

Date: 26th October 2015

Dear Sir/Madam,

PLANNING COMMITTEE

Notice is hereby given that a meeting of the **Planning Committee** will be held in the Council Chamber, Kelham Hall, Newark on Tuesday, 3rd November 2015 at **4.00 pm**.

Yours faithfully,



A.W. Muter
Chief Executive

AGENDA

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PART 2 – ITEMS FOR INFORMATION

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PART 3 - STATISTICAL AND PERFORMANCE REVIEW ITEMS

None

PART 4 - EXEMPT AND CONFIDENTIAL ITEMS

The following items contain exempt information, as defined by the Local Government Act, 1972, Section 100A(4) and Schedule 12A, and the public may be excluded from the meeting during discussion of these items.

NOTES:-

A Briefing Meeting will be held in Room G21 at 3.00 pm on the day of the meeting between the Business Manager - Development, the Chairman and Vice-Chairman of the Committee to consider late representations received after the Agenda was published.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 6th October 2015 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)
Councillor G.P. Handley (Vice-Chairman)

Councillors: D.M. Batey, R.V. Blaney, Mrs C. Brooks, R.A. Crowe, Mrs M. Dobson, N.B. Mison, Mrs P.J. Rainbow, Mrs S.E. Saddington, Mrs L.M.J. Tift, B. Wells, I. Walker and Mrs Y. Woodhead.

ALSO IN

ATTENDANCE: Councillor J.D. Lee

73. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor D. Clarke.

74. MINUTES OF THE MEETING HELD ON 8TH SEPTEMBER 2015

AGREED that the Minutes of the meeting held on 8th September 2015 be approved as a correct record and signed by the Chairman.

75. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED that the following Members declared an interest in the items shown below:

<u>Member</u>	<u>Agenda Item</u>
Councillors R.V. Blaney, I. Walker and B. Wells	Agenda Item No.10 – Field Reference 8913, Off Becks Lane, Elston (15/00484/FUL). Personal Interest as the Councillors are all Church Wardens and are known to the applicant.
Councillor Mrs S.E. Saddington	Agenda Item No. 5 – Kilvington, Nottinghamshire (14/02023/FULM). Personal Interest as the Councillor is known to the applicant.

76. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting.

77. KILVINGTON, NOTTINGHAMSHIRE (14/02023/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought the development of 34 self-catering holiday units, a 25 bed Inn building, watersports building, storehouse and outfitters along with a commercial and educational unit, nature trails, cycle trails, pathways and family facilities and the re-routing of a public right of way.

The Committee was informed that the application was deferred at the last Committee to allow further discussion to take place with the applicant regarding highways and transportation issues; the length of occupancy of the units on site; and the siting/screening of the buildings on site.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from the following: Newark and Sherwood District Council's Legal Officer; Case Officer; Fisher German on behalf of CLH Pipeline System Ltd; Agent; and Applicant.

Councillor Mrs A. Pell, representing Rushcliffe Borough Council and Mrs A. McLean representing Alverton and Kilvington Parish Meeting spoke against the application in accordance with the Borough Council and Parish Meeting views.

Members considered the application and concerns were raised regarding road safety, urbanisation of the local area and light pollution from the hotel. Other Members commented that this was an industrial site in the past and this application would bring vast improvements to the site. Nottinghamshire County Highways had submitted no objections to the development.

AGREED (with 9 votes for and 5 votes against) that planning permission be granted subject to the conditions contained within the report, an additional amendments to secure the potential additional landscape buffering and an amendment to condition securing traffic calming to ensure that rumble strips are considered as a potential solution.

78. FORMER RAF FULBECK AIRFIELD, STRAGGLETHORPE LANE, FULBECK, LINCOLNSHIRE (15/01596/NPA)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the erection of 25 year operation and subsequent de-commissioning of a wind farm consisting of 10 wind turbines, each up to 110m to the blade tip and associated infrastructure, including underground cable connections.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from Coddington Parish Council; and a neighbouring resident.

The Business Manager, Development updated Members on recent appeal decisions on the issue of harm and the weighting of the Secretary of States Ministerial Statement and changes to the NPPG.

Members considered the application and it was commented that there was a typographical error on page 86 of the report, the date should read 19th August 2015 and not 2014. The new Ministerial Guidance would therefore have to be applied to this application. Members felt that this site was not suitable for wind turbines, the area had not been included in the local or neighbourhood plan for a site for wind turbines and the concerns of the local community had not been addressed.

AGREED (unanimously) that the Business Manager Development submit the Authority's objection to South Kesteven District Council as the formal response of Newark and Sherwood District Council. The objection should be on the grounds of heritage harm, the lack of an identified site for turbines in the South Kesteven Development Plan and the clear absence of community backing (including a failure to address the identified harm).

79. THE OLD POST OFFICE, 21 MAIN STREET, CODDINGTON (15/00883/FUL)

The item was withdrawn from the agenda.

80. WILLOWDENE, 9 BECKINGHAM ROAD, CODDINGTON (15/01268/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought planning permission for a replacement dwelling.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from the Agent.

Councillor J.D. Lee, local Member for Balderton North & Coddington and Councillor Mrs L. Cox representing Coddington Parish Council both spoke in support of the application.

Members considered the application and commented that the design of the house was good and the plot was large enough for the proposals. It was commented that the application was contrary to policy and the applicant had tried to mitigate this by placing the proposed dwelling on the foot print of the existing building. It was felt that the position of the building may be more beneficial if sited centrally on the plot.

AGREED (with 11 votes for and 3 votes against) that contrary to officer recommendation planning permission be approved subject to any reasonable conditions delegated to the Business Manager Development in consultation with the Planning Committee Chairman and Vice-Chairman.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
D. Batey	For
R.V. Blaney	For
Mrs C. Brooks	Against
D. Clarke	Apology
R.A. Crowe	For
Mrs M. Dobson	For
G.P. Handley	For
N. Mison	For
D.R. Payne	For
Mrs P.J. Rainbow	For
Mrs S.E. Saddington	For
Mrs L.M.J. Tift	Against

I. Walker	For
B. Wells	Against
Mrs Y. Woodhead	For

81. UNIT 15, JESSOP WAY, NEWARK (15/01245/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the change of use of the existing vacant industrial unit from Class B – Business/General Industry to Class D2 – Leisure, to enable the application to use the unit as a Cross Fit/personal training centre. No external alterations were proposed to the building with the exception of the installation of new signage.

Members considered the application and felt that the parking identified was not accurate as the parking was for the whole of the industrial units and not exclusively for the use of Unit 15, which may therefore have an impact on highway safety. They also considered the comments of Newark Town Council who had objected to the application on the grounds that the unit was on an industrial estate, not a retail park; the change of use was inappropriate for an industrial estate; and the area should be kept for industrial use and job creation and not used for recreational activities.

AGREED (with 11 votes for and 3 votes against) that contrary to officer recommendation planning permission be refused for the following reasons:

- (i) the unit was on an industrial estate, not used for recreational activities;
- (ii) there was no exclusive parking for customers and staff; and
- (iii) the site was inappropriate for the proposed use.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
D. Batey	For
R.V. Blaney	For
Mrs C. Brooks	Against
D. Clarke	Apology
R.A. Crowe	For
Mrs M. Dobson	For
G.P. Handley	For
N. Mison	For
D.R. Payne	For
Mrs P.J. Rainbow	Against
Mrs S.E. Saddington	For
Mrs L.M.J. Tift	Against
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	For

82. FIELD REFERENCE 8913, OFF BECKS LANE, ELSTON, NOTTINGHAMSHIRE (15/00484/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for a single 500kW three bladed wind turbine measuring 77 metres in height to blade tip and 50 metres in height to hub and with a rotor diameter of 54 metres.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from RESIST (Residents of Elston Spurn Inappropriately Sited Turbines) and the Agent.

Councillor Key representing Elston Parish Council spoke against the application in accordance with the Parish Council views, which were contained within the report.

Members considered the application and raised concern regarding the impact on the heritage assets which had not been addressed. It was also commented that a proper pre-application consultation process had not been undertaken by the applicant. Other Members commented that the views surrounding the village were interrupted by power lines and pylons and felt that the wind turbine would have little impact.

AGREED (with 10 votes for and 4 votes against) that contrary to Officer recommendation full planning permission be refused on the grounds of harm to heritage assets, which have not been fully addressed and the lack of community backing given the levels of objection which identify planning issues and the failure to address them.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
D. Batey	Against
R.V. Blaney	For
Mrs C. Brooks	Against
D. Clarke	Apology
R.A. Crowe	For
Mrs M. Dobson	For
G.P. Handley	For
N. Mison	For
D.R. Payne	For
Mrs P.J. Rainbow	For
Mrs S.E. Saddington	For
Mrs L.M.J. Tift	Against
I. Walker	For
B. Wells	Against
Mrs Y. Woodhead	For

(Councillors Mrs M. Dobson and Mrs L.M.J. Tift left the meeting at this point.)

83. BRINKLEY HALL FARM, FISKERTON ROAD, BRINKLEY (15/01395/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the replacement of industrial units with a new detached four bedroom, two storey house with attached double glazing.

AGREED (unanimously) that the application be deferred pending a site visit.

84. UNIT 3, ROBIN HOOD WALK, NEWARK (15/01243/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought a change of use from Class A1 (Retail) to a Gym falling within Class D2 (Assembly and Leisure).

Members considered the comments of Newark Town Council who had objected to the application on the grounds that the Retail Capacity Study that had been undertaken had identified that Newark did not have enough large retail units and one of the reasons for the original permission was to provide large retail units. Other Members felt that having a gym in the centre of the town would be beneficial to people who worked in the town centre.

AGREED (with 8 votes for and 4 votes against) that full planning permission be approved subject to the conditions contained within the report.

85. APPEALS LODGED

NOTED that the report be noted.

86. APPEALS DETERMINED

NOTED that the report be noted.

87. PROPOSED APPOINTMENT OF WORKING PARTY TO REVIEW THE SCHEME OF DELEGATION

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chairman agreed to take this item as a late item of business in order to establish a working party as soon as possible.

The Committee considered the report of the Deputy Chief Executive, which sought approval to constitute a Working party of the Planning Committee to consider the Scheme of Delegation and other issues.

The Councillors Commission at its meeting on 15th September 2015 had recommended that the Planning Committee consider issues relating to the frequency of meetings of the Planning Committee; in particular consider whether to amend the Scheme of Delegation to officers.

AGREED that:

- (a) a working party be established to consider an amendment to the scheme of Delegation to enable greater delegation to officers, to review the need for site visits to be undertaken and to review the current scheme of referrals of matters to Planning Committee by Members and to make recommendations to the Planning Committee; and
- (b) the composition of the Working Party be three Conservatives, two Labour and one Independent:
 - (i) Planning Committee Chairman, Vice-Chairman and Councillor Blaney (Conservative);
 - (ii) Councillors: B. Wells and Mrs Y. Woodhead (Labour);
 - (iii) Councillor Mrs M. Dobson (Independent).

The meeting closed at 7.27pm.

Chairman

Application No:	15/01469/FULM	
Proposal:	Proposed new council office and civic accommodation on existing public car park.	
Location:	Land Adjacent To The Cattle Market, Great North Road, Newark-On-Trent, Nottinghamshire, NG24 1BY	
Applicant:	Mr Matthew Varley - Newark And Sherwood District Council	
Registered:	19th August 2015	Target Date: 18th November 2015

The Site

The application relates to a 1.3 Ha site located within Newark Urban Area. The site is bound to the south west by Great North Road (B6326), the Cattle Market and lorry park to the north and Newark Castle Railway Station and railway line to the south east. The larger front section of the site contains public car park operated by Newark and Sherwood Council (NSDC) with existing access onto Great North Road. The smaller rear section of the site includes part of a lorry park also operated by NSDC. As such, the site itself is predominantly hardstanding.

A residential dwelling called Andreas is located to the north west of the site. On the opposite side of Great North Road to the west of the site are a number of terraced dwellings including Midland Terrace. Gascoines Auction Centre is located to the south of these dwellings also opposite the application site.

To the north west of the site on the opposite side of Great North Road is an allocated employment site (Policy NUA/E/4). A planning application (14/01598/FULM) for the erection of a Class A1 retail foodstore and petrol filling station is currently pending determination on this site.

The site is not located within Newark Conservation Area (CA) albeit the CA boundary follows the route of the railway line to the south of the site. Within the CA are a number of Listed Buildings which are visible from the application site including the Former Station Masters House and Railway Station building which are both Grade II Listed to the south of the site and a Grade II Listed culvert located to the north of the site. The spire of Grade I Listed St Mary Magdalene Church spire and Newark Castle which is also a Scheduled Ancient Monument are also visible in close proximity to the site.

The old Trent Dyke flows along part of the north west boundary of the site. A number of mature trees are located along the frontage of the site with smaller trees and shrubs located centrally within the existing public car park and along the boundary with the lorry park.

Relevant Planning History

12/00896/FUL Use of part of lorry park to hold car boot sales every Sunday and Bank Holiday – permission 27.09.2012

06/00072/FULMR4 Operate Sunday Car boots sales (amended car parking / sales layout) – permission 27.04.2006

96/51074/FULR3 Operate Sunday car boot sales – permission 07.01.1997

01870379 Construction of livestock market car and lorry parks – permission 28.09.1987

01870602 Temporary car park during construction of slaughterhouse lane development – permission 11.08.1987

The Proposal

Full planning permission is sought for the erection of new offices and civic accommodation for Newark and Sherwood District Council. The new building would provide a total gross internal area of 3677m² on three floors. It would be a three storey H-form building with two distinct wings either side of a central entrance and circulation area. The projecting wing to the right of the entrance would have roof overhang to provide solar shading and be clad in a curtain wall structure to allow selective positioning of windows and solid areas. This would be continued around the sides and rear of the building. The projecting wing to the left of the entrance would have a vertical place of brickwork. The entrance itself would be glazed with a slender canopy above. The roof of the two wings would be flat to allow the positioning of photo-voltaic solar panels.

The Design and Access Statement confirms that *'the Council are seeking to adopt an agile method of working in the new building in which office workspaces are occupied on a flexible basis with few staff members having allocated desks. Office accommodation would be open plan with discrete meeting pods to enable confidential meetings, discussions or telephone calls'*. Using the agile working methodology, 230 workspaces are proposed in the new building with meeting areas of different sizes. The following facilities are also proposed:

- Civic suite comprising a Council Chamber for approx. 60 people with public seating area. This is to be capable of being subdivided into 2 large meeting rooms using partitions;
- Members accommodation and meeting rooms;
- Customer service area;
- Job Centre;
- Citizen's Advice Bureau;
- Staff welfare accommodation.

The main entrance of the building would face towards Great North Road and would be approached along a linear piazza leading to the south east corner of the site adjacent to the level crossing. There would be a slight upwards gradient along the piazza towards the main entrance to allow floor levels in accordance with flood mitigation measures. The existing access to the site would be utilised with the existing public car park layout reconfigured around the proposed building. Part of the existing lorry park area would also be utilised for car parking.

The building would be designed to achieve a BREEAM Excellent standard and would be 'low energy'. Measures include enhanced levels of natural light in lieu of electric lighting during the working day; enhanced levels of thermal insulation and double glazing and some triple glazing to reduce heat loss. The submitted Energy and Environmental Statement states that's that the proposed building is estimated to achieve an Energy Performance Certificate (EPC) rating of 'A' and including the electric photovoltaic panels of the roof will move the building towards the 2019 'nearly zero-energy' requirements for new buildings.

A Flood Risk Assessment, Design and Access Statement, Heritage Impact Assessment, Ecology Report, Energy and Environmental Statement, Contaminated Land Report, Archaeological Desk-Based Assessment, Transport Assessment, Travel Plan and Tree Survey have been submitted with the application.

Departure/Public Advertisement Procedure

Occupiers of 93 neighbouring properties have been individually notified by letter. A site notice was displayed at the entrance of the site on 25.08.15 and an advert has been placed in the local press on 27.08.15.

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 - Spatial Distribution of Growth
Spatial Policy 6 – Infrastructure for Growth
Spatial Policy 7 - Sustainable Transport
Core Policy 6 – Shaping our Employment Profile
Core Policy 9 -Sustainable Design
Core Policy 10 – Climate Change
Core Policy 11 – Rural Accessibility
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 14 – Historic Environment
NAP1 – Newark Urban Area

Newark and Sherwood Publication Allocations & Development Management DPD (Adopted July 2013)

Policy DM1 - Development within Settlements Central to Delivering the Spatial Strategy
Policy DM3 - Developer Contributions
Policy DM4 - Renewable and Low Carbon Energy Generation
Policy DM5 – Design
Policy DM7 - Biodiversity and Green Infrastructure
Policy DM9 - Protecting and Enhancing the Historic Environment
Policy DM12 - Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2012

National Planning Practice Guidance PPG (March 2014)

Historic England Good Practice Advice Notes (GPA2 and GPA3)

Consultations

Newark Town Council – No Objection was raised to this application but the following points were raised:

- a. There will be a reduction in public parking spaces.
- b. Concern that there is a reduction in the number of lorry parking spaces.
- c. Where will the cycle racks be situated?

Environment Agency

Comments received 20.10.2015:

We have the following comments regarding the flood risk associated with the proposed development:

- With regards to the Old Trent Dyke, one of the main reasons for undertaken a hydraulic assessment of the Dyke is to understand where the channel overtops and how water conveys across the floodplain. The capacity assessment is not able to consider this given the nature of the watercourse and the closed penstock assessment only considers storage at the north west of the site, but conveyance to this area has not been considered. Both the new development could be affected and also the means of safe access and egress by this source if flooding occurs elsewhere within the cell.
- The flood runoff calculation (to consider a closed penstock calculation) uses a Greenfield runoff volume calculation. Although an incorrect URBEXT₁₉₉₀ value has been used (0.01 instead of 0.07), the Kelham Road/Great North Road is almost 60% brownfield and thus we would expect greater runoff than has been predicted. Also, the channel has been used for calculating storage; we would anticipate that this storage would be lost much earlier in the event.
- Given the tight nature of the flood cell (behind the ring bank defence) and the existing more vulnerable community, an adjacent application (Kelham Road, retail store) was able to provide floodplain compensation storage to offset their impact. Please provide confirmation of the loss of floodplain storage as a result of this development to confirm whether or not compensation is required.
- The development is not afforded a safe means of access and egress in times of flooding. There are immediate depths of floodwater (around the existing entrance to the site) ranging from 300mm-500mm, which puts the general public at danger of flood hazards. We recommend your Emergency Planner is consulted to determine whether a safe means of escape, or emergency plan, can be produced to make the development safe. There is an assumption that the development has a safe means of access and egress in a 1%AEP flood, this is on the assumption the existing flood defences do not fail. In the event of a breach the site could be severely affected and a safe means of access and egress would not be available. Therefore, evacuation procedures should also take into account the event of a breach of the existing defences.
- We have severe concerns with regards to the proposed Emergency Planning use being located within this building. Newark is severely affected by flooding and as NSDC are a 'Category 1' responder it is necessary that you are able to remain operational during a flooding incident. Please provide details of how NSDC will be able to undertake their roles as a 'Category 1' responder as a result of being situated within this building.
- We support raising the finished floor level further than previously recommended. We would maintain that the finished floor levels should be set at 12.43mAOD. If this cannot be achieved, then please provide details of flood resilience that could be incorporated within the building.

Comments received 08.09.2015:

The Environment Agency is in receipt of a Flood Risk Assessment (FRA), dated August 2015, for the above site, but we have some concerns about the information contained therein, and its consistency with respect to our previous pre-application comments and conversations.

Firstly there is a presumption in the FRA of a positive sequential test (para 7.3). We note that the position of Newark & Sherwood District Council on this matter has not been included with the consultation, nor as previously requested (our letter dated 6 August 2015), have the details of the alternative sites been made available.

We would welcome clarification of exactly how it is proposed to deal with the Emergency Planning element of the proposal and the related vulnerability classification, as there appears to be some mixed messages between what is in the current FRA, and what has previously been discussed. We note also that paragraph 1.6.1 of the FRA identifies the site as having a hazard rating of "danger for all" but this is not followed up or explained in other parts of the document.

