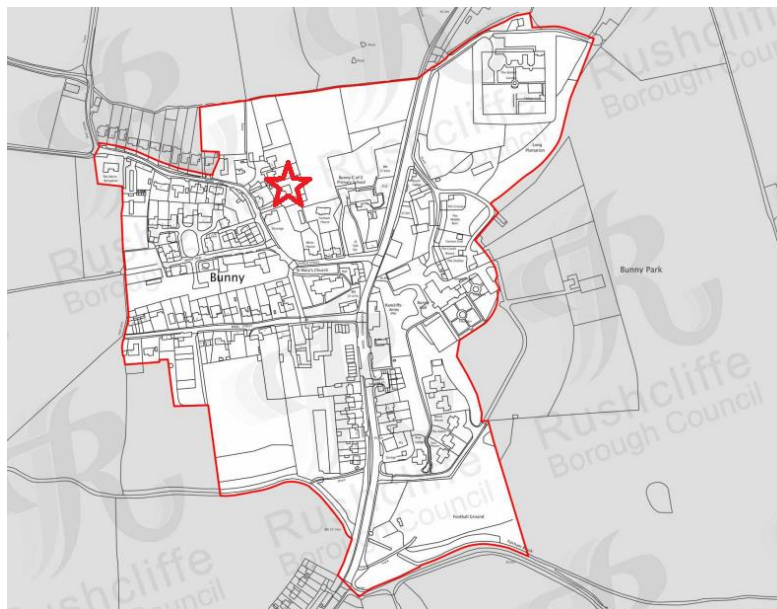


**Figure 1.** Extract from the Policy Map confirming the site (edged red) falls within the built-up area of Bunny

There are a number of mature trees within and bounding the garden.

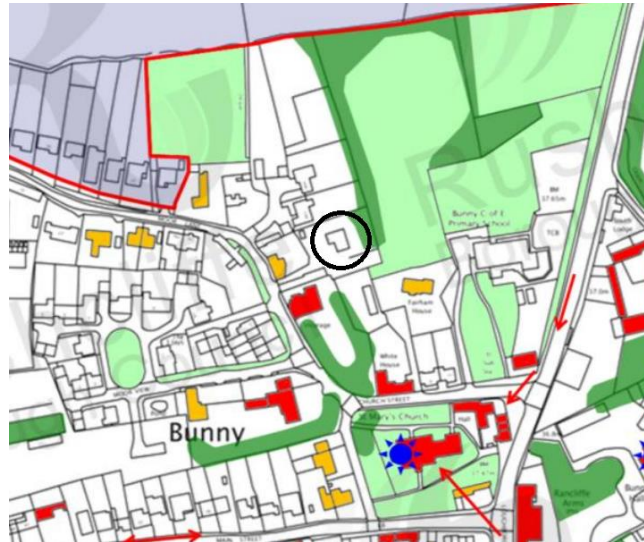
These are all to be retained – and their position and extent (and root protection areas) are all more particularly recorded on the enclosed existing and proposed site plans, and within the Arboricultural Assessment.

The site also lies within **Bunny Conservation Area**.



**Figure 2.** Bunny Conservation Area boundary – with the location of the site shown (starred red)

The proposals have been carefully formulated having regard to the character and appearance of the Conservation Area (which is set out more particularly in the Bunny Conservation Area Appraisal).



**Figure 3.** Extract from the Townscape Appraisal – showing the location of the site (circled black), listed buildings (red), key unlisted buildings (yellow), Positive Open Spaces (light green) and Wooded Areas (dark green)

The enclosed Heritage Statement identifies the significance of the Conservation Area as a designated heritage asset – and considers the impact of the development (comprising both the demolition of the existing dwelling and the erection of its proposed replacement) upon such.

The same Heritage Statement also considers the significance of surrounding designated and non-designated heritage assets (i.e. nearby Listed and non-Listed buildings which contribute positively to the character and appearance of the Conservation Area) – and the impact of the development upon them.

In *development management* terms, Section 38(6) of the Planning Act requires applications to be determined against the Development Plan unless material considerations indicate otherwise.

In this instance, the **Development Plan** comprises the:

- Local Plan Part 1: Core Strategy 2014; and
- Local Plan Part 2: Land and Planning Policies 2019

**Policy 3 (Spatial Strategy)** of the Core Strategy confirms that Bunny comprises one of those ‘*other settlements*’ not shown on the Key Diagram – where new development will be supported for local needs only.

**Policy 11 (Housing Development on Unallocated Sites within Settlements)** of the Local Plan Part 2 provides the policy criteria against which housing development within the main built-up areas of the Borough will be assessed.