We have previously indicated that it will be important that one of the main sources of potential flooding, the Old Trent Dyke, which has only been represented through a capacity assessment, is subject to a full hydraulic modelling exercise. We recommend that such an exercise takes place to provide the necessary evidence to demonstrate the flood risk to the site in a number of differing flood scenarios.

We also note that it is proposed to raise floor levels only 300mm above the 100yr plus climate change event flood level, but have some concerns that this will still leave the building at risk of internal inundation from an extreme event from either the River Trent or the Old Trent Dyke. Under these circumstances, and given that the climate change figures used are not the most recent UKCP 09 figures, we would recommend that consideration is given to increasing the freeboard to 600mm. It is also noted that the FRA does not offer clarity with respect to actual flood levels as they impact on the site and actual water depths which will impact on the access and egress emergency considerations, particularly with reference to paragraph 4.3.4. We feel that it would be very helpful to have this information in the document, and that without such information, the FRA is not considered complete.

Although this is not an in principle objection to the proposal, we consider that the extra information is needed to allow a full assessment of the flood risk associated with the proposal.

Environment Agency position - In the absence of an acceptable Flood Risk Assessment (FRA) we object to the grant of planning permission and recommend refusal on this basis for the following reasons:

Reason - The FRA submitted with this application does not comply with the requirements set out in paragraph 9 of the Technical Guide to the National Planning Policy Framework. The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA fails to:

1. Give appropriate consideration to all sources of flooding, taking account of a range of flooding scenarios including extreme events.
2. Consider how people and property will be kept safe from flood hazards identified, taking the most up to date impacts of climate change into account.
3. Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event.

Overcoming our objection - Our objection can be overcome by submitting an FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until an adequate FRA has been submitted.

Trent Valley Internal Drainage Board

A Board maintained watercourse, which is partially culverted, is located within the site and to which BYELAWS and the LAND DRAINAGE ACT 1991 applies.

The Board's consent is required to erect any building or structure (including walls, fences, benches, lighting columns, roads etc.), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of any Board maintained watercourse or the edge of any Board maintained culvert.

The Board's consent is required for any works, whether temporary or permanent, in, over or under any Board maintained watercourse or culvert.

The erection or alteration of any mill dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, within the channel of a riparian watercourse will require the Board's prior written consent.

The Board's consent is required for any works that increase or alter the flow of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority (LLFA) and your authority. The Board request that your authority, in conjunction with the LLFA, ensure that post development surface water run-off to receiving watercourses is not increased.

The Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/culvert or the Board's machinery access to the watercourse/culvert which is required for annual maintenance, periodic improvement and emergency works.

The Board will be required to access the open watercourse with heavy plant machinery for which the applicant has provided a 6 metre wide grass strip alongside the watercourse. Whilst this access width is sufficient for normal maintenance works it is expected that the Board will be required to impose short term localised restrictions on the car park when more significant works are required.

Under the Land Drainage Act 1991 the Board are permitted to deposit arisings from the watercourse on adjoining land. Any occupier of adjacent land wishing to remove the spoil should note that an exemption under the Waste Management Regulations may be required from the Environment Agency.

The Board will also require access to the culverted section of watercourse which runs through the car park for periodic inspection and maintenance of the culvert.

Network Rail – We have no objection to the overall proposal to re-locate the Council Offices to the Cattle market site, and in some ways this is positive in terms of increased usage of the railway for journeys to the Offices by rail from staff and visitor alike. However there are some matters that need to be considered in relation to the railway.

Firstly in term of drainage the comments of the FRA are noted and it is understood that the existing NR drain which flows through the car park will remain undisturbed and there will be no use of soakaways towards NR infrastructure. As such there should be no effect on trackside drainage, given the gravity effect of the drain running away from the railway.

Secondly we note the proposals for a public piazza in front of the offices; we do wonder whether an opportunity has been missed here to also improve the entrance to the eastbound platform of the station, which is rather narrow and not particularly attractive or welcoming. There is potential here to create a better entrance through the piazza and we would welcome the opportunity to explore the possibility of a revised access as part of the wider proposals.

In relation to the Transport Assessment and in particular the level crossing, you are aware that the crossing is to be upgraded as part of the re-signaling of the route between Nottingham and Lincoln. Following the change of the barrier control mechanism from manual control by Castle Signal Box to remote CCTV control from the East Midlands Signal Control Centre, there will be no discernible change to barrier down times although there is likely to be a slight increase as road traffic itself increases and the “gaps” in traffic when it is opportune to lower barriers become fewer. The upgrade will include provision of yellow box markings. We also note provision of a yellow box marking at the entrance to the Offices, which is supported, as it will help to reduce incidences of blocking back over the crossing itself. However it is a fact that there will be an increase in pedestrian movement over the crossing as a result of the new offices and although there will be clear white markings for pedestrians to cross the railway it would be considered helpful if the Council offices hold literature about the safe use of the crossing (utilising NR leaflets which we can provide) within the reception foyer. Additionally, in conjunction with our comments in relation to the application for a foodstore (14/01598) we would ask that further crossing improvements (in terms of dot matrix signs activated by the gate closure and traffic violation cameras should traffic levels or level crossing abuse substantially increase as a result of the development) are tied to the putative travel plan through penalty measures if targets for non-vehicular usage are not met. The travel plan does set out targets and measures for achieving an initial 10% reduction in car use but it does not give any indication of penalties or measures to be taken if these targets are not met. We would suggest that at the first review of the Travel Plan a survey of traffic levels over, and also pedestrian behaviour at, the level crossing is undertaken and if issues are identified an appropriate contribution towards safety improvements at or in the vicinity of the crossing is made.

In terms of landscaping it is noted that there is some indicative tree planting along the NR boundary wall. Please note that there are certain species which we would not wish to see planted (because of their propensity to cause leaf fall problems in the Autumn), As such we would wish to be consulted on any landscaping scheme put forward.

In terms of actual construction it is presumed a condition will be applied to provide a detailed construction methodology which should also cover the interface with the working railway (if excavation/demolition/piling &c is taking place within 10 metres of the railway boundary it may be necessary to enter into a basic asset protection agreement with NR, via the address below) and this also applies to any abnormal loads that may use the level crossing, though it is expected all construction traffic would not use a route through the town but access the site from the north.

The method statement will need to be agreed with:

Asset Protection Project Manager
Network Rail (London North Eastern)
Floor 2A
George Stephenson House
Toft Green
York YO1 6JT

Email: assetprotectionlne@networkrail.co.uk

English Heritage –

Summary - Historic England was consulted on proposed plans in August this year and our letter dated 20th August 2015 refers. The proposal is for the construction of new council office and civic accommodation on the livestock market car park, Great North Road, Newark. The site itself is adjacent to Newark Conservation area and falls within the setting of numerous listed buildings/scheduled monument including the Grade II listed station, scheduled Newark Castle, and the Grade I listed St Mary Magdalene. Our advice is given in line with the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework (NPPF), the Planning Practice Guidance, and the Historic Environment Good Practice Advice in Planning Note 2 and Note 3 - The Setting of Heritage Assets. We believe this development will result in a degree of harm to the significance of designated heritage assets. Ultimately it will be for your authority to balance all planning consideration including the public benefit, in determining this application.

Significance - The historic core of Newark lies on a river cliff on the east bank of the River Trent giving the town an elevated position in relation to the low lying flood plain to the west. With its strategic position on a major Roman route The Fosse Way, Newark developed as an important centre with in the period of Henry II a major market was established for the wool and cloth trade - its historic and architectural importance recognised in the conservation area designation. Historically the development site formed part of open fields below the historic core of the town which was contained by the watercourse and later by the Midland railway between Newark and Lincoln. Throughout the 19C, greater development happened in this area and on the site, with local industries utilising the new transport network which saw the construction of good sheds, warehouses and railway sidings. Adjacent to the site is the grade II listed castle railway station, built in 1846 in the Italianate style and is both a historic and architectural landmark within this immediate area. North east of the station and by the railway line is the grade II good warehouse built in 1875 and constructed of red brick with blue and yellow brick and stone detailing - the linearity of development along and directly associated with the transport routes is characteristic of this area. The site lies adjacent to one of the key historic and strategic routes into the town - the Great North Road, where the lime tree avenue was laid out in 1909 by public subscription to commemorate the visit of King Edward VII. On approaching Newark along this route, the gateway into the town is dominated both by Newark Castle, a scheduled monument, the earliest part built for Alexander Bishop of Lincoln in 1133-1148, and the spire of the Grade I listed c.1180 Church of St Mary Magdalene. At 236ft high the octagonal spire is one of the tallest in England and dominates the Newark skyline. The relationship of church, castle, the medieval settlement of Newark and the Trent is highly significance.

Impact of the proposed development on significance - The proposed new offices with car parking and access, are located within the site, set back from the Great North Road behind a public piazza. It is designed on two 3 storey wings running parallel to each other on a NE SE axis, either side of a central fully glazed area which forms the main entrance at ground floor. As previously advised, development on this site and creating a building which will have a strong visual presence, will inevitably result in a significant change of character to this part of Newark and will add to the number of 20C developments now constructed and proposed beyond the historic limits of the town. As a result, the appreciation and understanding of the historic development of Newark, defined historically by the water course and with later linear developments associated with the railway, is compromised. In mitigation, we recognise the building footprint has been set back from the entrance and building designed to try to minimise its impact from the Great North Road and protect direct views of the castle and St Mary's, currently channelled by the tree lined avenue. However, visibility spilling into the site will be increased through the thinning out of trees along the avenue - this will increase the impact of the development as one moves along the Great North Road and sees the new development in the context and panorama of the town with the group of station buildings, spire and castle.

The Heritage Impact Assessment considers the impact of the development on individual buildings, concluding there are no detrimental impacts on the heritage assets and that the proposal will enhance the setting of the nearest building and complement those from a distance. Whilst the success of this scheme will focus heavily on quality of design, materials and finishes for the building and landscaping, it is our view that part of the significance of the individual heritage assets, within the Newark conservation area, lie in their townscape relationship and the urban morphology of the town. This relates both to views from the site towards the town, and also from the town back towards the site. The redevelopment of this site to create a large, office building with significant areas of car parking, will impact on this morphology and unfortunately result in harm to the significance of designated heritage assets including the conservation area. In respect of the station building which is adjacent to the proposed development, the relationship of the new build to both the station, the railway and waterway is critical. Though attempt is made to reduce impact by glazing the corner of the eastern wing to allow the NE end of Castle station to be visible from the Great North Road, the close proximity, mass and scale of the new building to the castle station will dominate this historic structure rather than reveal or enhance this historic landmark.

We previously recommended a contextual analysis to fully assess the contribution of the site to the surrounding rich historic townscape and setting to highly graded heritage assets, to inform the emerging design. This would include a wider understanding of how the site sits in the context of the civil war and the landscape context of the offensive and defensive works and engagements around the town and approach on the Great North Road. It will be for your authority to be satisfied you have sufficient information in which to robustly assess the impact of this development on the significance of designated and non-designated heritage assets. We also previously asked whether a masterplan is proposed for the wider opportunities that this site and the surrounding area may have - again we recommend this is taken forward.

As previously advised, and in respect of archaeological considerations, we refer you to our email dated 31 July 2015 and note that the revised version of the Witham Archaeology design based assessment has sought within the time available to address issues raised in our initial advice. This is however clearly only the start of a staged process of investigation and mitigation in which the advice of the county archaeologist and if necessary Historic England will be crucial.

Policy Context - As this application affects the setting of listed buildings and conservation areas, the decision-maker must take into account the statutory requirement to have special regard to the desirability of preserving the setting of a listed building (s.66(1), 1990 Act) and to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (s.72 (1), Listed Buildings and Conservation Areas Act, 1990) - the requirement applies irrespective of the level of harm.

The importance attached to significance and setting with respect to heritage assets is also recognised by the Government's National Planning Policy Framework (NPPF) and in guidance, including the *Planning Practice Guidance* and the *Historic Environment Good Practice Advice in Planning* Notes 2 and 3 in particular. Detailed guidance on assessing the impact of development on the setting of a heritage asset is set out within these documents.

The NPPF defines significance as 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'. It further defines the setting of a heritage asset as, 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral' (NPPF Annex 2).

Further guidance on the setting of heritage assets and how they should be taken into account with respect to planning applications is contained in the PPG [PPG 18a-013-20140306]. A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

In the published guidance on the *Setting of Heritage Assets* contained with the sector's Historic Environment Good Practice Advice in Planning - Note 3, a structured approach to the assessment of setting and impacts on the significance of heritage assets through changes to their setting(s). This approach begins by looking at what constitutes the significance of the heritage assets and how the setting supports (or detracts from) those aspects of significance that are derived from experience of the setting.

Significance can be harmed or lost through development within a heritage asset's setting and any harm or loss to significance '*should require clear and convincing justification*' (paragraph 132, NPPF). Your authority should aim to achieve the objective of sustainable development which in this context means guiding development towards a solution that achieves economic, social and environmental gains jointly and simultaneously (paragraph 8, NPPF).

Recommendation - We believe this development will result in harm to the significance of designated heritage assets as explained in this letter. Ultimately it will be for your authority to balance all planning consideration including the public benefit, in determining this application. If minded to approve, we strongly recommend the detailed consideration of the new build construction and landscaping is negotiated with the benefit of advice from your conservation officers. We also recommend further advice is sought from your archaeological adviser.

Highways England – The proposed development is not expected to have a material impact on the closest strategic route, A46. Therefore, under Article 25 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Highways Agency has no objections to the proposal.

Nottinghamshire County Council (Highways Authority) –

Comments received 23.10.2015:

Consideration of this application has been given in light of the submitted Transport Assessment and other requested information.

Capacity, safety and sustainability issues have all been taken into account, including sensitivity testing to consider the effects of a proposed major food retail store on Great North Road that remains subject to a current planning application.

The submitted information satisfactorily demonstrates that the access junction will operate within acceptable capacity limits. The existing access arrangement can be retained albeit additional 'yellow box' or 'keep clear markings' have been offered to improve safety and the flow of traffic during level crossing closures.

The proposal has some major benefits in terms of sustainable travel; having good links with rail, bus, pedestrian and cycle networks, and also being located close to town centre facilities. Notwithstanding this, bus stop enhancements have been offered and will be pursued.

Consideration of the traffic impact on the A46 roundabout has been given by Highways England.

Given the above, I conclude that approval could be given subject to conditions.

Comments received in relation to Travel Plan 16.09.2015:

- The TP states that the site will provide 9 cycle parking spaces. For 270 staff, this is equivalent to a mode share of 3.3% (census mode share is 7.4%), and this further does not take into account visitor trips which the TP puts at 317 people per day. Although the TP states that cycle parking would be monitored; it would be useful to review this initial level to check that it is sufficient.
- There are no fall-back measures included. Given the positive introduction, and requirement for local authorities to reduce their carbon footprint, an extension of the formal monitoring period and renewal of measures should not be seen as too onerous (if targets are not met). It would also be useful if the TP could be stated to continue on a voluntary basis following the formal period, given it serves wider carbon reduction agenda of the authority.

Nottinghamshire County Council (Archaeology) – The archaeological implications of the proposed development are not easy to ascertain. We know that there is a considerable build-up of material that was dumped to raise the ground levels on land to the east of the development area, and between the River and the railway line. One of Smeaton's arches is buried beneath the road outside the property which used to be the Midland Hotel, so in places the level of imported material exceeds a depth of three metres. At some point, however, the underlying topography must come close to the existing ground surface, and where the land rises, given its strategic location close to the town, the old line of the North Road and the River, it is likely to have a significant archaeological potential. It would therefore be sensible to undertake a programme of boreholes and test pitting, both to qualify the nature of the underlying deposits, and to assess the potential for buried archaeology to be present. Once the subsurface topography of the site is understood, it should be possible to assess what additional archaeological work would be necessary in advance of a planning determination.

Nottinghamshire County Council (Lead Flood Risk Authority) – No comments received.

Nottinghamshire Wildlife Trust – We are pleased to see an Ecological Appraisal (FPCR, May 2015) has been included with the application as this allows consideration of protected and priority species and habitats. We are generally satisfied with the methodology employed and note that where further survey work was identified with respect to the trees, this has also been undertaken.

Section 4 of the report makes a number of recommendations which we would wish to see taken forward into the application plans.

- During construction, it would be important to ensure that retained habitats including trees and the watercourse/ditch to the north-western boundary are suitably buffered and protected. Measures should also be in place to ensure that protected species are not harmed during works. This could be ensured through a **condition** requiring development of a Construction Environmental Management Plan (CEMP) including measures as outlined in section 4.11, 4.12 and 4.35 of the Ecological Appraisal report.
- The development provides an opportunity to create new habitats as well as enhancing existing areas (see sections 4.9, 4.10, 4.13, 4.14, 4.15 and 4.16). Replacement planting would also be required to mitigate the loss of trees and shrubs. Native species of local provenance should be utilised for maximum biodiversity benefit and precise details should be provided in a Landscape Plan to be secured by way of **condition**. It also would be beneficial to develop a Biodiversity Management Plan for the site to ensure appropriate ongoing habitat management.
- The open brick culvert provides potential opportunity for bat roosting. It appears that this feature would be unaffected by the proposal, however if this is not the case then further survey would be required. Aside from the culvert, it is likely that bats may utilise areas of the site for foraging and we would wish to see the lighting plan incorporate recommendations given in section 4.23. Incorporation of bat boxes into the new development (on retained trees and/or new buildings) would also be welcomed. Such biodiversity enhancements are encouraged under paragraph 118 of the NPPF and could be **conditioned**.
- Vegetation clearance would be constrained by the bird breeding season. We recommend a suitably worded **condition**, for example:

“No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds’ nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).”

In addition to the above comments, looking at the current proposed site plan, we note that a ‘SUDS swale’ is proposed. This area provides an excellent opportunity to incorporate further biodiversity enhancements and we would recommend that it is designed to incorporate permanent water with a variety of depths, a varied margin profile and native wetland plant species. In addition, the immediate surrounding area could be seeded with a wet grassland mix.

NSDC (Emergency Planning) – During any future flooding event at this location, the council office and civic accommodation is likely to remain situated above the 100 year plus climate change event flood level. However, it is recommended that this assessment should be based on the most recent UKCP 09 figures and include mapping to highlight potential flood levels impacting upon the site. This will help identify potential ingress and egress issues for service users, council staff and emergency responders. During such events, the development must not place any undue pressure upon the emergency services by impeding such routes.

In order to mitigate this pressure, the Emergency Planning Department requests a reference to the flood risk assessment that includes a flood evacuation plan with the requirement that the council maintains it's monitoring of the Environment Agency Flood Alert System in a robust manner.

With regards to the Emergency Planning Department being located within the proposed development, established internal procedures to address a variety of risks such as fire, suspicious packages, site evacuation and Business Continuity Management will be transferred to the new development, amended and maintained appropriately. The structure of the Emergency Planning Department enables continued service during a variety of internal and external pressures and incorporates extensive resilience procedures.

NSDC Conservation – The land adjacent to the Cattle Market on Great North Road is prominent on approach into the historic town and falls within the setting of Newark Conservation Area (CA). There are a number of listed buildings in the locale, notably including the Grade II listed Castle Station. The Edwardian tree lined avenue along Great North Road, which was paid for by public subscription in the early 20th century, is an important feature of the town entrance, and views of the Castle (Grade I, Scheduled Monument) and St Mary Magdalene (Grade I) are positive. The relationship of the Great North Road as a historic thoroughfare into Newark with surrounding heritage assets, including the 18th century Smeaton's Arches (Grade II) and various Civil War earthworks, is an important aspect of the town's setting and significance.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the character and appearance of the CA. In addition, section 66 of the Act requires the LPA to pay special regard to the desirability of preserving listed buildings and their setting. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

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. Key issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, land-use, relationship with adjacent assets, alignment and treatment of setting.

The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 12 of the National Planning Policy Framework (NPPF). Paragraph 132 of the NPPF, for example, advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 7). LPAs should also look for opportunities to better reveal the significance of heritage assets when considering development in conservation areas (paragraph 137).

The setting of a heritage asset is defined in Annex 2 of the NPPF. Setting is the surroundings in which an asset is experienced, and its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not (see paragraph 13 of the PPG for example (ref: 18a-013-20140306)). The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each. In addition, please note that the contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting.

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3).

Conservation acknowledges the importance of a civic building of this type within the townscape, noting that the existing Council Offices are located in a more isolated position outside of the town. The building will be set well back from the road and is otherwise in-scale with wider industrial and commercial buildings. The proposed building is also deliberately modern in its design and appearance, and it is recognised that such a design-approach is capable of complimenting the historic environment.

Nonetheless, having reviewed the submitted plans and details, Conservation has some concerns about the impact of the office building when seen in context with the listed station. From the courtyard on the south side of the station, for example, and in aspect from the road, it is probable that the new Council building will somewhat dominate the station. However, given the wider context of the site, noting the scale of buildings nearby, including the redeveloped former station yards and adapted historic industrial buildings, the proposal will not appear incongruous in scale or form in general terms. It also helps that the proposed office is set well back, allowing the station building a degree of primacy on approach from the north. It is also acknowledged that the development scheme potentially offers opportunities for greater connections with the station. Furthermore, the pre-application process enabled detailed discussions about siting issues, and it was clear that setting the new building further forward or further back, or by reducing the scale and increasing the footprint of the building resulted in other contextual problems. On balance, the proposal is not considered to be unduly harmful to the setting of the station or any other listed building.

Overall, the scheme is not considered to be harmful to the setting of the CA and will have a limited impact on the setting of the Castle Station listed building. The impact on the Station is not felt to be unduly harmful, but in any case, in accordance with paragraph 134 of the NPPF, the decision-maker is entitled to weigh any adverse impact against the likely significant public benefits of the proposal. The proposal will cause no harm to any other listed buildings in this case.

NSDC Environmental Health Officer (contaminated land) – I have reviewed the Phase I Geo-Environmental Report (William Saunders April 2015) submitted with the application. This document describes the site setting and identifies a number of former contaminative landuses at the site and in surrounding areas, including railway sidings, coalyard and tanks etc. The report concludes with a recommendation for intrusive site investigation, I look forward to receiving the report on these findings as the investigation proceeds. In the meantime, I would recommend the use of our full phased contamination condition in order to ensure that this work is carried out to Environmental Health's requirements.

Tree Officer - To allow the development to take place a number of trees are shown for removal, in general these tend to be low quality class 'C' trees and those considered to be unsuitable for retention class 'U', around 4 moderate quality class 'B' trees are also shown for removal as well as the only high quality class 'A' tree. On balance the tree removal seems reasonable, the better quality roadside trees are retained which will maintain the amenity of the area, removing some of the class 'C' trees amongst this group is also likely to be beneficial here as it will allow the retained trees more space in which to mature.

The tree felling will need to take place outside of the bird nesting season which runs from March to August and the retained trees will need to be protected during the construction period in accordance with BS5837.

The layout of the public piazza is positive and creates a useful pedestrian access to the new offices, some new tree planting is proposed and it would be prudent to condition a detailed landscape scheme.

NSDC Access Officer – General observations.

Representations from 1 local resident/ interested party has been received. The comments are set out in full below:

- I agree with the Historic England advisory comments and feel the issues raised need to be addressed before any planning decision is made.
- I feel it is important the proposed development maintains the setting of nearby heritage buildings such as the adjacent Castle Station and views to & from the Castle and riverside.
- The design of the planned development does not appear to reference Newark's heritage (apart from its shape being very much like the Civil War earthworks); I feel this is a missed opportunity. The proposed building is much more suitable to an industrial estate than a historic town centre like Newark.
- I suggest a railway / waterway inspired frontage to the eastern elevation, with the end nearest the railway forming a 'bookend' with the station, which just has a bus stop style shelter on the Lincoln bound platform.
- I would make the eastern elevation similar in height to the listed Newark Castle Station building (now a wine bar), with the full-height building set-back to lessen its impact on the historic railway / riverside area and the setting of nearby Listed Buildings.
- The new Waitrose has been designed to blend in with its context, including the clock tower.
- I agree that the new building should be no taller than the railway / canal warehouses.
- However, the cattle market and planned Sainsbury's are larger & more industrial in scale, so it could provide a transition between the historic core and industrial areas.
- I support the proposed improvements to the setting of the railway buildings and removal of the non-protected trees.

- I feel that the full height windows are a modern reference to the ‘window tax’ era when they were taxed as one window at a time when they were taxed on the *number* of windows rather than their size!
- There are precedents for full height glass in Newark at the new bus station & Asda and the reception area between the National Civil War Centre and the Palace Theatre (both Listed Buildings). All of these, while modern interventions, relate to their surroundings’ heritage.
- Although not part of this application, Newark Castle station Signal Box is one of those due to be decommissioned after the proposed re-signaling of the Nottingham – Lincoln railway line; it should not be allowed to fall into dereliction and become an eyesore at this key road / rail intersection.

Comments of Business Manager - Development

Principle of Development

The National Planning Policy Framework promotes the principle of a presumption in favour of sustainable development and recognises that it is a duty under the Planning Acts for planning applications to be determined in accordance with the development plan. Where proposals accord with the Development Plan they will be approved without delay unless material considerations indicate otherwise. The NPPF also refers to the presumption in favour of sustainable development being at the heart of the NPPF and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

The proposal site is located in Newark Urban Area which is the Sub-Regional Centre for the District, as defined under Spatial Policy 1 of the Core Strategy (adopted 2011). Newark Urban Area functions as a focus for housing and employment growth in Newark and Sherwood and the main location for investment for new services. Consequently, the principle of office development on this site is considered acceptable subject to an assessment of all other relevant considerations including site specific constraints and relevant aspects of national policy and the District’s development plan. This assessment is set out below.

Impact on Visual Amenity including the Character and Appearance of the Conservation Area and the Setting of Listed Buildings

The NPPF states that 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. Policy CP14 of the Core Strategy requires continued preservation and enhancement of heritage assets. The principal act also requires that special regard is given to the preservation of heritage assets. CP9 requires new development proposals to demonstrate a high standard of sustainable design that both protects and enhances the natural environment. Policy DM5 requires the local distinctiveness of the District’s landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. Local planning authorities need to have special regard to the desirability of preserving the heritage significance of a listed building including that derived from its setting and to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas.

A Heritage Impact Assessment has been submitted with the application which considers the impact of the development on individual buildings, concluding there are no unacceptable detrimental impacts on the heritage assets. I am satisfied that sufficient information before me to properly assess the impact of this development on the significance of designated and non-designated heritage assets.

Whilst Heritage England as statutory consultee do not formally object to the planning application, they have stated that development on this site would *'inevitably result in a significant change of character to this part of Newark and will add to the number of 20th Century developments now constructed and proposed beyond the historic limits of the town. As a result, the appreciation and understanding of the historic development of Newark, defined historically by the water course and with later linear developments associated with the railway, is compromised'*. They further state that the *'redevelopment of this site to create a large, office building with significant areas of car parking, will impact on this morphology and unfortunately result in harm to the significance of designated heritage assets including the conservation area' and the 'mass and scale of the new building to the castle station will dominate this historic structure rather than reveal or enhance this historic landmark'*. In drawing attention to these impacts Heritage England make clear that it is for the Local Planning Authority to come to a view.

I note the comments of the Conservation Officer, who raises no objection to the proposed development (see Consultations Section above for full comments). There will undoubtedly be some impact from the development on heritage assets, notably the Castle Station Listed building which sits a short distance from the proposed building on the opposite side of the railway track. The Conservation Officer concludes that *'the scheme is not considered to be harmful to the setting of the Conservation Area and will have a limited impact on the setting of the Castle Station listed building. The impact on the Station is not felt to be unduly harmful, but in any case, in accordance with paragraph 134 of the NPPF, the decision-maker is entitled to weigh any adverse impact against the likely significant public benefits of the proposal. The proposal will cause no harm to any other listed buildings in this case.'*

I concur with the views of the Conservation Officer and agree that the proposed development would result in some harm to the setting of the predominately single storey Station due to the proposed mass, location, and scale of the proposed offices which would be three storey. However such harm is less than substantial and must be weighed against all other material planning considerations. Impact will be minimised on the approach from the A46 along as the building footprint would be set back from Great North Road. The scheme has been designed in such a way as to protect direct views of the Newark Castle and St Mary's Church, currently channelled by the tree lined avenue. The building is not considered to be out of scale with the wider industrial and commercial buildings located in this part of Newark. As such, I do not consider the proposed development to be harmful to the setting of the Conservation Area or other listed buildings beyond the Station including Newark Castle and St Marys Church. In addition, whilst the proposed development is located beyond the historic limits of the town, this area is already heavily developed with the existence of a number of commercial buildings including the livestock market. The site in its current state as predominately a car park is not considered to be a positive benefit to the setting of historical parts of Newark.

The proposed building would be modern in its design and appearance, and is considered to compliment the historic environment in this instance.

Overall, the impact upon the Listed Station is considered to amount to less than substantial harm and its loss is weighed against the public benefits of the proposal which include the relocation of a civic building within the townscape from a more isolated position outside of the town. It is agreed that the success of this scheme would focus heavily on quality of design, materials and finishes for the building and landscaping. As such, it is recommended that conditions requiring a landscaping scheme, samples of all proposed external materials and design details are imposed.

Subject to conditions, the proposal is not considered to be harmful to the setting of the Conservation Area and would have a limited impact on the setting of the Castle Station listed building. The proposal would cause no harm to any other listed buildings in this case. The impact on the Station is considered to be outweighed by the public benefits of the proposal in accordance with paragraph 134 of the NPPF, CP14 and CP9 of the Core Strategy and Policies DM5 and DM9 of the DPD.

Impact on Highway Safety and Parking

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.

Access into the site would be via the existing site access from Great North Road. The new building and public piazza would take up approximately two thirds of the area of the existing public car park with the residual parking area to be designated for public use. An area of parking to the north of the building is proposed on the existing lorry park area and would be designated for both public and Council use. A pick up/drop off zone and a bank of 5 no disabled parking spaces are proposed adjacent to the piazza.

A Transport Assessment (TA) has been submitted with the application. This states that the new office would have capacity for circa 300 employees (including accommodate the 270 Council employees relocating from Kelham Hall). The overall change in journey distances across all 270 Council staff is a reduction of 0.89 miles (1.43km) which equates to a total reduction of 240 miles (387km) travelled to get to work each day, or 480 miles (774km) two-way per day when considering all staff. Over the course of a 52 week year (260 work days excluding holidays) this would equate up to a total saving of 124,800 miles (201,240km). The site is considered to be a sustainable location for the new offices with easy access available to/from the site via walking and cycling, with an existing cycle route passing immediately adjacent the site with longer distance trips also available via sustainable modes including bus and/or rail.

Based on a comparison of forecast 2-way development flows both existing and proposed using trip generation rates obtained from the TRICS database, the TA further concludes that *'traffic impacts due to the proposed development have been identified and impacts at all off-site locations within the TA study area are forecast to be minimal. As such, it is not considered necessary to assess the operation of any off-site junctions'*. The cumulative impacts of this application combined with the pending application for a Class A1 Retail Foodstore (14/01598/FULM) have also been considered and it is not considered in the view of the Highway Authorities that this development would adversely affect the traffic impacts associated with the proposed offices such that approval should be withheld.

A capacity assessment of the existing site access onto Great North Road has been undertaken and this demonstrates that the existing junction layout will continue to operate satisfactorily with the proposed development in place. 'Keep Clear' or 'Yellow Box' road markings are proposed on Great North Road adjacent to the site access junction to minimise the potential for vehicle queues to block the site access when the nearby level crossing closes. Apart from these road markings, no other highway mitigation is considered necessary.

A Framework Travel Plan has been submitted with the application which identifies a range of measures aimed at reducing reliance of single occupancy car trips and would form the basis for Travel Plan which would be delivered and maintained by NSDC as a 'live' document. The submission and implementation of a Travel Plan is recommended by condition.

Highways England raise no objection to the application having given full consideration to the impacts upon the A46 roundabout. The County Highways Officer raises no objection to the application subject to conditions. It is not therefore considered that the proposed development would result in any parking or traffic problems subject to conditions in accordance with the requirements of Spatial policy 7 and Policy DM5 of the DPD.

Impact on Flood Risk and Drainage

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Core Policy 10 (which is in line with the NPPF) states that through its approach to development, the Local Development Framework will seek to, amongst other criteria; locate development in order to avoid both present and future flood risk.

The site is located within Flood Zone 2 and is therefore a site at risk of flooding (medium probability), defined in the NPPF as land having an annual probability of river/tidal flooding of between 1 in 100 (1%) and 1 in 1000 (0.1%). A Flood Risk Assessment has been submitted with the application.

In this instance, the local planning authorities must apply the Sequential Test for specific development proposals and, if needed, the Exception Test for specific development proposals, to steer development to areas with the lowest probability of flooding.

The Sequential Test

As defined in the NPPF the purpose of the Sequential Test is to ensure that a sequential approach is followed steering development to areas with the lowest probability of flooding. As a starting point the intention should be to steer development to Flood Zone 1, where there are no reasonably available sites in Flood Zone 1, local planning authorities should take into account the flood vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test as required. Only where there are no reasonably available sites in Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.

A sequential test has been submitted with the application (contained in Appendix G of the submitted Flood Risk Assessment). However, a further Sequential Test has also been undertaken by the LPA following EA guidance on demonstrating the flood risk sequential test for planning applications and is contained within Appendix 1 of this report. The sequential test conclusion is as follows:

'The site needs to be readily accessible from key public transport links available within Newark Town Centre in order to provide convenient access for as many residents of the District as possible to the Council's services including Customer Contact Centre. In addition to being located centrally within Newark Town Centre, it is essential that the new offices are easily accessible to the Districts Service Centres which include Southwell, Ollerton, Clipstone and Rainworth. Residents from these areas would enter Newark from the North side of the town. In order to reduce travel times, sites to the north and west of the town centre will be considered sequentially preferable to sites to the south or east.'

For completeness however, all potential alternative sites within the Newark Urban Area have been considered. This includes 9 allocated sites and a further 8 sites which were discounted allocated sites at the time of the Strategic Housing Land Availability Assessment. No suitable land for sale (not already included in the list above) is available at the time of writing this report. Each site has been assessed against a number of constraints including flood risk, Local Plan status, capacity and location. The assessment has revealed that none of these sites are suitable or reasonably available for development.

It is therefore concluded that to ensure that the new offices are readily accessible, that the proposed new council office and civic accommodation on existing public car park at Land Adjacent to the Cattle Market, Great North Road, Newark-On-Trent which is located in Flood Zone 2, passes the sequential test. This site is considered to be the only sequentially preferable site which can meet the functional requirements of the Council offices including better public transport access for the whole of the District’.

Having applied a sequential test which has had regard to the need to locate offices that are locationally best placed to serve as wider District Catchment as possible (including Southwell and Ollerton moving west across the administrative boundary of Newark and Sherwood District Council) I am satisfied that the sequential test is passed.

Impact on Flood Risk

Whilst in sequential terms officers are satisfied that the site proposed is the one that can best deliver a civic building which is most accessible to all parts of the District it is also necessary for the submitted flood risk assessment to demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

The Environment Agency have sought further clarification regarding the Emergency Planning function of the Council given that the submitted FRA states that although this function would be based at the site, it is not considered to be a highly vulnerable use required to remain operational during times of flood (as it can be moved elsewhere). The applicant has provided details of its responsibilities for business contingency and continuity when it comes to emergency planning and delivering the Council’s emergency planning function. Indeed, such a function is a statutory one under the Civil Contingencies Act (CCA), under the terms of which NSDC is a Category 1 responder. On this basis the EA have advised (verbally at the time of print) that there are no objections from an emergency planning perspective.

Discussions with the EA remain ongoing with respect to a full hydraulic modelling exercise of the Old Trent Dyke and in terms of finished floor levels. A written update will be provided on these matters prior to Committee.

Overall, subject to written confirmation from the EA of final conditions to be attached to any approval, the application is considered to be acceptable in accordance with the requirements of the NPPF and Core Policy 10.

Impact on Contaminated Land

NPPF paragraph 121 states that planning decisions should ensure that the proposed site is suitable for its new use taking account of ground conditions, including pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation. Policy DM10 of the DPD also states that where a site is highly likely to have been contaminated by a previous use, investigation of this and proposals for any necessary mitigation should form part of the proposal for re-development

A Phase 1 Geo-Environmental Report has been submitted with the application. From the 19th Century up to 1992, the site comprised a number of railway sidings and railway related buildings. This may have led to contamination of the site. The Environmental Health Officer raises no objection to the proposed development subject to a condition requiring a full contaminated land survey including remediation scheme. This would ensure the site is suitable for its new use in accordance with the requirements of the NPPF and Policy DM10 of the DPD.

Impact on Ecology Including Trees

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

A Tree Survey and Tree Removal Plan have been submitted with the application which confirms that approximately 20 trees within and adjacent to the boundary of the site would be removed. In general these tend to be low quality class 'C' trees and those considered to be unsuitable for retention class 'U', around 4 moderate quality class 'B' trees are also shown for removal as well as the only high quality class 'A' tree. However, the Tree Officer raises no objection to their removal as the better quality roadside trees are retained which will maintain the amenity of the area and removing some of the class 'C' trees amongst this group is also likely to be beneficial as it would allow the retained trees more space in which to mature.

Compensatory tree planting is proposed particularly around the proposed public piazza area. It is recommended that this tree planting and a landscape scheme be secured by planning condition.

An Ecological Appraisal has been submitted with the application. This includes the results of a roped access survey of the trees to be removed which concluded that they are unlikely to support a bat roost. Nottinghamshire Wildlife Trust are satisfied with these results subject to conditions relating to protection of the watercourse/ditch to the north west boundary of the site and tree to be retained during construction and ecological enhancement measures including the provision of bat boxes.

Overall and subject to conditions, I consider the proposed development to comply with the aims of Core Policy 12 and Policy DM5 of the DPD.

Impact on Residential Amenity

The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. Having carefully assessed the scheme I am satisfied that the proposal would not result in any significant or unacceptable detrimental impacts upon the amenity of the occupiers of Andreas to the north or Midland Terrace to the west in accordance with the Policy DM5 of the DPD.

Impact on Archaeology

Core Policy 14 of the Core Strategy requires the continued preservation and enhancement of the District's heritage assets including archaeological sites. Policy DM9 of the DPD states that where proposals are likely to affect sites of significant archaeological potential, the applicant is required to submit an appropriate desk based assessment.

An Archaeological Desk-Based Assessment has been submitted with the application. This concludes that 'there are no known archaeological sites within the area of the proposed development. There is potential for the survival of prehistoric and remains underneath alluvial deposits if these are present on the site. Sites of Roman and later date are generally located on the higher gravel terraces and the potential for the survival of sites of these periods is considered to be low. However, deposits which may elucidate the history of environmental change in the river valley may be present on the site in the form of palaeochannels and their fills. Deposits underling the present concrete and hardstanding may also provide information to elucidate the condition of the area during later periods, in particular of the Civil War when a militarised landscape was in place'. As such, further field evaluation work in the form of boreholes and test pitting has been recommended by both English Heritage and the County Archaeologist. This would qualify the nature of the underlying deposits and assess the potential for buried archaeology to be present. This work is currently in progress and an update to planning Committee on the initial finding will be provided to Planning Committee through Late Items.

Conclusion and Planning Balance

Paragraph 14 of the NPPF provides a clear presumption in favour of sustainable development provided that the benefits of issuing planning permission are not outweighed by significant and demonstrable harm. As a site located within Newark Urban Area, the principle of office development on this site is considered acceptable.

The application is not considered to result in any unacceptable impacts upon highway safety, ecology or visual amenity, subject to conditions. There are no significant adverse impact on a range of nearby, high grade Heritage Assets, including the Castle and Conservation Area itself. However there is harmful impact upon the Grade II Listed Newark Castle Station. This harm is, in my view, less than substantial and must be weighted in the balance. The proposal will deliver public benefits including the relocation of a civic building within the Newark Urban Area from a more isolated position outside of the town. The site represents a sustainable location with good transport links. It is concluded that the site represents the best available to serve the wider District and subject to conditions (and confirmation from the EA in writing) it is considered that the site can be made resilient in flood risk terms. Overall, it is considered that the proposed development is acceptable and complies with the Development Plan (the Adopted Core Strategy DPD and Allocations and Development Management DPD) and all other material planning considerations.