**Policy 10 (Design and Enhancing Local Identity)** of the Core Strategy sets out the criteria against which all new development will be assessed to ensure for a satisfactory built environment.

Policy 11 clearly provides the policy support for the *principle* of the proposed replacement dwelling.

The proposal is considered to be fully compliant with Policy 11 insofar as:

- a) in terms of *scale* and *location* (insofar as comprising the replacement of an existing dwelling within the built-up area of Bunny), it is clearly in accordance with Policy 3 of the Core Strategy;
- b) *the replacement dwelling is considered to be of a high standard of design which will neither affect the character nor pattern of the area by reason of its scale, bulk, form, layout or materials;*



- c) *the existing site does not make a significant contribution to the amenity of the surrounding area by virtue of its character or open nature;*

In the above connection, there is already a dwelling on the application site – and the site itself is surrounded by development on three sides (and visually contained by existing trees along its north, eastern and southern boundaries) such that it makes little contribution to the amenity of the surrounding area<sup>2</sup>, and would certainly not be described as being “open” in nature.

- d) *the proposal would not result in the loss of any buildings considered to be heritage assets;*

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<sup>2</sup> other than the mature boundary trees, all of which will be retained (and therefore their contribution to the amenity of the area, as recognised in the Conservation Area Appraisal, will be preserved).



The existing dwelling is of no historic or architectural merit (refer to the applicant's Heritage Statement) and is not identified as a *Key Unlisted Building* within the Conservation Area Appraisal – and as such, is not a heritage asset.

- e) *the proposal would not have an adverse visual impact or be unduly prominent from locations outside the settlement;*

The proposed dwelling will be a replacement of the existing dwelling. As with the existing dwelling, its location is set considerably back from Moor Lane (the public realm), and behind those residential properties situated immediately along the road frontage. As such, the proposed dwelling (as with the existing dwelling) would not be unduly prominent – and certainly not from locations outside of the settlement.



**Figure 4.** View of existing dwelling from the site entrance



**Figure 5.** View of the proposed replacement dwelling from the site entrance

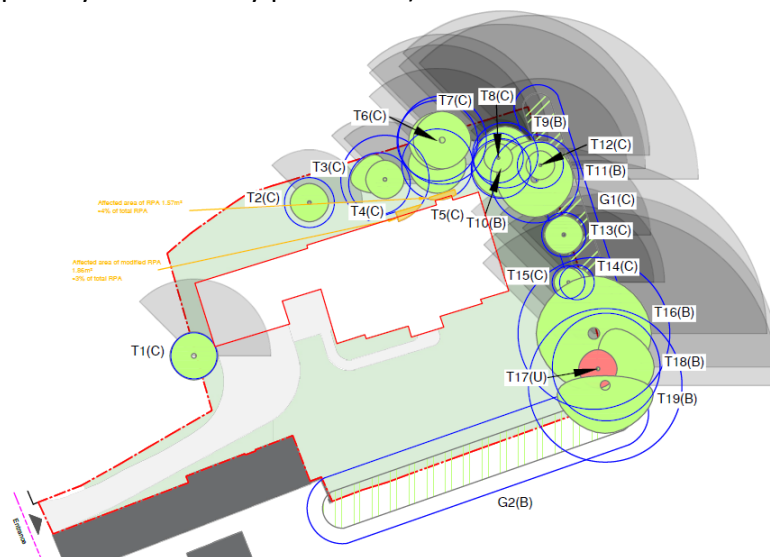
f) *the proposal has been designed so as not to cause a significant adverse impact on the amenity of nearby residents and occupiers;*

Whilst there are neighbouring properties on three sides of the application site, the proposed dwelling is broadly in the same position as the existing. The proposed dwelling has been purposefully designed to avoid any adverse impacts on the amenity of directly adjacent residents and occupiers – all of whom have been consulted regarding the proposed plans prior to formal submission of the application.

In this latter connection, the dwelling has been designed to be single-storey only where it is closest to the adjacent properties – with that single-storey aspect comprising 2no. garages.