RECOMMENDATION

That planning permission is granted subject to the conditions shown below;

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with Drawing Numbers:

AL(9)106 Site Block Plan
AL(9)107 Location Plan
AL(9)108 Proposed Site Plan
AL(0)27 High Level Roof Plan
AL(0)28 Proposed Elevations Sheet 1
AL(0)29 Proposed Elevations Sheet 2
AL(0)11 Proposed Sections
AL(0)16 Rev D First Floor Departmental Layout
AL(0)17 Rev D Second Floor Departmental Layout
AL(0)18 Rev C Ground Floor Departmental Layout
AL(0)21 Main Roof Plan
AL(9)109 Tree Removal Plan

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 permission.

03

Notwithstanding the submitted details, prior to the commencement of development, samples of the materials identified below shall be submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

- Bricks;
- Glass curtain walling;
- Cladding panel system and cladding to fin wall and roof overhang;
- Steel mesh panel;
- Roof membrane;
- Any other facing materials.

Reason: In the interests of visual amenity and in order to preserve the setting of nearby Listed Buildings and character and appearance of the adjacent Conservation Area in accordance with Policy CP14 of the Newark and Sherwood Core Strategy 2011 and Policies DM5 and DM9 of the Allocations and Development Plan Development Plan Document (DPD).

04

Prior to the commencement of development, no development shall be commenced in respect of the features identified below, 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 unless otherwise agreed in writing by the Local Planning Authority have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.

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

Photovoltaic panels/arrays;

Glazed entrance facade;

Canopy;

Metal screen with NSDC logo;

Rainwater goods;

Meter Boxes;

Flues;

Soil/vent pipes;

Any other external accretion.

Reason: In the interests of visual amenity and in order to preserve the setting of nearby Listed Buildings and character and appearance of the adjacent Conservation Area in accordance with Policy CP14 of the Newark and Sherwood Core Strategy 2011 and Policies DM5 and DM9 of the Allocations and Development Plan Development Plan Document (DPD).

05

Development shall not be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

existing trees which are to be retained, together with measures for protection during construction;

a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities;

car parking and driveway circulation layout and materials;

other vehicle and pedestrian access and circulation areas;

bins;

means of enclosure;

boundary treatments;

minor artefacts and structures (for example, street furniture, signs, lighting etc.)

hard surfacing materials.

Reason: In the interests of visual amenity and in order to preserve the setting of nearby Listed Buildings and character and appearance of the adjacent Conservation Area in accordance with Policy CP14 of the Newark and Sherwood Core Strategy 2011 and Policies DM5 and DM9 of the Allocations and Development Plan Development Plan Document (DPD).

06

The approved landscaping shall be completed during the first planting season following the commencement 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.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained in the interests of visual amenity and in order to preserve the setting of nearby Listed Buildings and character and appearance of the adjacent Conservation Area in accordance with Policy CP14 of the Newark and Sherwood Core Strategy 2011 and Policies DM5 and DM9 of the Allocations and Development Plan Development Plan Document (DPD).

07

Unless otherwise agreed by the Local Planning Authority, development must not commence until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Part B: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part C: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Part D: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

09

No development shall be commenced, including any site clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period unless otherwise agreed in writing by the local planning authority. The Statement shall include measures in accordance with section 4.11, 4.12 and 4.35 of the Ecological Appraisal report (by fpcr May 2015).

Reason: In order to ensure protected species are not harmed during works in line with the aims of the NPPF, Core Policy 12 and Policy DM7 of the DPD.

10

Any removal of trees or vegetation on site should be conducted between October to February inclusive, outside the bird breeding season. If works are conducted within the breeding season, between March to September inclusive, a nesting bird survey must be carried out by a suitably qualified ecologist prior to the clearance taking place and written confirmation has been provided to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any located nests must then be identified and left undisturbed until the young have left the nest.

Reason: In order to protect biodiversity on the site in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2011).

11

No building on site shall be occupied until details of bat boxes and or bricks have been submitted to and approved in writing by the local planning authority. The nest boxes/bricks shall then be installed, prior to occupation, in accordance with the approved details and retained thereafter for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: In order to protect biodiversity on the site in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2011).

12

Prior to the occupation of the building hereby permitted, details of any external lighting shall first be submitted to and approved in writing by the local planning authority. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and biodiversity in accordance with Policy CP 9 of the Core Strategy and Policies DM5 and DM7 of the Allocations and Development Plan Development Plan Document (DPD).

13

Notwithstanding the submitted details, 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, materials and finish, have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment for site shall be implemented prior to the occupation of the dwelling unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that boundary treatment preserve the setting of the adjacent listed buildings and Conservation Area in accordance with Policy CP 14 of the Core Strategy and Policies DM5 and DM9 of the Allocations and Development Plan Development Plan Document (DPD).

14

A Flood Warning and Evacuation Plan shall be submitted to and agreed in writing with the Local Planning Authority, and implemented prior to first occupation of the development hereby permitted. The development shall be carried out in accordance with this approved plan. The plan should include provisions for signing up to the Environment Agency's Flood Warning Service for early warning of potential flood events, details of how information would be disseminated and how occupants would be evacuated.

Reason: To safeguard against the risk of flooding in accordance with the aims of the NPPF and Core Policy 10 and Policy DM5 of the DPD.

15

No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan. Also, provision, management and operation of the car park shall be in accordance with the details submitted and retained for the life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area in accordance with Spatial policy 7 and Policy DM5 of the DPD.

16

No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.

Reason: To promote sustainable travel in accordance with Spatial policy 7 and Policy DM5 of the DPD.

17

No part of the development hereby permitted shall be brought into use unless or until enhancements to two bus stops on Great North Road (one northbound; one southbound) have been made to the satisfaction of the Local Planning Authority and shall include new shelters, bus stop poles, lighting, raised kerbs and real-time display pole.

Reason: To promote sustainable travel in accordance with Spatial policy 7 and Policy DM5 of the DPD.

18

No part of the development hereby permitted shall be brought into use unless or until a review and improvements to the road markings on Great North Road in the vicinity of the site have been carried out to the satisfaction of the Local Planning Authority in liaison with the Highway Authority. This is likely to include either 'yellow box' or 'keep clear' markings at the access junction.

Reason: In the interests of highway safety in accordance with Spatial policy 7 and Policy DM5 of the DPD.

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 2010 (as amended).

02

The applicant's attention is drawn to those conditions on the decision notice, which 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/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

04

The open brick culvert provides potential opportunity for bat roosting. It appears that this feature would be unaffected by the proposal, however if this is not the case then further survey would be required.

05

An advisory booklet is available – “A guide to Developing Land in Nottinghamshire”. This is available from NSDC website using the following link:

<http://www.newark-sherwooddc.gov.uk/landpollution/>

Prior to undertaking an intrusive site investigation the applicant is advised to consult with:

Natural England

Block 6 & 7 Government Buildings
Chalfont Drive
Nottingham
NG8 3SN
Tel: 0115 929 1191
Fax: 0115 929 4886
Email: eastmidlands@naturalengland.org.uk

English Heritage

Ancient Monuments Inspector
44 Dergate
Northampton,
NN1 1UH
Tel: 01604 735400
Fax 01604 735401
E-mail: eastmidlands@english-heritage.org.uk

Heritage Planning Specialists

Nottinghamshire County Council
Trent Bridge House
Fox Road
West Bridgford
Nottingham
NG2 6BJ
Tel: +44 (0)115 977 2162
Fax: +44 (0)115 977 2418
E-mail: heritage@nottscc.gov.uk

to prevent damage or harm to the historic environment.

06

Works to enhance bus stops should be discussed and agreed with Transport & Travel Services, Nottinghamshire County Council, County Hall, West Bridgford, Nottingham NG2 7QP. Email ptdc@nottscc.gov.uk , Tel. 0115 977 4520 or 0115 977 2979

Background Papers

Application case file.

For further information, please contact Helen Marriott on extension 5793

K Cole
Deputy Chief Executive

Sequential Test

As defined in the NPPF the purpose of the Sequential Test is to ensure that a sequential approach is followed steering development to areas with the lowest probability of flooding. As a starting point the intention should be to steer development to Flood Zone 1, where there are no reasonably available sites in Flood Zone 1, local planning authorities should take into account the flood vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test as required. Only where there are no reasonably available sites in Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.

The process set out below follows EA guidance on demonstrating the flood risk sequential test for planning applications and includes a review of sequential test information submitted in Appendix G of the submitted Flood Risk Assessment.

Stage 1 – Strategic Application & Development Vulnerability

The EA guidance sets out that the Sequential Test can be considered to be adequately demonstrated if both the Test has been carried out for the site (for the same development type) at the strategic level and the development vulnerability is appropriate to the Flood Zone. In this instance, the site is not allocated in the Allocations and Development Management DPD (DPD) and has not therefore been subject to the Test at a strategic level. As such, Stage 2 needs to be applied.

Stage 2 – Defining the Evidence Base**Geographical Area:**

The next stage in applying the test is to define the evidence base and establish the geographical area over which the test is to be applied. In this respect the EA Guidance sets out that an appropriate area would usually be the whole of the Local Planning Authority (LPA) area, but that it may be reduced where justified by the functional requirements of the development or relevant objectives in the Local Plan.

Through the Spatial Strategy a settlement hierarchy and proportional distribution of growth has been established. The intention of which is to facilitate development that meets local needs and promotes a sustainable pattern of future growth. Accordingly those settlements which are central to the delivery of this spatial strategy have been identified and assigned a function and role. Newark is defined as a 'Sub-Regional Centre' with the function of being the focus for housing and employment growth in the District and the main location for investment for new services and facilities in the District. This resulted in a requirement of 80-87 (out of 97-106 for the District) of additional employment land to be allocated in the DPD, albeit the application site itself does not form part of this employment land allocation.

The Councils new offices should be located within Newark town centre to enable a more sustainably located site better public access (over and above the current Council offices at Kelham Hall). The functional requirements of the development are such that the geographical area is a key consideration in determining appropriate sites for the development. Consequently I consider that the Newark Urban Area represents the appropriate geographical area over which to apply the Sequential Test, albeit sites which are not located in easy reach of the Town Centre itself will be a

key constraint to the a suitability. In addition to being located centrally within Newark Town Centre, it is essential that the new offices are easily accessible to the Districts Service Centres which include Southwell, Ollerton, Clipstone and Rainworth. Residents from these areas would enter Newark from the North side of the town. In order to reduce travel times, sites to the north and west of the town centre will be considered sequentially preferable to sites to the south or east.

Source of Reasonable Available Sites:

The second step of defining the evidence base is to identify the source of 'reasonable available sites'. As detailed in the EA guidance these sites will usually be drawn from the evidence base/background documents that have been produced to inform the emerging Local Plan.

In this case, the submitted sequential test (Appendix G of the submitted Flood Risk Assessment) considers all sites allocated for employment land development in the Newark Urban Area which equates to 9 alternative sites in total. Following EA Guidance however, I consider it appropriate to expand the number of alternative sites to be considered to include land for sale and/or discounted SHLAA sites. As a consequence a total of 59 sites have been identified. Many of the sites listed have been discounted from the sequential test as their location and/or site constraints means that they are not suitable for employment development. A full sequential test to include all sites requiring further consideration is set out below.

Method to be Used for Comparing Flood Risk between Sites:

EA flood zone mapping provides the initial basis for comparison of flood risk between sites.

Beyond this initial assessment where comparison has to be made between sites within the same Flood Zone then the EA Guidance sets out that it will be necessary to use a SFRA which shows the variation in risk throughout the Zone, or a site specific FRA where this is available and suitable. Clearly the first step is to establish whether this comparison is necessary and so it is proposed to proceed with application of the test.

Stage 3 - Applying the Sequential Test

The EA Guidance details that sites should be compared in relation to flood risk, Local Plan status, capacity; and constraints to delivery including availability, policy restrictions, physical problems or limitations, potential impacts of the development, and future environmental conditions that would be experienced by the inhabitants of the development.

A critical element in applying the test is whether a potential alternative site would have sufficient capacity to accommodate the proposed development. The application site is 1.3 Hectares and is deemed to be a suitable benchmark for determining the minimum site area required.

Application Site:

Ref	Site Name	Flood Zone Classification	Local Plan Status	Site Area (Ha)	Other Site Constraints/benefits
15/01469/FULM	Land Adjacent to the Cattle Market, Great North Road	Zone 2 : Whole Site	Within Newark Urban Area	1.3	Close to listed buildings/Conservation Area. Located within easy access to Newark Town Centre on north side of town. Close to the bus station and Castle Station.

Alternative Allocated Employment Sites (as set out in Appendix G of the submitted Flood Risk Assessment):

Ref	Site Name	Flood Zone Classification	Local Plan Status	Site Area (Ha)	Site Constraints / sequentially preferable?
1	Policy NUA/E/1 Newark Industrial Estate Policy Area	Zone 1: Whole Site	Within Newark Urban Area in an area allocated for employment uses.	N/A	Remote from Newark Town Centre being approx. 1.3 miles and 25 minute walk to the east of the defined Centre boundary.
2	Policy NUA/E/2 Stephenson Way	Zone 1: Whole Site	Within Newark Urban Area and an allocated employment site	12.24	Remote from Newark Town Centre being approx. 1.3 miles and 25 minute walk to the east of the defined Centre boundary.
3	Policy NUA/E/3 Land off Telford Drive	Zone 1: Whole Site	Within Newark Urban Area and an allocated employment site with extant planning permission for offices and light manufacturing (11/01572/FULM)	1.54 (split into 3 parcels)	Remote from Newark Town Centre being approx. 1.3 miles and 25 minute walk to the east of the defined Centre boundary. The site is too small to accommodate new offices.
4	Policy NUA/E/3 Former Highways Depot	Zone 2 and Zone 3	Within Newark Urban Area and an allocated employment site	2.07	Not sequentially preferable from a flood risk perspective. Land not currently available as a planning application for a supermarket development is currently pending determination (14/01598/FULM).

5	Policy NUA/SPA/1 Newark Showground Area Policy	Zone 1: Whole Site	Outside Newark Urban Area and Site allocated for leisure activities with established showground function.	N/A	Remote from Newark Town Centre and not suitable for employment development.
6	Policy NUA/MU/1 Newark Showground	Zone 1: Whole Site	Outside Newark Urban Area and Site allocated for a mix of uses including hotel/conference facility, restaurant and employment uses.	N/A	Remote from Newark Town Centre being approx. 1.8 miles and 35 minute walk to the east of the defined Centre boundary.
7	Policy NUA/MU/2 Brownhills Motor Homes Site	Zone 1: Whole Site	Within Newark Urban Area and Site allocated for a mix of uses including employment, roadside services and hotel.	4.65	Remote from Newark Town Centre being approx. 1.3 miles and 25 minute walk to the east of the defined Centre boundary.
8	Policy NUA/MU/3 NSK Factory, Northern Road	Zone 1: Whole Site	Within Newark Urban Area and Site allocated for a mix of uses including 150 dwellings, employment provision and comparison retail.	8.85	NSK currently operating from site - anticipated site would be brought forward in the medium to long term in the plan period. Not currently available
9	Policy NUA/MU/4 Land at Bowbridge Road	Zone 1: Whole Site	Within Newark Urban Area and site allocated for housing and new leisure centre.	1.89	Site would be contrary to uses specified in allocation policy. The site is located more than 1km to the south of the Town Centre.

KEY	
	Considered sequentially less preferable to application site.
	Considered sequentially equal or more preferable to the application site.

Additional SHLAA Sites:

Ref	Site Name	Flood Zone Classification	Local Plan Status	Site Area (Ha)	Other Site Constraints
10	Bowbridge Road	Zone 1: Whole Site	Resi pp now lapsed (10/01699/FULM), site cleared.	1.6	Located away from north part of Newark Town Centre being approx. 500 metres to the south of the defined Centre boundary.
11	North of Barnby Road 08_0632	Zone 1: Whole Site	Within Urban Boundary, part covered by SP8	3.07	Remote from Newark Town Centre being approx. 1 km to the east of the defined Centre boundary.
12	South of Barnby Road 08_0633	Zone 1: Whole Site	Within Newark Urban Area	3.34	Remote from Newark Town Centre being approx. 1 km to the east of the defined Centre boundary. Land not currently available with majority of site subject of an appeal currently pending determination for housing development.
13	Land South of Barnby Road 08_0433	Zone 1: Whole Site	Within Newark Urban Area	3.38	Remote from Newark Town Centre being more than 1 km to the east of the defined Centre boundary.
14	West of Lowfield Lane 08_0435	Zone 1: Whole Site	Within Newark Urban Area	8.31	Remote from Newark Town Centre being more than 2.5 km to the south east of the defined Centre boundary.
15	South of Lowfield Lane 08_0438	Zone 1: Whole Site	Within Newark Urban Area	49.13	Remote from Newark Town Centre. Site falls within Land South of Newark, route of SLR runs through site, located outside of area indicatively identified for development, outside of employment area for strategic site, within open countryside, outside the extent of outline permission.

16	Land South of Newark	Zone 1: Whole Site	Strategic allocation NAP2A	N/A	Southern Link Road could open up accessibility, particularly from the south west of the District. However, this site would still be remote from Newark Town Centre and its associated public transport links.
17	Land around Fernwood	Zone 1: Whole Site	Strategic Allocation NAP2C	N/A	Southern Link Road could open up accessibility, particularly from the south west of the District. However, this site would still be remote from Newark Town Centre and its associated public transport links.

KEY	
	Considered sequentially less preferable to application site.
	Considered sequentially equal or more preferable to the application site.

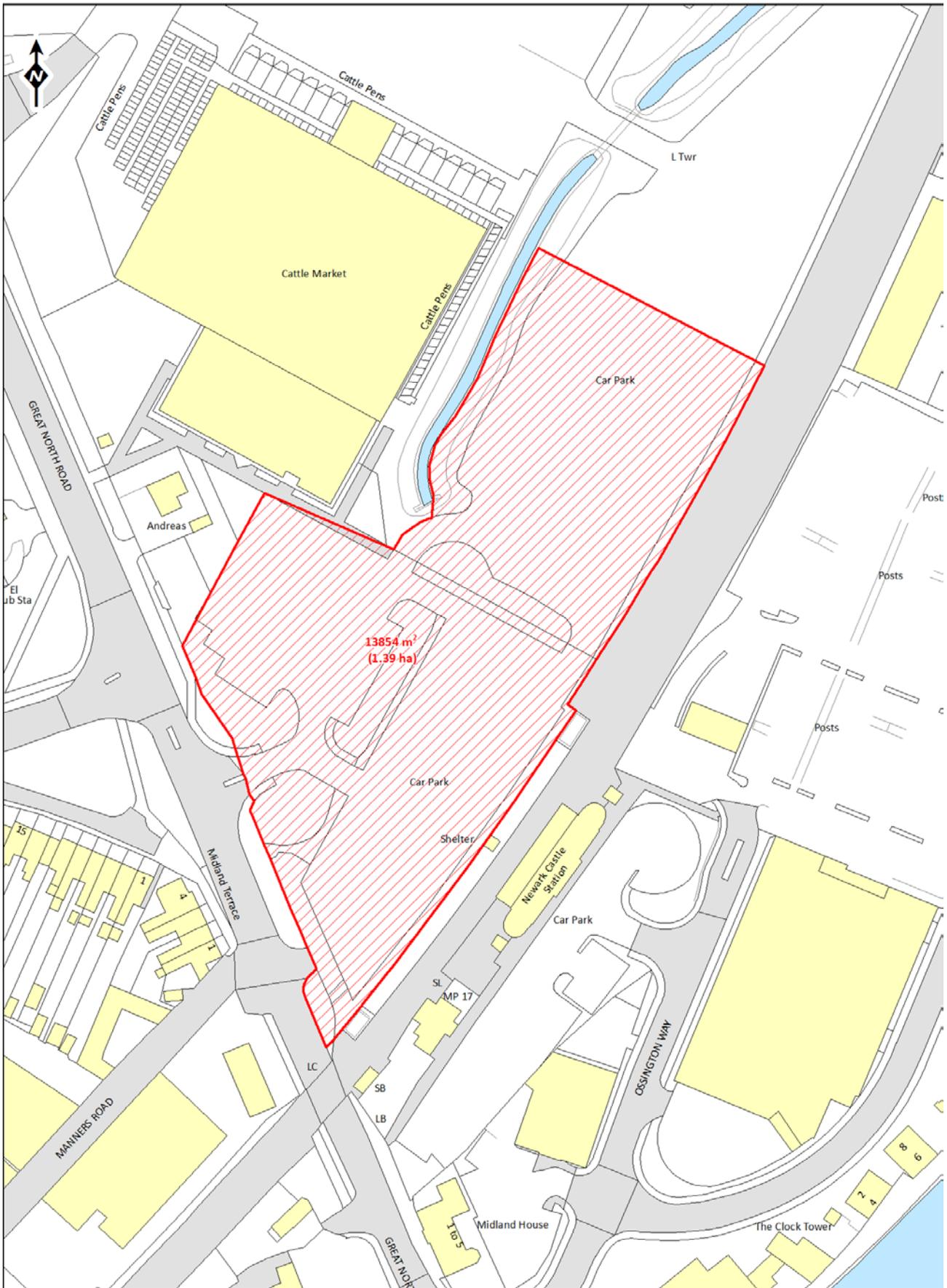
Stage 4 - Sequential Test Conclusion

The site needs to be readily accessible from key public transport links available within Newark Town Centre in order to provide convenient access for as many residents of the District as possible to the Council's services including Customer Contact Centre. In addition to being located centrally within Newark Town Centre, it is essential that the new offices are easily accessible to the Districts Service Centre's which include Southwell, Ollerton, Clipstone and Rainworth. Residents from these areas would enter Newark from the North side of the town. In order to reduce travel times, sites to the north and west of the town centre will be considered sequentially preferable to sites to the south or east.

For completeness however, all potential alternative sites within the Newark Urban Area have been considered. This includes 9 allocated sites and a further 8 sites which were discounted allocated sites at the time of the Strategic Housing Land Availability Assessment. No suitable land for sale (not already included in the list above) is available at the time of writing this report. Each site has been assessed against a number of constraints including flood risk, Local Plan status, capacity and location. The assessment has revealed that none of these sites are suitable or reasonably available for development.

It is therefore concluded that to ensure that the new offices are readily accessible, that the proposed new council office and civic accommodation on existing public car park at Land Adjacent to the Cattle Market, Great North Road, Newark-On-Trent which is located in Flood Zone 2, passes the sequential test. This site is considered to be the only sequentially preferable site which can meet the functional requirements of the Council offices including better public transport access for the whole of the District.

Committee Plan - 15/01469/FULM



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Application No:	15/01707/FUL	
Proposal:	Householder application for wooden summer house in rear garden	
Location:	Office Cottage, 22 The Green, Collingham, Newark On Trent	
Applicant:	Mrs L Dunn	
Registered:	21.09.2015	Target Date: 16.11.2015

Application called in at the request of Councillor Dobson who considers that there is no harm to host listed building caused by the proposed summer house.

The Site

The application site lies to the south of the centre of Collingham, but within the main built up area. 22 The Green is a red brick red pantiled Grade II listed building. The house forms part of a pair of late 18th century cottages with a further 19th century cottage to the west. The proposal site is also located within Collingham Conservation Area.

The property is two storey in its construction with a single storey side extension and glazed lean to conservatory. The garden area to the rear of the property is at a slightly higher level to that of the dwelling. The garden area extends approximately 28m to the north of the property and is approximately 15m in width. The boundary treatment for the garden is composed of timber close boarded fencing to the west and brick with tile coping to north and east.

Relevant Planning History

15/01059/FUL – Erection of wooden summer house in rear garden. Withdrawn June 2015

20911344/LB – Conversion of outbuilding to garage. Approved March 1992

The Proposal

The application is a resubmission of the previously withdrawn application for the construction of a timber summer house submitted earlier in the year. It is proposed that the structure be sited in the rear garden area of 22 The Green. The summer house would be sited approximately 20m to the rear of the dwelling and be offset from the northern and western boundaries of the garden by approximately 2.1m. The summerhouse would be 7.69m deep, of which the first approximate 1m would be a covered open sided seating area, be 5.23m wide and have a ridge height of 3.28m. The summer house would be constructed of wooden shiplap, which the applicant has confirmed would be stained in a dark colour to blend in with the railway sleepers situated to the east of the proposed structure. The structure would be finished with an ash felt roof and sit on a reinforced concrete slab which is already in situ.

Departure/Public Advertisement Procedure

Occupiers of 4 neighbouring properties have been individually notified by letter, a site notice displayed near the site and an advert placed in the local press.

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

Policies relevant to this application:

- Core Policy 9: Sustainable Design
- Core Policy 14: Historic Environment

Newark and Sherwood Allocations & Development Management DPD (adopted July 2013)

Policies relevant to this application:

- Policy DM5: Design
- Policy DM6: Householder Development
- Policy DM9: Protecting and Enhancing the Historic Environment

Please Note: All policies listed above can be found in full on the Council's website.

Other Material Considerations

National Planning Policy Framework (NPPF) 2012

National Planning Practice Guidance (NPPG) 2014

Historic England Good Practice Advice Note 2 – Managing Significance in Decision-Taking in the Historic Environment

Historic England Good Practice Advice Note 3 – The Setting of Heritage Assets

Supplementary Planning Document 'Extensions to Dwellings' Adopted 2014.

Consultations

NSDC Conservation Officer – Object (Details of the objection are contained in the body of the report).

Collingham Parish Council - No objection

Neighbours/Interested Parties – No letters of representation received

Comments of Business Manager, Development

Principle of Development

Policy DM6 accepts householder development subject to an assessment of numerous factors including that the proposal respects the significance and setting of any heritage assets, the character of the dwelling and the surrounding area, as well as protects the amenity of neighbouring residents.

Impact on Visual Amenity including the Impact on the Character and Appearance of the Conservation Area and the Setting of Listed Buildings

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In addition, the LPA must pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas in accordance with section 72 of the Act. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

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. Key issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting.

The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 12 of the National Planning Policy Framework (NPPF). Paragraph 132 of the NPPF, for example, advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 7). LPAs should also look for opportunities to better reveal the significance of heritage assets when considering development in conservation areas (paragraph 137).

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3).

In addition to the above, 22 The Green is identified as a positive building within the CA, and has group value with other historic buildings in the immediate vicinity. The Council's adopted CA Appraisal for Collingham (2006) provides useful background information on the character and appearance of the CA.

Paragraph 13 (ID: 18a-013-20140306) of the Conservation section within the PPG reminds us: *"The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance"*.

The conservation officer acknowledges that *"the proposed structure, given its siting in the rear garden area of the property will not be visible to the roadway and will therefore not be prominent within the public realm"* and that *"the proposed form and materials of the structure imply a lightweight structure."* The proposed materials for the summer house – are ship lap timber and ash felt roofing. The conservation officer goes on to comment that *"Whilst not substantial in height, the footprint of the structure is significant, measuring 7.7m in length by 4.6m in width (excluding roof overhang). At this scale the structure could have a dominating impact on the setting of the listed building."* In addition the conservation officer states that *"Given the cottage vernacular significance of the host listed building, including the modest proportions of gable widths and room dimensions, the summer house is considered to be overly large in its length and width."*

Combined with the shallow roof pitch and felt roof covering, the structure will have a modestly obtrusive impact on the domestic setting of the historic cottages forming 22 The Green. I therefore consider that some harm will be caused to the setting of the listed building.” As planning case officer, I concur with the comments of Conservation.

The applicant has stated that the proposed summer house is a replacement for structures which were in situ in a similar area of the garden but were demolished prior to the current owner taking ownership in 1989. No details have been provided to ascertain the location and scale of these previous structures. A timber framed summer house is situated within the garden area of the property situated to the west; however this is somewhat smaller in scale in comparison to the proposed structure. As such no clear and convincing justification has been provided by the applicant to offset the harm caused by this development to the significance of the heritage asset.

The conservation officer has discussed the proposal with the applicant and stated that reducing the scale of the summer house or proposing planting in between the structure and the dwelling to act as a screen could help mitigate the harm; however the applicant is unwilling to make any amendments to the submitted scheme and believes that the scale and finish of the proposed summer house is appropriate to the setting of the building and should not be screened from view.

Notwithstanding that the proposed summer house would not be visible from the public realm; through its massing as measured by its length and width, the summer house detracts from the setting of the host Grade II listed building and there are no public benefits that could be weighed in favour of the proposal as set out in paragraph 134 of the NPPF. Although the harm caused is less than substantial, the proposal is nonetheless contrary to the objective of preservation as required under Section 66 of the Act and contrary to Policy CP14 of the Core Strategy and Policies DM6 and DM9 of the Allocations and Development Management DPD and the NPPF.

Impact upon Amenity

Policy DM6 states that planning permission will be granted for the alteration or extension of dwellings provided they would not adversely affect the amenities of the adjoining premises, in terms of loss of privacy, light and overbearing impact.

The proposed summer house would be relatively well removed from neighbouring properties and is not considered to be of such a scale relative to habitable room windows to detrimentally impact upon neighbouring amenity.

On the basis of the above, I am satisfied that the proposal complies with Policy DM6 and the NPPF in terms of impact upon the amenities of neighbouring properties.

Conclusion

It is considered that the mass of the proposal, as measured by its length and width, would detract from the setting of the host listed building and there are no public benefits that could be weighed in favour of the proposal as set out in paragraph 134 of the NPPF. Although the harm caused is less than substantial, the proposal is nonetheless contrary to the objective of preservation as required under Section 66 of the Act. In addition the proposal is contrary to Policy CP14 of the Core Strategy and Policies DM6 and DM9 of the Allocations and Development Management DPD and the NPPF.

RECOMMENDATION

Refuse, for the following reason:

01

The proposed summer house, by reason of its mass (as measured by its length and width), would detract from the setting of the Grade II host listed building and as such cause less than substantial harm to its significance, which cannot be outweighed through any public benefit. As such the proposal is contrary to Core Policy 14 of the Core Strategy and Development Management Policies 6 and 9 of the Newark and Sherwood Local Development Framework and the NPPF, which is a material planning consideration.

Background Papers

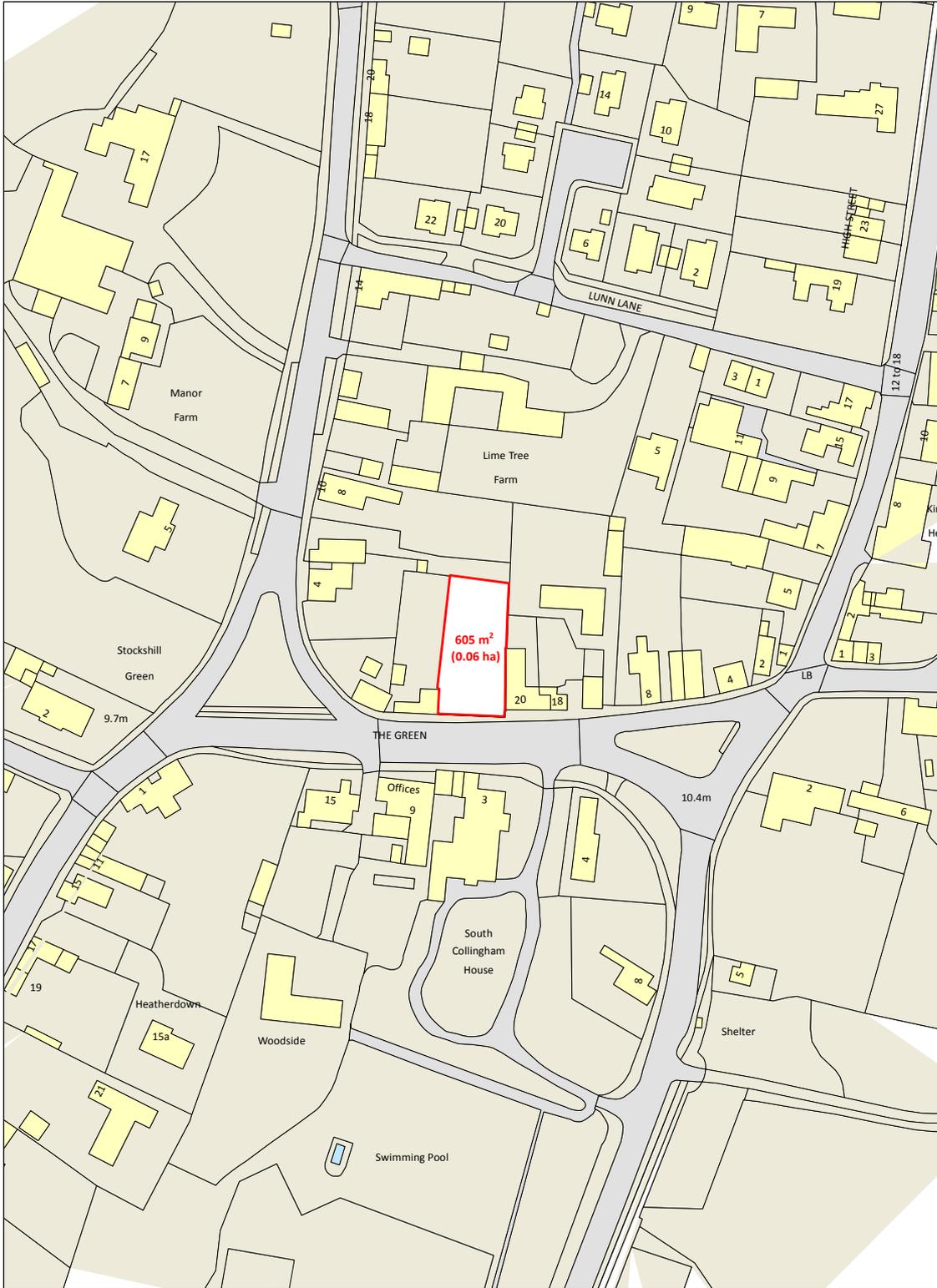
Application case file.

For further information, please contact James Mountain on 01636 655841.

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

Kirsty Cole
Deputy Chief Executive

Committee Plan – 15/01707/FUL



Application No:	15/01819/OUT	
Proposal:	Erection of 3 x two storey detached dwellings with garages	
Location:	Field Reference Number 0145, Eagle Road, Spalford	
Applicant:	Mr T Daws	
Registered:	09.10.2014	Target Date: 04.12.2015

The Site

The application site forms the northern part of a grassed paddock measuring approximately 0.193ha in size. It is well bound by hedging on the northern, eastern and western boundaries. The site is situated opposite a row of three detached residential properties, to the east of Whitehorn Farm and to the west of Willow Tree Farm. The site is otherwise largely surrounded by open countryside. At the time of undertaking the site visit the paddock appeared to be in use for the storing of cars with a vast quantity present in the field. There is no planning history in relation to the existing storage use and the Enforcement Officer is currently investigating this further.

Furthermore, the site is within Flood Zone 2 according to Environment Agency Flood Zone Mapping.

Relevant Planning History

2478434 Erect bungalow or chalet bungalow - Refused 1979

The Proposal

The proposal seeks outline planning permission for the erection of 3 dwellings. All matters are reserved but an indicative plan has been submitted showing three 3 bed detached two storey dwellings with garaging with a maximum eaves height of 5.1m.

Departure/Public Advertisement Procedure

Occupiers of four neighbouring properties have been individually notified by letter

Relevant Planning Policies

The Development Plan

Newark and Sherwood Core Strategy Adopted March 2011

Policies relevant to this application:

Spatial Policy 1 – Settlement Hierarchy

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 10 – Climate Change
Core Policy 13 – Landscape Character

Allocations and Development Management DPD Adopted July 2013

Policies relevant to this application:

Policy DM5 – Design

Policy DM8 - Development in the Open Countryside

Please Note: All policies listed above can be found in full on the Council's website.

Other Material Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014

Consultations

Spalford Parish Council – Support the proposal.

NSDC Access Officer – Observations relating to Building Regulations.

NCC Highways – No comments received at time of report being written. Any comments received will be detailed in late items.

Environment Agency – Flood Zone 2, standing advice applies.

Neighbours/Interested Parties

One letter of representation received offering the following objections;

- The proposal is not in keeping with the quiet country hamlet, more akin with high density urban developments.
- Consider that the parish support is not representative of the villager opinion and that the parish contact should disclose their vicarious benefit/interest in the application.

Comments of the Business Manager - Development

Principle of Development

The NPPF states that “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.” It goes on to state that “local planning authorities should avoid new isolated homes in the countryside, unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside;
- Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- The exceptional quality or innovative design of the dwelling.”

The application site is considered to be located near to the main built up area of Spalford which is defined as an 'other village' in the settlement hierarchy contained within Spatial Policy 1 of the Core Strategy. Development within these areas needs to be considered against Spatial Policy 3 which states that local housing needs will be addressed by focusing housing in sustainable, accessible villages. It goes on to say that development away from the main built-up areas of villages, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting such as agriculture and forestry. Whilst the village envelope is not defined in planning policy, the supporting text states that the main built up area of a village normally refers to the buildings and land which form the core of the village where most housing and community facilities are focussed. Spalford is not known to contain any community facilities. In this instance it is considered that the main 'built up area' of Spalford, would be situated further to the west around Chapel Lane, where it is considered to be most urbanised. It is therefore not considered that the proposed development site represents a gap in an otherwise built up frontage and nor does it form part of the core of the village. The site is therefore located within the open countryside and is in no way distinguishable or separated from the wider area of open countryside extending to the north, south and east of the site.

As such, its acceptability cannot be assessed against the five criteria set out in Spatial Policy 3 which include location, scale, need, impact and character. Development away from the main built-up areas of villages, in the open countryside, must be strictly controlled and restricted to uses which require a rural setting such as agriculture and forestry.

Policy DM8 of the Allocations and Development Management DPD sets out criteria to deal with such applications. This states that planning permission will only be granted where they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the area. In this instance, it is not considered that the proposal represents a use which requires a rural setting and given that the application is only outline it is not possible to comment whether they would be of exceptional quality or an innovative nature of design in accordance with the requirements of this policy.

As such, the erection of new dwellings is not acceptable in principle as the proposed open countryside location is considered to be an unsustainable location for new dwellings contrary to the aims of the NPPF and Policy DM8 of the Allocations and Development Management DPD.

Impact on Residential Amenity

Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. Given that the proposed development is only outline, only an indicative site layout has been provided. However given the separation distances between the individual properties and neighbouring dwellings it is not considered that the proposed layout would detrimentally impact upon the amenity of surrounding properties.

Impact on Highways Network

At the time of writing the report no comments had been received from NCC Highways Authority.

Flood Risk

The application site is situated within Flood Zone 2 according to the Environment Agency flood zone mapping.

The NPPF adopts a sequential approach to flood risk advising that development should first be directed towards less vulnerable sites within Flood Zone 1. Where these sites are not available new developments will be required to demonstrate that they pass the exception test by demonstrating that the development provides wider sustainability benefits to the community that outweigh flood risk and that, through a site specific FRA, the proposed development can be considered safe for its lifetime and not increase flood risk elsewhere. Both elements of the exception test must be passed for development to be permitted.

Both the Core Strategy and the Allocations and Development Management DPD have outlined the preferred settlements for further residential development within the district taking into account matters of flooding. Given that there are other allocated sites within Flood Zone 1 and more sustainable settlements within the District I consider that the proposal fails the sequential test and should be resisted in line with the strict guidance within the NPPF.

Conclusion

The principle of new dwellings in this open countryside location and in an area designated as being at risk of flooding are considered to represent an unsustainable form of development and no special justification has been demonstrated. This would be contrary to the settlement hierarchy and strategic objectives set out for new housing development within the Development Plan. Matters of detailed design have not been submitted with this application and therefore site specific impacts arising would need to be considered at reserved matters stage. In the absence of a 5 year land supply of housing based on delivery of currently adopted targets; this issue would weigh in favour of the proposal in the overall planning balance. However, although the housing land supply issue is a material consideration in the assessment of this application, it is not considered to outweigh the harm caused by an unsustainable form of development being located in the countryside and in an area at risk of flooding in this case.

Recommendation

Refuse, for the following reasons;

Reason

01

The site is located within the open countryside where special justification for new dwellings is required. Special justification has not been demonstrated in this instance. It is therefore considered that development of this site would result in an unsustainable form of development that would have an adverse impact upon a rural area. Overall, the proposal would undermine strategic objectives contrary to the National Planning Policy Framework (NPPF), Spatial Policy 3 of the Core Strategy and explicitly Policy DM8 of the Allocations and Development Management Development Plan Document (DPD).