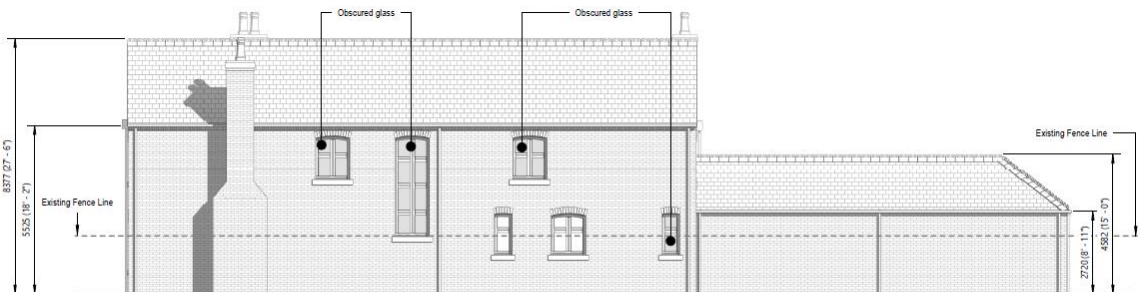


The position of the dwelling has been carefully chosen so as not to encroach any further into the root protection areas of the existing mature trees which run along the northern and eastern boundaries – all of which are to be retained (and will necessarily provide a further level of privacy and amenity protection).



The position and orientation of windows (particularly along the north and west elevations) have been carefully considered so as to avoid the potential for overlooking/loss of privacy.

The proposed replacement essentially turns its back on the northern boundary (save for two first-floor bathroom windows and a landing window – all of which are marked on the enclosed plans as being obscured) to maintain a satisfactory relationship with 14A Moor Lane, and instead to focus the primary aspects from key habitable rooms away from those mature trees shown to be retained so as to prevent any potential for future “tree resentment”.



North Elevation  
1:100

*g) appropriate provision for access and parking is made;*

The enclosed plans show 2no. secure parking spaces via the attached double garage, with ample space for additional parking on the driveway – all of which is at significant distance from the public highway.

The proposal is also considered to fully comply with the requirements of Part 1 of **Policy 10 (Design and Enhancing Local Identity)** of the Core Strategy insofar as it will (by replacing an existing building that makes no contribution to the Conservation Area with a higher quality development which seeks to retain all existing mature boundary trees):

- make a positive contribution to the public realm and sense of place;
- create an attractive, safe, inclusive and healthy environment; and
- reinforce valued local characteristics<sup>3</sup>.

The replacement dwelling will also be adaptable to meet evolving demands and the effects of climatic change by building to the latest Building Regulations standards (including high levels of insulation and using energy-efficient lighting and appliances wherever possible) and incorporating provision for an EV charging point within the garage – thereby satisfying *criteria 1d) and 1e)*.

<sup>3</sup> thereby satisfying *criteria 1a)-c)* of Policy 10.



As regards Part 2 of Policy 10, the proposal is considered to be equally compliant.

More particularly:<sup>4</sup>

- i. the proposed dwelling has been positioned in broadly the same position as the existing dwelling within the plot so as to reflect and respect the structure, texture and grain, including street patterns, plot sizes, orientation and position of buildings and the layout of spaces (*criterion a*);
- ii. the impact on the amenity of occupiers of nearby residents has been considered<sup>5</sup> (*criterion b*);
- iii. the massing, scale and proportion of the dwelling has been carefully devised, having regard to the proximity of neighbouring dwellings, the character and appearance of the Conservation Area and the setting of *The Old Vicarage* (as a designated heritage asset) and nearby non-designated heritage assets – as have the materials, architectural style and detailing to safeguard the setting of heritage assets and to ensure a satisfactory impact within the townscape (*criteria f, g, h and i*).

As recorded in the Heritage Statement<sup>6</sup>, the dwelling has been designed to reflect the prevailing style, appearance and linear plan form of the more historic houses in the village – and includes plain gables and makes use of traditional building materials.



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<sup>4</sup> as far as relevant given the proposal is for a replacement dwelling and Policy 10 deals with new development generally – and plainly some aspects are more relevant to much larger scale developments.

<sup>5</sup> see above assessment against Policy 11 of the Local Plan Part 2.

<sup>6</sup> paragraph 7.5.

The **Heritage Statement** (which should be read alongside this combined Planning and Design and Access Statement) comprehensively identifies the significance of all relevant heritage assets and assesses the impact of the proposed development on each before concluding:

- *the existing house which is proposed to be demolished is a relatively recent addition to the Conservation Area and makes little contribution to the Area’s character and appearance, or its overall significance;*
- *the site is not particularly prominent within the Conservation Area, being set behind the existing frontage properties along Moor Lane and is of no particular historic or architectural interest. It is therefore considered that the demolition of this property will not harm the character or appearance of the Conservation Area or its significance, and therefore there should be no objection to its demolition;*
- *the proposed replacement dwelling, reflecting the style and appearance of the more traditional properties within the wider Conservation Area, is an appropriate form of development within the Moor Lane Character Area – which is recognised by the Conservation Area Appraisal to be characterised by “detached and semi-detached dwellings of varying age and character”;*
- *for the purposes of assessing the impact of the proposals in the context of paragraph 213 of the NPPF, the site’s contribution to the Area’s character and appearance and its overall significance is best described as neutral, and the replacement of the existing house with the proposed development will preserve the established character and appearance of the Conservation Area and its overall significance, providing an opportunity for a new development that will make a positive contribution to its local character and distinctiveness; and*
- *given the enclosed nature of the application site and the considered approach to the overall design and appearance of the proposed dwelling, that significantly improves on the rather undistinguished existing dwelling, the proposals will not harm the character and appearance of the designated Conservation Area, nor the setting or overall significance of the neighbouring Listed Buildings – and as such complies with the requirements of the Planning (Listed Buildings and Conservation Areas) Act and the objectives of the local and national planning policies that seek to protect the setting and significance of Listed Buildings and the character and appearance of the Conservation Area.*

All this being the case, the application proposals are also considered to be fully compliant with Policy 11 (Heritage Assets) of the Core Strategy and Policy 28 (Historic Environment: Conserving and Enhancing Heritage Assets) of the Local Plan Part 2.

The replacement dwelling will also be a *self-build* dwelling<sup>7</sup>, for which there is additional policy support by way of **Policy 13** of the Local Plan Part 2 and at the national level.

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<sup>7</sup> designed by Mr Owen’s parents for their own occupation.

The proposed dwelling has also necessarily been designed to mitigate against and adapt to climate change by making more effective use of sustainably-sourced resources and materials where possible and minimise waste and water use.

More particularly, the dwelling will be far more thermally efficient than the current property, and all electrical fittings and domestic appliances will be chosen to optimize energy efficiency and meet Building Regulations requirements – and to ensure that water use will be no more than 105 litres per person per day.

The proposal will also incorporate an **electric vehicle charging point** as now required by latest Building Regulations.

In doing so, the proposed development incorporates sustainable design and adaptation objectives (and therefore also attracts additional policy support by way of **Policy 2 (Climate Change)** of the Local Plan Part 1 Core Strategy.

The ***presumption in favour of sustainable development*** (at both the local<sup>8</sup> and national levels) dictates that planning applications that accord with policies in up-to-date Development Plans should be approved without delay unless material considerations indicate otherwise.

For all the above reasons, the proposed development is considered to be fully compliant with the Development Plan and national Green Belt policy and should, in accordance with the *presumption in favour of sustainable development*, be **approved** subject to any reasonable and appropriate planning conditions.

For the avoidance of doubt the application submission comprises:

- Completed application form
- Ownership Certificate A
- Covering letter (comprising proportionate **Planning and Design and Access Statement**)
- Location Plan
- Existing Site Plan (dwg no DL/534/301)
- Proposed Site Plan (dwg no DL/534/310A)
- Existing Ground Floor Plan (dwg no DL/534/302)
- Existing First Floor Plan (dwg no DL/534/303)
- Existing Elevations Sheet 1 of 2 (dwg no DL/534/307)
- Existing Elevations Sheet 2 of 2 (dwg no DL/534/308)
- Proposed Ground Floor Plan (dwg no DL/534/311B)
- Proposed First Floor Plan (dwg no DL/534/312B)

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<sup>8</sup> Policy 1 of the Local Plan Part 1: Core Strategy.

- Proposed Elevations Sheet 1 of 2 (dwg no DL/534/317C)
- Proposed Elevations Sheet 2 of 2 (dwg no DL/534/318C)
- Visual – View from Moor Lane
- Visual – View from Entrance
- Visual – View from Garden
- Heritage Statement
- Protected Species Appraisal
- Arboricultural Assessment

Payment of the sum of **£578** in respect of the relevant LPA planning fee has been sent the Council directly.

I trust the above enclosed documents together with this covering letter (which comprises a proportionate **Planning and Design and Access Statement**) are sufficient to enable the application to proceed to be favourably determined and look forward to confirmation of registration at your earliest convenience.

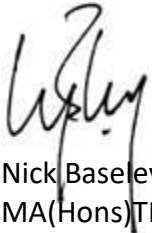
Should you require anything further on my part however, please do not hesitate to contact me when you may be assured of my best attention at all times.

In any event, I would appreciate a telephone call upon the expiration of the formal consultation period to ascertain whether there is anything further that you require, but also to establish the proposed method of determination so that I am able to advise my client accordingly.

I therefore look forward to hearing from you in due course.

Kind regards.

Yours sincerely



Nick Baseley  
MA(Hons) TP MRTPI  
Director