02

The site lies within Flood Zone 2. As this proposal represents the construction of new dwellings, the application is required to pass the Sequential Test as set out in the NPPF. In the opinion of the Local Planning Authority there are many other sites within the district at lower risk of flooding in more sustainable built up areas than this site and it has not been demonstrated that there are no other reasonably available sequentially preferable sites, which are at a lower risk of flooding, where the development proposed could be located. As such the proposal is contrary to Core Policy 9 and Core Policy 10 of the adopted Newark and Sherwood Core Strategy 2011, Policy DM5 of the Allocations and Development Management DPD and fails the Sequential Test as set out in the National Planning Policy Framework 2012, a material consideration.

Informative

01

You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date.

Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website www.newark-sherwooddc.gov.uk/cil/.

02

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

Background Papers

Application case file.

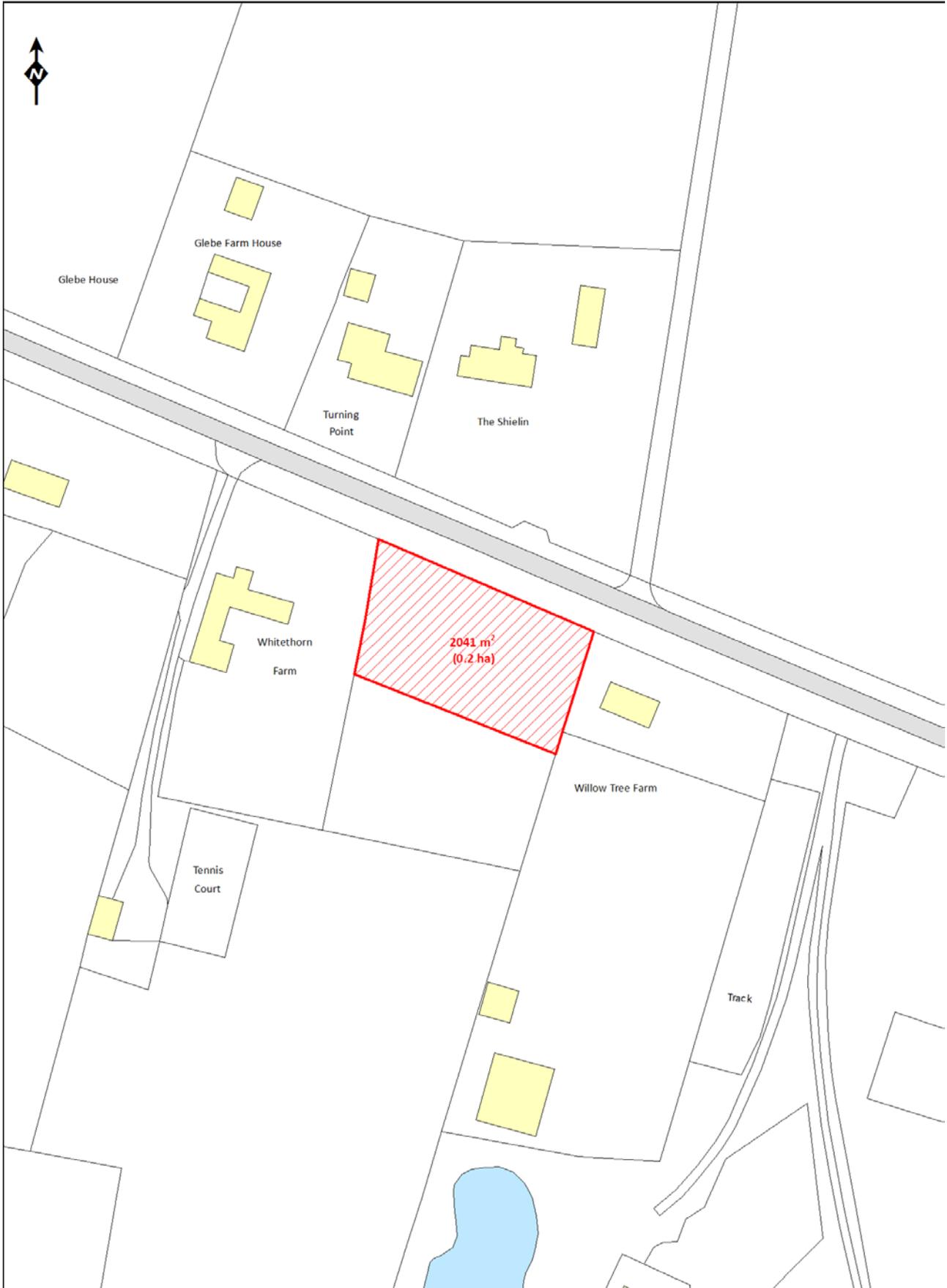
For further information, please contact James Mountain on 01636 655841.

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

K.H Cole

Deputy Chief Executive

Committee Plan - 15/01819/OUT



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Application No:	15/01440/OUT	
Proposal:	Outline Planning Application for Erection of a Dwelling	
Location:	South View, Crab Lane, North Muskham, Nottinghamshire	
Applicant:	Mr Phil Beddoe	
Registered:	11.08.2015	Target Date: 06.10.2015 Agreed extension of time: 06.11.2015

Description of Site and Surrounding Area

The site relates to land forming part of the existing garden at South View, Crab Lane, North Muskham. The existing property is a two-storey detached dwelling. The land proposed to be utilised for a new dwelling is grassed with boundaries defined by trees and hedges. Several trees also exist with the garden. A gate off Crab Lane exists to the southern end of the garden. The site is located within Flood Zones 2 and 3 as identified on the Environment Agency's Flood mapping system.

Description of Proposal

Outline planning permission is sought with all matters reserved for the erection of a three-bedroomed dwelling on land measuring 500sq m which currently forms part of the rear garden serving South View. The site location plan submitted indicates the proposed curtilage would roughly utilise half of the existing back garden at South View with side boundaries siting parallel with the side boundaries at Dunkeld to the rear.

A plan has been provided showing the approximate position of the proposed vehicular access point to the south east/ left had corner of the plot onto Crab Lane.

A topographical survey has been submitted showing the existing levels on the site ranging from 10.02AOD to the south east (front left) corner of the site to 10.80AOD to the south west (back left) corner of the site.

A copy of a Housing Needs Report titled 'A Detailed Investigation into the Housing Needs of North Muskham' produced by Midlands Rural Housing and dated March 2015 has been submitted alongside the application.

A Planning Statement, Tree Survey and a Flood Risk Assessment have also been submitted with the application. During consideration of the application a Supplementary Sequential Test has been submitted.

Relevant Planning History

04/02330/FUL – Form new access on to highway – Planning permission granted November 2004

05/01011/FUL – Erection of dormer bungalow – Application refused in June 2005 on the grounds that the proposed development would result in the loss of a defining boundary feature and the creation of a form of development that would be intense and therefore out of character with the surrounding area and contrary to policies within the old Local Plan.

PRE/00492/11 – Advised that the site was located within Flood Zones 2 and 3 and failed the sequential test as there were alternative sites within the district that were both available and suitable for residential development.

Departure/Public Advertisement Procedure

Occupiers of 10 neighbouring properties have been individually notified by letter.

Earliest decision date 08.10.2015

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted 29 March 2011)

- Spatial Policy 1 – Settlement Hierarchy
- Spatial Policy 3 – Rural Areas
- Spatial Policy 7 – Sustainable Transport
- Core Policy 9 – Sustainable Design
- Core Policy 10 – Climate Change
- Core Policy 12 – Biodiversity and Green Infrastructure

Newark and Sherwood Publication Allocations & Development Management DPD (Adopted July 2013)

- Policy DM3 – Developer Contributions
- Policy DM5 – Design
- Policy DM7 – Biodiversity and Green Infrastructure
- Policy DM8 – Development in the open Countryside
- Policy DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- Newark and Sherwood Affordable Housing SPD (June 2013)
- Newark and Sherwood Developer Contributions and Planning Obligations SPD (December 2013)
- National Planning Policy Framework 2012
- Planning Policy Guidance (on line resource)

Consultations

North Muskham Parish Council – This application was considered by the Parish Council at its meeting held on Monday 14th September. The applicant is a Parish Councillor and declared a personal interest in the application and withdrew from the room during consideration of this item.

The Parish Council acknowledged that there had been objections by residents to this application. It was further noted that the Highways Authority had not raised any objection to the application. Members considered the potential impact the development could have on adjacent properties. The application allowed for the retention of all but two apple trees and was for a three bedroom single storey dwelling so it was considered that the impact on adjacent properties would be minimal.

Members were mindful that the recent Housing Needs Survey and this development appeared to meet part of that need.

It was AGREED that the application be supported but, should any subsequent full application be submitted for a two storey dwelling, this would not receive the Parish Council's support.

Planning Policy – Comments made and taken into consideration as part of the appraisal below.

Comments made in respect of original submission:

‘NPPF

Requires LPA’s to maintain a deliverable 5 year supply of housing land which should be steered towards areas with the lowest probability of flooding.

Core Strategy DPD

North Muskham is a Rural Area where proposals are assessed against Spatial Policy 3 and its five criteria of location, scale, need, impact and character. Core Policy 9 requires consideration of sustainable design which includes reducing flood risk through location of development.

Allocations & Development Management DPD

Contains range of Development Management Policies that would be relevant to assessing a detailed proposal.

ASSESSMENT

In assessing the principal of development on this site I consider the main issues to assess is the need for new housing balanced against the flood risk.

The application relies on the Midlands Rural Housing Housing Needs Survey of March 2015 as demonstration of housing need. This concludes that there is a need for up to 6 affordable homes and a requirement for 10 open market (sale) homes for local people enabling them to be suitably housed in the community. The survey was supported by this Council, its findings are not disputed and so it follows to assess whether the proposal would help to meet the identified need. In the case of social housing, need is addressed through the allocation process administered by the social landlord but with market housing the only control is at the point of sale. As the policy requirement is to ‘help meet’ proven local need I consider that the availability of a house on the open market which local people could buy is sufficient to meet this. In the event of an approval, the type of dwelling would need to be conditioned to a type that met the identified need.

The application site lies within Flood Zone 2 and therefore the sequential test needs to be applied. The applicants FRA is incorrect in that the Settlement Hierarchy does not specifically identify North Muskham as a village that can accommodate small scale growth – it falls within the Other Villages section where development is assessed on a need basis by reference to Core Policy 3. It does not identify any sites as stated in the applicants FRA. Having identified the need through the Housing Needs Survey I therefore consider that the appropriate application of the sequential test is the

availability of other sites, at lower risk of flooding, to meet that need. I consider the applicant's approach of comparing other infill sites for single dwellings is too narrow. There may be other sites, including those previously developed at lesser risk of flooding that could meet a much greater proportion of the need. This therefore brings the assessment down to the merits of providing around 6% of the housing need against the risk of locating a dwelling in Flood Zone 2.

CONCLUSION

Whilst the proposal satisfies the need element of Spatial Policy 3 I do not consider it satisfies the sequential flood risk test and this should weigh heavily against any other material considerations identified during the application process in determining the principal of development.'

The applicant subsequently carried out their Supplementary Sequential Test.

Notts County Council (Highways) –The application site is currently a garden with an existing gated access, however, the access is clearly not in use. The information submitted indicates that this is expected to be the position of the vehicular access to serve the new dwelling.

Crab lane is very narrow, only single car width, and serves a number of dwellings. Currently, the site frontage has considerable shrubbery which will require cutting back and maintaining to provide suitable visibility from the access point.

In view of the above, there are no highway objections to this proposal subject to satisfactory details of access, parking and turning facilities, surfacing and improved visibility.

Notts County Council (Lead Local Flood Authority) – No comments received at the time of writing this report.

Natural England – With regards to statutory nature conservation sites Natural England raises no objection to the proposals and based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Natural England have not assessed this application and associated documents for impacts on protected species and their standing advice should be applied.

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, Natural England would draw attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that ‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’. Section 40(3) of the same Act also states that ‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’.

Nottinghamshire Wildlife Trust – ‘From the documents submitted, the proposal appears to be restricted to an existing lawned area with hedgerows remaining unaffected as access is already in place. Two fruit trees are proposed for removal - whilst we would prefer to see these retained, if removal is required it should be timed to avoid the bird breeding season (i.e. avoiding 1st March to 31st August inclusive). Mitigation could be achieved through replacement planting with native species elsewhere on the development site. The condition of the trees is unclear from the documentation, however if they are mature, with cracks/splits, rot holes, flaking bark etc. then you may wish to request a bat survey before the application is determined.

Paragraph 109 of the NPPF states that the planning system should look to provide net gains in biodiversity where possible, whilst Paragraph 118 advises that opportunities to incorporate biodiversity in and around developments should be encouraged. With this in mind, we would welcome plans for biodiversity enhancements on and around the development site. These could include enhancing existing habitats, for example gapping up and strengthening hedgerows with native species, as well as creating new habitats, such as installing bat and bird boxes.

Trent Valley Internal Drainage Board – No comments received at the time of writing this report.

Severn Trent Water – No objection and no comments to make.

The Environment Agency – Initially commented as follows:

‘We object to this application in the absence of any evidence to demonstrate that the flood risk Sequential Test has been applied. We recommend that until then the application should not be determined for the following reasons:

Reasons

The application site lies within Flood Zones 2 and 3 defined by the Environment Agency Flood Map as having a medium to high probability of flooding. Paragraph 101 of the National Planning Policy Framework requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a ‘Sequential Test’. In this instance no evidence has been provided to indicate that this test has been carried out.

Overcoming our objection

You can overcome our objection by providing evidence that the Sequential Test has been completed and demonstrates that there are no reasonably available alternative sites in areas with a lower probability of flooding that would be appropriate for the type of development proposed.’

Following receipt of the agent’s Supplementary Sequential Test the following further comments were made:

‘Please note that our objection letter dated the 17th of September 2015 remains relevant.

For the avoidance of any doubt and to assist in considering other issues at this stage, we can advise that should the objection set out above be resolved to the satisfaction of the Environment Agency, the following conditions are recommended to be attached to any grant of planning:

Environment Agency Position

Based on the Environment Agency's flood maps for planning and the River Trent hydraulic model, it is noted that parts of Crab Lane which forms the access to the site may become inundated to a depth of approximately 0.81m during the 1 in 100 years plus climate change event.

Our main concern is that safe vehicular access and egress to and from the site is not provided during all events equal to and greater than the 1 in 20 year event and therefore should the development be granted, it is our opinion that the Emergency Services would be placed under additional unnecessary strain during significant flood events.

In light of the above, should the LPA decide to grant the planning application either because in their opinion the requirements for the development outweigh the access and egress concerns, or because in their opinion the access and egress concerns can be mitigated by the incorporation of an appropriate emergency evacuation plan, we would request that the following planning conditions are included as set out below:

Condition

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure as detailed in the Flood Risk Assessment, prepared by LDC on 1.10.2013 submitted with this application, are implemented and secured by way of a planning condition on any planning permission.

Ensure finished floor levels are set no lower than 10.91 m above Ordnance Datum (AOD).

Reason

To reduce the risk of flooding to the proposed development and future users.

Condition

No development approved by this planning permission shall take place until such time as a scheme for the identification and provision of safe route(s) into and out of the site to an appropriate safe haven, ideally with vehicular access, has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To ensure safe access and egress from and to the site.

Condition

No development approved by this planning permission shall take place until such time as a scheme to provide a first floor refuge for occupants of the dwelling has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To provide a safe refuge for occupants of this dwelling if evacuation was not possible.

Condition

No development approved by this planning permission shall take place until such time as a scheme to ensure no raising of ground levels in Flood Zone 3 has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To prevent flooding elsewhere by ensuring that no loss of floodplain storage occurs as a result of this development.

Informative

Based on the information provided, it is unclear where the proposed dwelling is to be located within the site boundary and therefore to minimise the amount of level raising, we strongly recommend that the dwelling is located towards the north of the site i.e. within the Flood Zone 2 extents as opposed to the south east of the site which is within the Flood Zone 3 extents.

We look forward to receiving a confirmation email from the Local Planning Authority case officer to state that the site is sequentially preferable in terms of flood risk.'

Emergency Planning Officer – Considers that the key aspect from the emergency planning point of view is that any such development does not place undue pressure on the emergency services. Historically (from EA data) Crab lane has not been flooded although it is clearly at risk in the 1000yr model. In this scenario, vehicular ingress/egress would be greatly hampered. Access to the footpaths (to the Crown PH and Norfleet) would still require passage through a flooded Crab lane which would not be suitable.

However, there are already numerous properties within this region with similar ingress/egress issues and so it may be argued that such a development would not place a noticeably increased burden on the emergency response.

One thought, may be to have a narrow, raised access route running from the new property, along the west of the site and joining Crab Lane further up to avoid some of the flood water. However, this would necessitate the owner giving up more land.

As it stands, in the event of such a flooding incident, residents in the new property could not remain in situ since this would not be a place of safety. This could be mitigated if the loft space (for example) was also converted into suitable live space. This would help reduce the demand on the emergency services in such an incident. The requirement for sufficient household flood protection gates would also assist in protecting the property as well as registering onto the EA flood warning scheme.

Although ingress and egress is difficult for the emergency services if Crab Lane floods, this is no worse than for current residents. However, if the proposed property does not offer a place of safety, the Emergency Planner would tend to agree with the EA that this is far from ideal.

Access and Equalities Officer – Provided advice under the building regulations and recommended that the developer make a separate enquiry regarding Building Regulations approval.

Neighbours / Interested Parties – 6 no. written representations have been received objecting to the proposals on the following grounds:

- Proximity to neighbouring boundaries and potential impact on privacy
- Disruption during the construction phase and likely impact on the health of a neighbouring resident who is severely autistic
- Crab Lane is a narrow country lane and additional traffic will lead to highway safety implications
- Impact on pedestrian traffic given the limitations of Crab Lane
- Given the site is in the Flood Zone, concern that the proposed dwelling would need to be elevated potentially impacting on neighbouring amenity.
- A right turn from the proposed access could not be taken safely without the felling of trees or removal of greenery.
- The access would be located opposite a layby and the proposed access would hamper use of this.
- A new dwelling will not benefit North Muskham as its pricing will be at a premium and the village already has such housing. Proposals should focus on affordable housing for families whose children attend the school but cannot afford to live in the village. Such housing would strengthen the community and reduce traffic.
- There are other properties with considerable garden space and this application could set a precedent.
- Noise impact.
- Will trees be removed.
- Impact on drain systems.
- A previous application was refused – what has changed?
- Insufficient consultation time and difficulty accessing the application details.
- The previously granted access to South View was granted prior to the erection of neighbouring properties when the site was used as a bus depot.
- Do not agree that this is one of the last remaining sites available for development in the village.
- Overintensification of the plot.
- Concern of over the potential height of any dwelling on the site particularly if it is more than single storey.
- The new dwelling would be sited well away from the applicant's property but closer to other neighbouring properties.
- No dimensions or detailed design and materials have been provided for the proposed dwelling.
- There is no need for housing of this type - The Midlands Rural Housing survey cannot be relied upon and only 2.8 % of those that responded within the parish thought that a property of this type was even required. Only 9 respondents stated that there was even anybody living in their household who would need to set up independent home within the parish in the next 5 years. Therefore how does this application actually tally with this survey as it suggests in meeting local housing need?

- Impact on local facilities which are already under strain.
- Any dwelling built at an affordable price would not be in character with the design and materials used on neighbouring dwellings.
- An internet search indicates there is adequate housing stock available in the village.
- Existing sewerage drains have previously been blocked – request for assurance that the costs for any future blockages would be met by the Council. How will risk of blockages be minimised.
- The existing condition of the road on Crab Lane is unsatisfactory. What do the Council intend to do about improving road safety for any additional vehicle in the locality?
- The frontage of the proposed drive has significant shrubbery which will need cutting back for visibility purposes. How does this correspond with the report stating that natural hedgerows forming natural barriers are to be maintained?
- The building of this property squeezed into an existing garden will not respect local context and street pattern.

Appraisal

Principle of Development

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraphs 54 - 55 state that in rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

North Muskham is not defined within the Core Strategy as a principal village or a main urban area as defined within Spatial Policies 1 and 2. As an 'Other Village' it falls to be assessed against Spatial Policy 3 (Rural Areas) of the Development Plan. Outside of principal and urban areas, new housing should be located within sustainable and accessible villages and should principally meet the five criteria as set out within Spatial Policy 3 (SP3). These are 1) Location; 2) Scale; 3) Need; 4) Impact and 5) Character.

Location

SP3 3 states that new development should be within the main built-up areas of villages. I have assessed the sites location taking into account the existing situation in terms of the built form of the area. I am satisfied that the application site is situated within the main concentration of existing development in the village and is not in an isolated position. As such I consider the proposal meets the first criteria of SP3.

Need

The NPPF states within its core planning principles under paragraph 17 that every effort should be made objectively to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Local authorities should take account of market signals, such as land prices and housing affordability, and take account of the needs of the residential communities.

Spatial Policy 3 states that new housing will only be permitted where it helps to meet an identified proven local need.

Policy DM12 of the DPD sets out a presumption in favour of sustainable development to secure development that improves the economic, social and environmental conditions within the district.

The application relies on the Midlands Rural Housing Housing Needs Survey of March 2015 as demonstration of housing need. The Survey concludes that there is a need for up to 6 affordable homes and a requirement for 10 open market (sale) homes for local people enabling them to be suitably housed in the community. The survey was supported by this Council, its findings are not disputed and so it follows to assess whether the proposal would help to meet the identified need. In the case of social housing, need is addressed through the allocation process administered by the social landlord but with market housing the only control is at the point of sale. As the policy requirement is to 'help meet' proven local need I consider that the availability of a house on the open market which local people *could* (emphasis added) buy is sufficient to meet this.

The proposal is for a three bedroomed bungalow which is one of the property types identified in the Housing Needs Survey as being in demand (i.e. 2no. of the 10no. open market dwellings identified). For the avoidance of doubt a request has been put to the agent for an agreement to amend the description of the proposal to specifically refer to a three bedroomed dwelling. This would ensure any planning permission is specific and will help to ensure that the dwelling on the site could meet the identified need and also that any permission relates to a dwelling of the scale and character considered as part of this application.

Given the above considerations, I am satisfied that the proposal would help in meeting an identified proven local need. The principle of the proposal is therefore acceptable subject to its compliance with the remaining requirements of Spatial Policy 3 and any other material considerations.

Scale and Character

SP3 sets out that new development should be appropriate to the proposed location and small scale in nature. New development should not have a detrimental impact on the character of the location or its landscape setting.

The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. Core Policy 9 states that new development should achieve a high standard of sustainable design and layout that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 requires the rich local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

The application site falls within the built up part of the village with dwellings on Crab Lane positioned at varying distances from the boundary with the highway. I am mindful that the back garden serving South View sits parallel with Crab Lane meaning the front boundary of the proposed development will front the highway. The Planning Statement submitted as part of this application proposes a three-bedroomed single storey dwelling. The site is adjoined by two-storey properties on Crab Lane and therefore the proposal would appear relatively modesty in scale. I consider the proportions of the site will also provide an opportunity to retain suitable distances between the boundaries of neighbouring properties.

No detailed plans have been provided at this stage however given the general parameters are known, I consider any reserved matters application relating to design can ensure that the final siting and appearance of the proposed bungalow is small scale in nature and has an acceptable impact on the appearance and character of the area. Whether or not the proposal would be likely to set a precedent is related to the considerations below relating to the availability of sites within the village.

I note comments received with regards to the potential loss of existing shrubbery and I am mindful that some soft landscaping may need to be removed to aid visibility at the site access. The Tree Survey submitted also anticipates that two apple trees may need to be removed to facilitate the development. I note these trees are set away from boundaries and given their ornamental nature do not consider that they are of such value to the visual amenity of the area that they should warrant specific protection. Any planning permission can be conditioned to require an appropriate landscape scheme which incorporates a suitable balance of hard and soft landscaping with native species incorporated. Measures can be incorporated into the construction phase to ensure protection of any trees to be retained and this can be conditioned as part of any planning permission.

The use of appropriate materials which best complement the character of the area can be ensured through a suitable condition being attached to any planning permission.

The additional traffic created by one additional dwelling would be unlikely to result in excessive car borne traffic from out of the area.

Taking these factors into account I consider that, on balance, subject to appropriate details on the design of the proposed development being secured through a reserved matters application, I am satisfied that the proposal can have an acceptable relationship in terms of its scale and relationship with the character of the area in accordance with Spatial Policy 3, Core Policy 9 and Policy DM5.

Impact

SP3 states new development should not generate excessive car-borne traffic from out of the area. Proposals should not have a detrimental impact on the amenity of local people nor have an undue impact on local infrastructure, including drainage, sewerage systems and the transport network. The NPPF and Development Management Policy DM5 also seek to ensure a good standard of amenity for all existing and future occupants of land and buildings whilst protecting the amenities of neighbouring occupiers.

Flood Risk

The application site is located within the Environment Agency's Flood Zones 2 and 3. Core Policy 10 states that development proposals will be located in order to avoid both present and future flood risk. Policy DM5 states that the Council will aim to steer new development away from areas at highest risk of flooding. Development proposals within the Environment Agency Flood Zones 2 and 3 and areas with critical drainage problems will only be considered where it constitutes appropriate development and it can be demonstrated, by application of the Sequential Test, that there are no reasonably available sites in lower risk Flood Zones.

Officers raised initial concerns that the Flood Risk Assessment submitted with this application did not robustly demonstrate that there were no sequentially preferable sites within the village in Flood Zone 1 which could accommodate the proposed development. The agent subsequently submitted a Supplementary Sequential Test which assessed 14 alternative sites within Flood Zone 1 (i.e. that may be at lower risk of flooding). The agent has put forward various reasons why these sites are not reasonably available for residential development at this time including that some sites are in multiple ownership, impacts on residential amenity, access issues and relationship with heritage assets. The agent goes on to assess what they consider to be the 4 most suitable sites against Spatial Policy 3 and has concluded that the sites are not considered to be realistically available or deliverable at this time.

In my opinion, whilst the alternative sites have not been independently assessed, there may be some merit to the arguments put forward and I consider it unlikely that any of the alternative sites would be able to accommodate all the housing need for the village (as indeed this site cannot). This may not be the case for sites beyond the existing main built up area of the village. Whilst the application site would be ideally assessed alongside others as part of the Development Plan review, I consider that at the present time, it may be difficult to present a case that there are other sites readily available. It is acknowledged that although the proposal would only make a minimal contribution towards housing need in the village (6%), it would nevertheless reduce the number of dwellings required and therefore should the Development Plan review find that the housing need cannot be catered for within the existing built up part of the village (which I consider is likely for 16 units in total), there would be slightly less requirement for alternative land to be found.

I note the Environment Agency's concerns regarding access and egress. The details originally submitted with the above application indicate the position of the proposed access and the planning statement refers to an alternative 'safe' access further to the north on Crab Lane at a higher level via the foot link through to the heart of the village. The statement refers to two potential escape routes in the event of a flood, these being the informal link to the rear of the former Crown Inn site and the formal path link opposite Norfleet and states that both of these would be above flood levels. The Council's Emergency Planning Officer has commented that access to the footpaths (to the Crown PH and Norfleet) would still require passage through a flooded Crab lane which would not be suitable. However, they have also noted that there are already numerous properties within this region with similar ingress/egress issues and so it may be argued that such a development would not place a noticeably increased burden on the emergency response.

It is acknowledged that in the event of a flooding incident, residents in the new property could not remain in situ since this would not be a place of safety and I note the suggestions made by the Emergency Planner and the Environment Agency. However, I am concerned that a requirement for upper floor refuge would not be consistent with the development proposal for a single storey dwelling. I would also query the effectiveness of a flood gate given soft landscaping to other parts of the front boundary would allow passage of flood waters. Although ingress and egress is difficult for the emergency services if Crab Lane floods, this is no worse than for current residents. I therefore consider that in this particular instance it would be more reasonable to include a condition requiring the applicants to sign up to the Environment Agency's Flood Warning System. In addition, I also consider it reasonable to attach the condition recommended by the Environment Agency requiring finished floor levels to be set no lower than 10.91 m above Ordnance Datum (AOD). Levels towards the rear boundary are already close to this boundary and I consider such a raise in height to accommodate the proposed bungalow would be unlikely to have any consequential impacts on character or neighbouring amenity. A condition requiring a

proposed levels plan would allow full assessment of ground levels within Flood Zone 3. In my opinion these conditions would be proportionate to the flood risk in this instance and would ensure occupants have the opportunity to leave the site in the event of a flood whilst also including a measure to mitigate the impact of flooding on the dwelling itself.

I note the Environment Agency also request a condition for a scheme to ensure no raising of ground levels in Flood Zone 3. Given there is another condition requested by the Environment Agency requiring the finished floor levels to be set no lower than 10.91 m above Ordnance Datum (AOD), the final details of the scheme would need to account for both. The suggested informative relating to the location of the dwelling towards the north of the site i.e. within the Flood Zone 2 extents as opposed to the south east of the site which is within the Flood Zone 3 extents could also be attached, although it is appreciated that given the extents of Flood Zone 3, it is likely that the proposed dwelling would be partly located within this area.

On balance, I consider the proposal would broadly accord with the aims of Core Policy 10 and DM5 and would minimise flood risk.

Highways

Spatial Policy 7 includes that development proposals should provide safe, convenient accesses for all and provide appropriate and effective parking provision, both on and off-site, and vehicular servicing arrangements. The policy also states that proposals should ensure that vehicular traffic generated does not create new, or exacerbate existing on street parking problems, no materially increase other traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.

I am mindful of the comments received during consultation in respect of the potential impact on the highway and the existing limitations of Crab Lane. I note that the Highway Authority have noted the narrow nature of Crab Lane and the need to maintain visibility for any new access. However, Highway Officers have raised no objections to the proposal.

With regards to comments made on the condition of Crab Lane. Any maintenance matters with regards to adopted roads would need to be taken up as a separate matter with the Highway Authority.

Given any planning permission can be conditioned to require precise details to be submitted of the access, parking and turning facilities within the proposed curtilage as well as confirmation of measures to achieve suitable visibility at the access, I consider this will ensure the proposal will not have a significant impact on highway safety and on this basis I am satisfied that the proposal will comply with Spatial Policy 7 and Policy DM5.

Impact on Residential Amenity

The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy DM5 of the DPD states the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy.

The proposal relates to a single storey dwelling set within a plot with substantial hard and soft landscaping to its boundaries and set some 16 metres from the existing dwelling at South View. I consider that the scale of the proposal, size of the plot, boundary treatments in place and

opportunity to ensure suitable distance from main habitable windows serving neighbouring dwellings mean that there is an opportunity to design a dwelling which has an acceptable relationship with neighbouring amenity resulting in no undue overbearing, overshadowing or overlooking impacts. Details of suitable boundary treatments between the proposed and existing dwelling at South View can also be required by a condition attached to any planning permission.

With regards to concern raised about the potential height of any dwelling and its impact on neighbouring amenity, I note the proposal is for a single storey dwelling and therefore this will help to reduce the potential impact on neighbouring amenity.

I note the comment received in written representations relating to potential noise from a new dwelling. I do not consider that the likely noise levels from a single residential property in domestic use should have a significant impact on noise levels in the area to a level which would be harmful to neighbouring amenity.

With regards to the private amenity space serving the proposed dwelling, whilst the footprint of the dwelling has not been confirmed, I consider that there is ample space to position a dwelling and provide amenity space commensurate to a bungalow to ensure an adequate standard of amenity for occupants of the proposed dwelling can be achieved.

Taking these considerations into account I am satisfied that the proposed development can be designed to ensure it does not result in any undue impact upon the residential amenity of neighbouring dwellings a suitable standard of amenity can be achieved for occupants of the proposed dwelling and therefore the proposal complies with Policy DM5.

Impact on Ecology

I note the comments from Natural England and Nottinghamshire Wildlife Trust with regards to seeking opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. I consider it would be reasonable to attach a condition requiring details of the nesting/bat roosting boxes to be incorporated into the design of the dwelling and this would meet the aims of Core Policy 12 and the guidance within the NPPF which requires that Local Authorities explore opportunities to incorporate biodiversity in and around developments.

I also note the Wildlife Trust's comments regarding the two fruit trees proposed for removal. The position of these trees in relation to the footprint of the proposed dwelling would need to be clarified at the reserved matters stage. However, I consider it would be reasonable to attach a condition requiring the removal of any vegetation to be timed to avoid the bird breeding season. Details of any trees to be removed along with replacement planting to mitigate loss of existing vegetation could be provided as part of the landscaping details submitted as part of the reserved matters. The condition could require that the landscaping scheme be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.

With regards to the condition of the two fruit trees I am not aware that they offer any opportunities for bat roosting although given the ornamental nature of the trees any opportunities are likely to be limited. A note could be attached to any planning permission advising the applicant of protected species legislation and their responsibilities should any bat roots be found.

Subject to the suggested conditions, I consider that the proposal accords with the aims of Core Policy 12, Policy DM7 and the guidance within the NPPF.

Other Matters

With regards to the impact on local drains, Severn Trent Water have raised no objections to the proposal. I consider it would be reasonable to attach the usual condition requiring precise details of drainage for surface water and foul sewage. Any future blocking of drains would be a matter for residents to take up with the water authority.

Disruption during the construction phase is not a material planning consideration in the determination of this application.

Consultation has been undertaken in accordance with the legislative requirements. Furthermore, given the delay in determination of this application to allow the applicant to provide further information regarding the sequential approach, the application has remained undetermined for an extended period allowing ample time for comments to be made.

I note the comments made with regards to the impact on local facilities. Given the application relates to a single dwelling, none of the triggers in the Council's Developer Contributions SPD would be met. Given the scale of the proposal, it is unlikely that this development on its own would significantly impact on local infrastructure. However, the development is liable to a CIL contribution as set out below.

Community Infrastructure Levy (CIL)

Given the floorspace of the proposed dwelling is not yet known, a precise figure on the CIL applicable in this instance cannot yet be calculated. However, an advisory note to make the applicant aware that the development would be CIL liable could be attached to any decision. In North Muskham CIL is charge at £55 per sq m for new residential development.

Planning Balance

Overall the proposal would make a minimal contribution to housing need in North Muskham. Development of a three bedroomed village in Flood Zones 2 and 3 would result in some risk in terms of Flood Risk although the extra burden on emergency services when compared with the existing situation would be minimal and could be partly mitigated conditions requiring the applicant to sign up to the EA's Flood Warning system and for a minimal increase in land levels to help mitigate any potential impact on the new dwelling from flooding. The Council is not aware of any sequentially preferable sites in the village at this time. On balance I am satisfied that the provision of the proposed bungalow and the public benefit in terms of meeting an identified need would outweigh the minimal additional flood risk in this instance.

Recommendation

Approve, subject to the following condition(s)

Conditions

01

Applications for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

Details of the access, appearance, landscaping, layout and scale ('the reserved matters') shall be submitted to and approved in writing by the local planning authority before development begins and the development shall be carried out as approved.

Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

03

No development shall be commenced until [details] samples of the materials identified below have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

- Facing Materials
- Bricks
- Details of any render or cladding
- Roofing tiles

Reason: In the interests of visual amenity.

04

No part of the development shall be brought into use until precise 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 scheme shall be implemented prior to the occupation of the 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.

Reason: In the interests of residential and visual amenity.

05

No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:-

- a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;

- existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction; and
- hard surfacing materials including to the proposed driveway, parking and turning areas approved under condition 7.

Reason: In the interests of visual amenity and biodiversity.

06

The approved landscaping shall be completed during the first planting season following the commencement 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.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

07

No part of the development hereby permitted shall be commenced until precise details of the access width, parking and turning facilities as well as means of surfacing and visibility splays to these areas have been submitted to and approved in writing by the Local Planning Authority. Once approved in writing the access, parking, turning facilities and visibility splays shall be provided before the dwelling is first brought into use and shall be retained in accordance with the approved details at all times.

Reason: In the interests of Highway safety in accordance with the aims of Spatial Policy 7 of the Newark and Sherwood District Council Core Strategy DPD (2011).

08

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

09

Before development is commenced precise details of nesting boxes and bat roosting boxes to be incorporated into the development shall be submitted to and approved by the Local Planning Authority. Once approved the nesting and bat roosting boxes shall be provided before the development is first occupied.

Reason: In order to enhance biodiversity on the site in accordance with the aims of Core Policy 12 and the guidance at Paragraph 118 of the National Planning Policy Framework (2012).

010

Removal of vegetation (including any trees to be removed following confirmation and approval of precise details through a reserved matters application) should not take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority prior to removal of any such vegetation and once approved all works shall be in accordance with these details.

Reason: In the interests of protecting ecology on the site in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy 2011.

011

Before development is commenced details of methods to protect trees adjacent to the development in accordance with BS5837:2012 as well as a proposed timetable for these measures to be retained shall be submitted to and approved in writing by the Local Planning Authority. Once approved in writing the agreed protection measures shall be put in place prior to commencement of development and shall be retained in accordance with the agreed timetable.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation in accordance with the aims of Core Policy 12.

012

Precise details of the existing and proposed levels on the application site including spot levels and cross sections shall be submitted as part of the reserved matters application(s) relating to the design and siting of the proposal. The details shall demonstrate that finished floor levels are set no lower than 10.91 m above Ordnance Datum (AOD) as detailed in the Flood Risk Assessment, prepared by LDC on 1.10.2013 submitted as part of this planning application. Once approved the dwelling shall be completed in accordance with the approved details.

Reason: To ensure detailed design reduces the risk of flooding to the proposed development and future users whilst also protecting the amenity of neighbouring residential properties and the visual amenity of the area.

013

No development approved by this planning permission shall take place until such time as a scheme to ensure no raising of ground levels in Flood Zone 3 (save for access to the building finished floor level as detailed in condition 12 above) has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To prevent flooding elsewhere by ensuring that no loss of floodplain storage occurs as a result of this development.

014

Before the dwelling hereby approved is first occupied potential residents shall first;

- (a) register with the Environment Agency's Floodline Warnings Direct Service (hereafter referred to as the Flood Warning Service which expression shall include any replacement for that Service provided by the Environment Agency);
- (b) within 14 days provide the local planning authority with confirmation from the Environment Agency that they have done so.
- (c) Submit to the LPA an evacuation scheme which details under what circumstances, triggers (including the Flood Warning Service), and locations occupiers will be evacuated to in the event of a Flood.

Residents shall maintain their registration with the Flood Warning Service (or any replacement service) at all times and should the dwelling be sold or occupied by new tenants registration with the Flood Warning Service will be made a condition of the sale/tenancy. Residents shall provide the local planning authority with further confirmation from the Environment Agency that they are registered within 28 days of any written request from the local planning authority for such confirmation.

Reason: In the interests of reducing flood risk in accordance with the aims of Core Policies 5 and 10 of the Newark and Sherwood Core Strategy (March 2011) and Policy DM5 of the Newark and Sherwood Allocations and Development Management DPD (July 2013).

Informatives

01

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/cil/

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

02

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 2010 (as amended).

03

Based on the information provided, it is unclear where the proposed dwelling is to be located within the site boundary and therefore to minimise the amount of level raising, the Environment Agency strongly recommend that the dwelling is located towards the north of the site i.e. within the Flood Zone 2 extents as opposed to the south east of the site which is within the Flood Zone 3 extents. This is without prejudice to the formal consideration of siting and design and the decision of the Local Planning Authority on any reserved matters application.

04

With regards to Condition 10 of this consent you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

05

Whilst siting is yet to be agreed through a reserved matters application, there is the possibility that trees will need to be removed to facilitate development. Whilst these trees have not been inspected for bat roost potential you are advised that all bat species are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, &c.) Regulations 1994. This legislation makes it illegal to intentionally or recklessly kill, injure or disturb any bat, or destroy their breeding places. If bats are disturbed during the proposed works, the legislation requires that work must be suspended and Natural England notified so that appropriate advice can be given to prevent the bats being harmed. Natural England can be contacted on the following number. (tel: 0300 060 1130).

Background Papers

Application Case File.

Midlands Rural Housing Housing Needs Survey - March 2015

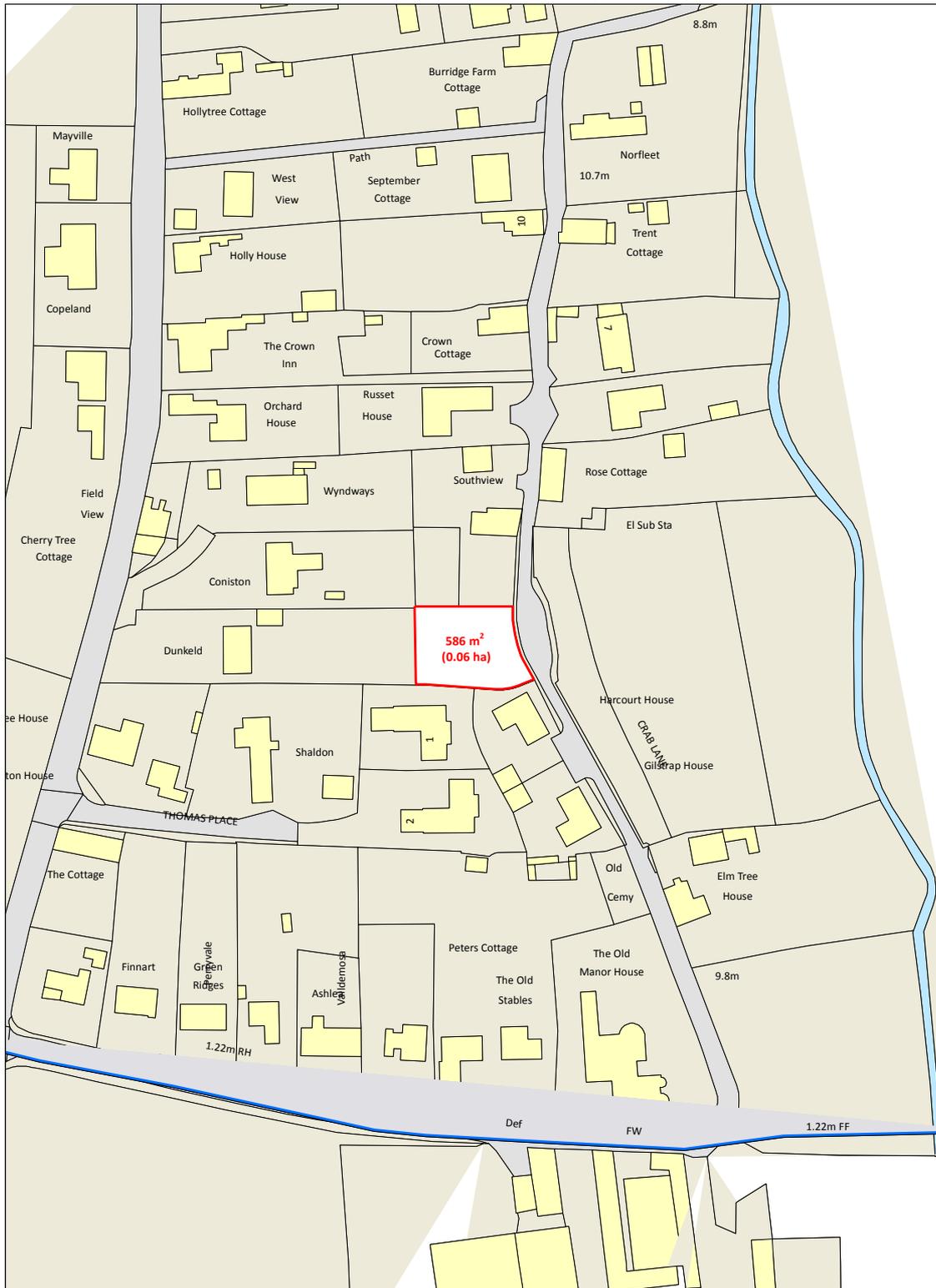
For further information, please contact Martin Russell on 01636 655837.

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

Kirsty Cole

Deputy Chief Executive

Committee Plan - 15/01440/OUT



Application No:	15/01395/FUL	
Proposal:	Replacement of industrial units with a new detached four bedroom, two storey house with attached double garage.	
Location:	Brinkley Hall Farm, Fiskerton Road, Brinkley, Nottinghamshire, NG25 0TP	
Applicant:	Mr & Mrs Andrew Selby	
Registered:	12th August 2015	Target Date: 7th October 2015

Member Update

This application was deferred by councillors at planning committee on the 6th October 2015 to allow a site visit to fully assess the site and proposal.

For the avoidance of doubt, the remainder of the report below remains unchanged since Planning Committee on 6th October 2015 except for the addition of a further paragraph in the appraisal section of this report under the Principle of Development in bold text.

The Site

The application site is situated in the open countryside at the edge of linear development along Fiskerton Road in Brinkley which has a sporadic form and no built up area. The site consists of an open yard area (hard surfaced) with two small block built buildings located to the periphery of the site. Access is gained from an adjacent farm access off Fiskerton Road.

Relevant Planning History

09/01148/FUL – Change of use to joinery workshop (Retrospective) – Approved 23.04.2010

93/51560/FUL – Erect an aerial tower and radio equipment cabin – Refused 12.08.1993

The Proposal

Planning permission is sought for the replacement of industrial units with a new detached four bedroom, two storey house with attached double garage.

The submitted design and access statement states that the combination of simple design together with renewable technologies will result in a zero carbon development. The development would include photovoltaic (PV) panels, a mechanical ventilation heat recovery system and rainwater harvesting to achieve energy efficiency.

The design of the dwelling includes sedum roofs to the single storey elements, facing brick work at ground floor level, wood cladding to the first floor and a metal roof to the main two storey element of the proposal.

Departure/Public Advertisement Procedure

Occupiers of six neighbouring 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 Core Strategy DPD (adopted March 2011)

Spatial Policy 1: Settlement Hierarchy
Spatial Policy 3: Rural Areas
Spatial Policy 7: Sustainable Transport
Core Policy 9: Sustainable Design
Core Policy 12 Biodiversity and Green Infrastructure
Core Policy 14: Historic Environment

Allocations & Development Management DPD

Policy DM5 – Design
Policy DM7 – Biodiversity and Green Infrastructure
Policy DM8 – Development in the Open Countryside
Policy DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014

Consultations

Southwell Town Council – “STC Planning Committee met last night to consider the application 15/01395/FUL and agreed to support the application.”

Nottinghamshire Wildlife Trust – “From the documents provided, it appears that the proposed building would be located on an area of hardstanding and we would not anticipate ecological impacts in this area.

Two existing buildings would be demolished - these do not appear to offer bat roost potential, but we suggest that site workers are briefed on actions to take in the unlikely event that a bat is discovered:

Should any bat/s be found, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats by covering reckless damage or disturbance to a bat roost.

It does not appear that major vegetation clearance would be required. Any minor clearance of shrubs should be undertaken outside of the bird breeding season (i.e. avoiding 1st March to 31st Sept inclusive)”

NCC Highways Authority – “This proposal is for the construction of a single dwelling with garaging as replacement for the industrial units. There are no alterations proposed to the access onto Fiskerton Road and due to the previous use of the site there are no highway objections to this proposal.”

Nottinghamshire Ramblers Association – “I am responding on behalf of Nottinghamshire Ramblers. As long as this development does not encroach on Southwell Bridleway 8 during and after the construction process we would have no objection.”

Southwell Civic Society - The Southwell Civic Society Planning Committee met on 26th August 2015 and agreed that they have no objections to the following planning applications:- 12 Replacement of industrial units with a new detached four bedroom, two storey house with attached double garage. Brinkley Hall Farm, Fiskerton Road, Brinkley Nottinghamshire NG25 OTP Ref. No: 15/01395/FUL”

Environmental Health Contaminated Land – “This application is for construction of a residential dwelling on a former industrial site. There is the potential for contamination to be present as a result of this former industrial use. As it appears that no desktop study/preliminary risk assessment has been submitted prior to, or with the planning application, then I would request that our standard phased contamination conditions are attached to the planning consent.”

Conservation Officer – Comments contained within the appraisal section in this report.

Two representations have been received from local residents/interested parties objecting to the proposal. The representations can be summarised as follows:

- Views from surrounding properties will be impacted upon impacting house values
- The lane access to the proposed dwelling is dangerous and already heavily trafficked causing noise disturbance and damage to the lane, further development will compound this
- A new dwelling will impact on local water & power services
- A new dwelling will destroy the community
- The eco home design will not be in keeping with the area and the noise and light pollution created will have an impact on neighbouring dwellings
- The new property will be higher than the existing buildings and the ground level is higher than surrounding land impacting on neighbouring privacy

One representation has been received from a local resident/interested party supporting the proposal based on the reuse of the brownfield site and the developments eco credentials.

Comments of the Business Manager - Development

Principle of Development

The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable development in the District. The intentions of this hierarchy are to direct new residential development to the sub-regional centre, service centres and principal villages.

The proposal site is located outside of the centres and villages as defined by policy Spatial Policy 1 & Spatial Policy 2 of the Core Strategy and therefore falls to be considered against the sustainability criteria of Spatial Policy 3 relating to Rural Areas. Under this policy development away from the built up areas of villages, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting.

The NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: 'the exceptional quality or innovative nature of the design of the dwelling.'

Such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.'

This is reflected in local policy by Policy DM8 which contains the criteria for considering development in the open countryside and focuses on strictly controlling development to certain types. With reference to new dwellings, the policy stance is that, 'planning permission will only be granted for new dwellings where they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area.'

The proposed two dwelling is of a large scale amounting to approximately 342m² of floor space. The main two storey element of the building would have a pitched roof at approx. 8.6m in height. This part of the building is flanked by two single storey flat roof sections, one providing a double garage to the south west and a snug and utility room to the north east. I acknowledge that submitted design and access statement states that the development will be zero carbon including technology such as photovoltaic (PV) panels and rainwater harvesting to achieve energy efficiency. I also acknowledge that the design of the dwelling will include sedum roofs and a contemporary mix of external finishes.

Despite these design credentials, the proposal would not in my view bring the design of the dwelling into an exceptional quality or innovative design category. Utilisation of design features such as PV panels and rainwater harvesting whilst commendable are becoming more commonplace and I consider that these and the other elements of the design would not raise the standard of design to such an extent that it could be described as truly outstanding or innovative.

Beyond the potential innovative design of the proposed dwelling, consideration has also been given to another of the four criteria outlined in the aforementioned policy. The design of a dwelling in the context of paragraph 55 of the NPPF should 'significantly enhance its immediate setting.' It is noted that the existing site is vacant save for some hardstanding and two small industrial units used for storage. Whilst it is noted that redeveloping the site to provide a dwelling will improve the appearance of the site it is considered that the existing boundary treatment, which includes a number of mature trees and hedging, renders the site conspicuous in the landscape particularly when viewed from the public realm and nearby highway. The site is therefore not considered to be so detrimental to the local character of the area to outweigh the harm identified by the policy considerations in this instance.

On this basis the proposed new dwelling in the open countryside remains inappropriate by definition when considered under the above local and national planning policy context and the design of the proposal is not of an exceptional quality or innovative nature sufficient to constitute the special circumstances required to outweigh the inappropriateness of the proposal.

The proposal is therefore contrary to the NPPF and Policy DM8 of the Allocations and Development Management DPD.

Impact on Heritage Assets

Due to the proximity of a number of listed buildings the council's conservation team have been consulted and their comments are as follows:

"Brinkley Hall Farmhouse and associated barns to the southwest are Grade II listed. The proposed dwelling will affect the setting of the listed farmstead.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority (LPA) to have special regard to the desirability of preserving listed buildings, including their setting. In this context, 'preservation' means to cause no harm and is a matter of paramount concern in the decision-making process.

The National Planning Policy Framework (NPPF) makes it clear that new sustainable development should protect and enhance the historic environment (paragraph 7). LPAs should also look for opportunities to enhance or better reveal the significance of heritage assets when considering development within the setting of heritage assets (paragraph 137). Paragraph 132 advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification.

In addition, the NPPF makes it clear that planning decisions should aim to ensure that new developments (paragraphs 58, 60 and 61):

- establish a strong sense of place;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- address the connections between people and places;
- integrate with the historic environment; and
- promote or reinforce local distinctiveness.

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 (paragraph 64).

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. Setting is often more extensive than the curtilage of a heritage asset. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The extent and importance of setting is often expressed by

reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance. When assessing any application for development which may affect the setting of a heritage asset, LPAs may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its on-going conservation.

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3).

Policies CP14 and DM9 of the Council's LDF DPDs seek to protect the historic environment and ensure that heritage assets are considered in a way that best sustains their significance. Overall, the key issues to consider in proposals for additions to heritage assets, including new development within their setting, are proportion, height, massing, bulk, use of materials, land-use, relationship with adjacent assets, alignment and treatment of setting.

The listed farmhouse and barns date to the late 18th century. The proposal site is located in proximity to the listed buildings, although the site is enclosed by trees and has a degree of annexation from the farmstead grouping.

The proposed design of the new house reflects the general scale of the farmhouse and barns, noting its rectilinear gabled form, but is otherwise of a very contemporary design with innovative energy efficiency features and modern materials.

On balance, it is felt that the innovative and contemporary design will cause no harm to the setting of the listed buildings. The separation of the plot and enclosure provided by trees and planting ensures that the proposal will not be unduly prominent to the listed buildings. Furthermore, it is acknowledged that the proposed design incorporates subtle references to the rural vernacular buildings whilst using modern, contemporary detailing and materials.

Subject to enhancing and managing the trees and planting bounding the site, and to the precise details of the external facing materials of the new house, Conservation has no objection to the proposed dwelling."

I agree that that the proposed new dwelling will cause no harm to the setting of the listed buildings. I note the Conservation Officer refers to the proposal being of innovative and contemporary design but they are commenting in respect of the local vernacular and the relationship between a dwelling of contemporary design with the heritage asset. Whereas in considering whether there are special circumstances the consideration is whether the design is of exceptional quality helping to raise design standards more generally in rural areas.

I would therefore conclude that the proposal is of a design which would have an acceptable relationship with the Grade II Listed Brinkley Hall Farmhouse and associated barns resulting in no harm to the heritage asset and therefore complying with the aims of Core Policy 14 and Policy DM9. However this does not overcome the overriding concern that the proposal would be an inappropriate form of development in the open countryside and the design of the proposal is not such that it would constitute a special circumstance in this instance.

Other Matters

The proposed dwelling would be built approx. 45m away from the closest neighbouring residential dwellings. I have identified no detrimental impact to neighbouring amenity in terms of overbearing or loss of privacy. Given the distance from the nearest neighbours I am also satisfied that any noise or light from a new dwelling would be unlikely to be at a level which would have a significant impact on neighbouring amenity. The red line site is considered adequate in terms of providing amenity space. I am satisfied that the proposal therefore complies with Policy DM5 in this regard.

There is an existing vehicular access to the site. I do not consider that the traffic generation associated with a single bedroom dwelling house would have a significant impact which would amount to a detriment to highways safety and I note that Nottingham County Highways have raised no objections. I am satisfied therefore that the proposal raises no vehicular access or parking concerns when considered against Spatial Policy 7 and Policy DM5.

The potential impact on property values in the area is not a material planning consideration in the determination of this application.

If planning permission were to be forthcoming, the developer would need to arrange connections to the local water and power supply and the statutory undertakers would be responsible for any impact on neighbouring supplies.

Conclusion

Notwithstanding the considerations set out in relation to heritage assets and other matters raised, I consider that the proposed new dwelling would be inappropriate in this location and the design of the proposal is not of an exceptional quality or innovative nature sufficient to constitute the special circumstances required to outweigh the inappropriateness of the proposal. There are no other material considerations in this instance which would constitute the special circumstances required to outweigh the presumption against inappropriate development in the open countryside.

The proposal is therefore contrary to the NPPF and Policy DM8 of the Allocations and Development Management DPD.

RECOMMENDATION

Full planning permission is refused for the following reason:

The NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. This is reflected in local policy by Policy DM8 which strictly controls and limits the types of development in the countryside. In the opinion of

the District Council the proposed new dwelling would be an inappropriate form of development in the open countryside and the design of the proposal is not of such an exceptional quality or innovative nature sufficient to constitute the special circumstances required to outweigh the inappropriateness of the proposal. There are no other material considerations in this instance that would constitute the special circumstances required to outweigh the presumption against inappropriate development in the open countryside. The proposal is therefore contrary to Policy DM8 of the Allocations and Development Management DPD (2013) and the sustainability objectives of the NPPF.

Background Papers

Application case file.

For further information, please contact Sukh Chohan on Ext 5828.

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

K.H. Cole
Deputy Chief Executive

Committee Plan - 15/01395/FUL



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APPEALS A - APPEALS LODGED

(received between 18th September 2015 and 19th October 2015)

1.0 Members are advised that the appeals listed at **Appendix A** to this report have been received and are to be dealt with as stated. If Members wish to incorporate any specific points within the Council's evidence please forward these to Planning Services without delay.

2.0 RECOMMENDATION

That the report be noted.

Background Papers

Application Case Files.

For further information please contact our Technical Support Business Unit on 01636 650000 or email planning@nsdc.info quoting the relevant appeal reference.

Matt Lamb
Business Manager - Development

Appeal reference	Application number	Address	Proposal	Procedure
APP/B3030/W/15/3084343	14/01883/FUL	Land Adjacent Woodbank Close Eakring Road Bilsthorpe Nottinghamshire	Erection of 6 No. residential bungalows, associated pair garages and driveways (Re-submission of 14/01219/FUL)	Written Representation

Appeal reference	Application number	Address	Proposal	Procedure
APP/B3030/W/15/3133508	14/01964/FULM	Land At Highfields School London Road Balderton Newark On Trent NG24 3AL	Residential development comprising 91 units and associated infrastructure, including the relocation of the existing school car park and sports pitches, the provision of a MUGA and the removal of 8 TPO trees.	Hearing

Appeal reference	Application number	Address	Proposal	Procedure
APP/B3030/W/15/3132643	15/01109/FUL	1 Tudor Close Newark On Trent Nottinghamshire NG24 2JT	Householder application to extend garden by erecting new fence closer to boundary to reduce dog fouling on land. Fence to be 6ft high with replacement existing gate in same position at rear of garden backing onto our driveway. Proposed fence to cut the corner from the driveway and to run adjacent to pavement 1 metre inside boundary.	Written Representation

Appeal reference	Application number	Address	Proposal	Procedure
APP/B3030/W/15/3133814	15/00574/FUL	20 Pelham Street Newark On Trent Nottinghamshire NG24 4XD	Change of Use and extension to Existing Outbuilding to form a Detached Single Bedroom Dwelling	Written Representation

Appeal reference	Application number	Address	Proposal	Procedure
APP/B3030/W/15/3134706	15/00064/FUL	Unit 2 Gables Farm Gables Drive Hockerton Southwell Nottinghamshire NG25 0PP	Demolition of 60% of existing industrial unit, refurbish remainder including replacement walls and roof. Erection of 2 No. 2 storey, 3 bed houses on footprint of demolished section of industrial unit and 2 No. single storey, 1 bed bungalows on hardstanding area.	Written Representation

APPEALS DETERMINED - APPENDIX B
(between 18th September 2015 and 19th October 2015)

App No.	Address	Proposal	Decision	Decision date
12/01075/FUL	Lockwell Hill Farm Kirklington Road Farnsfield Nottinghamshire NG22 8JE	Erection of Wind Turbine (500kW) with a hub height of 50 metres and a tip height of 78 metres.	ALLOW	30.09.2015

App No.	Address	Proposal	Decision	Decision date
14/01843/CPRIOR	Former Poultry Farm Rufford Lane Ollerton Nottinghamshire	Prior Approval of Proposed Change of Use of Agricultural Building to a Dwelling House (Use Class C3)	DISMISS	13.10.2015

App No.	Address	Proposal	Decision	Decision date
15/00112/FUL	Station House Station Road Kirklington Nottinghamshire NG22 8NJ	Householder application for side, front and rear extensions to form triple garage, dining hall and enlarged utility room to ground floor and a further bedroom. Master bedroom with galleried landing to first floor.	DISMISS	25.09.2015

App No.	Address	Proposal	Decision	Decision date
15/00897/FUL	2 The Avenue Gunthorpe Nottinghamshire NG14 7ET	Householder Application for Erection of New Double Garage	DISMISS	28.09.2015

RECOMMENDATION

That the report be noted.

Background Papers

Application Case Files.

For further information please contact our Technical Support Business Unit on 01636 650000 or email planning@nsdc.info quoting the relevant application number.

Matt Lamb
Business Manager - Development