

PLANNING COMMITTEE – 6 JUNE 2017

LATE ITEM

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chairman has agreed to take this urgency item as a late item of business in order to consider the matter before the next planning meeting following deferral (for a site visit) of the application at the 9th May 2017 Planning Committee. The report that follows remains as published previously. Any updates will be provided to Members in the late item schedule.

Application No:	17/00382/FUL
Proposal:	Proposed New Dwelling (including proposed demolition of existing pre-fabricated garage)
Location:	Gable House, Middle Lane, Morton, Nottinghamshire, NG25 0UY
Applicant:	The Winser Family
Registered:	27 February 2017 Target Date: 24 April 2017

This application has been referred to Planning Committee because the Officer recommendation is contrary to the view of Fiskerton-cum-Morton Parish Council.

The Site

The application site contains Gable House which is a substantial and attractive period dwelling with garages positioned to rear. The site is located within the settlement of Morton and is situated within the Conservation Area. The site is located on the north side of Middle Lane with the dwelling and associated garages being located close to the eastern side boundary of the site. The remainder of the site (to the west and north of the dwelling) forms the private garden of Gable house which is mostly covered with grass.

There is one existing vehicular access off Middle Lane (which abuts the southern boundary of the site) which serves the dwelling and associated outbuildings to the rear. To the east of the site lies the Public House 'The Full Moon Inn' and its associated car park. The site is bound to the north and west by surrounding residential properties and gardens located on Church Lane and Manor Drive. To the south, the site is bound by Middle Lane, where access into the site exists. Hedgerows provide the boundaries to all sides, with some tree planting to these boundaries. There are also a number of trees or various sizes within the site alongside more hedging.

Relevant Planning History

10/00757/FUL - Householder application for erection of single storey extension – Permitted 08.07.2010

The Proposal

The proposal seeks planning permission for the erection of a 4-bedroom dwelling to the rear of

Gable House. The main dwelling will be two-storey in height with a ridge height of 7m with a single storey element with a ridge height of 5.2m. The dwelling will have a footprint of 166m², resulting in a floorspace of 261m². The dwelling will be constructed of brick and pantile with timber frame windows and doors. At ground floor, the dwelling would provide a lounge, study/dining room, utility room and an open kitchen/dining area, with 4 bedrooms and bathroom at first floor.

The application also proposes the creation of a new driveway accessed via Middle Lane with the division of the land associated with Gable House to provide a separate curtilage for the proposed dwelling.

Additionally, the application proposes a detached carport with workshop/store. The garage will measure approximately 6m in width, 9m in length and 4.8m in ridge height.

Public Advertisement Procedure

Occupiers of 11 properties have been individually notified by letter. A site notice has also been posted close to the site and an advert placed in the local press.

Planning Policy Framework

The Development Plan

Newark and Sherwood District Council Core Strategy DPD (adopted March 2011)

Spatial Policy 1: Settlement Hierarchy

Spatial Policy 2: Spatial Distribution of Growth

Spatial Policy 3: Rural Areas

Spatial Policy 7: Sustainable Transport

Core Policy 3: Housing Mix, Type and Density

Core Policy 9: Sustainable Design

Core Policy 14: Historic Environment

Allocations & Development Management DPD

DM5: Design

DM6: Householder Development

DM9: Protecting & Enhancing the Historic Environment

DM12: Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014

Consultations

Fiskerton Parish Council – Support the proposal

NSDC Conservation Officer – *Gable House and the proposal site falls within Morton Conservation Area (CA). The Church of St Denis to the east is Grade II* listed.*

Land within the proposal site is identified as being of archaeological interest on the County Historic Environment Record (HER).

We have previously provided advice on a proposal to redevelop this site (ref PREAPP/00260/16). The submitted scheme has sought to address the concerns and issues raised during these pre-application discussions. The revised scheme submitted on the 5th April 2017 is broadly consistent with that advice.

Legal and Policy Considerations

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') require the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Section 66 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. The courts have said that these statutory requirements operate as 'the first consideration for a decision maker'. Planning decisions require balanced judgement, but in that exercise, significant weight must be given to the objective of heritage asset conservation.

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 affecting 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. Paragraph 13 also reminds us that the contribution made by setting does not necessarily rely on direct intervisibility or public access.

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, 'Historic England Advice Note 2: making changes to heritage assets' advises that it would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of development that might be appropriate.

There are individual heritage assets within the site identified on the HER, including areas or features of archaeological interest. In accordance with Annex 2 of the NPPF, areas of archaeological interest are non-designated heritage assets. The impact of a proposal on the

significance of a non-designated heritage asset is a material consideration, as stated under paragraph 135 of the NPPF. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In addition, paragraph 139 of the NPPF reminds us that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

Significance of the Heritage Asset(s) Affected

Gable House is an attractive 19th century house set in large grounds at the heart of the CA.

The special character and appearance of Morton CA is summarised within the adopted CA Appraisal (adopted 2003). The grid of lanes within the village reflects the older layout of the settlement, and results in an attractive arrangement of properties. The Gables is identified within the Appraisal as a positive building within the CA due to its Victorian age and architectural appearance. The Appraisal reminds us that Middle Lane has a distinct character, noting that Gable House is the only property on the east side, which is otherwise characterised by green hedges and occasional trees.

The earthworks identified on the HER run northeast of Gable House and back onto the pub car park. The earthworks extend around the church and other parts of the settlement, including a Scheduled area to the south of the village. These earthworks are thought to relate to Iron Age/Romano-British settlement, and as such have a degree of regional significance.

Assessment of Proposal

The proposal seeks to construct a new dwelling in the rear orchard of Gable House. The proposal also seeks to remove a modern pre-fabricated garage, as well as create a new driveway with a 3m access to the west of the existing entrance.

The pre-fabricated outbuilding is of no historic interest and its removal will not harm the character and appearance of the CA.

There is clear potential for archaeological interest within the site. The submitted desk based assessment gives a comprehensive summary of the site's potential. Further advice should be sought from an archaeologist on whether the potential terracing identified is commensurate to the scheduled areas nearby, whether further investigation is needed pre-determination, or whether this can be addressed via suitably worded conditions.

The new dwelling references historic farmstead character in its scale and form, comprising a mock threshing barn with a perpendicular single storey range. Due to its layout and appearance, the proposal will appear as an ancillary component to Gable House, and glimpses of the proposal from Middle Lane and the Full Moon Inn will suggest a subservient outbuilding range similar to other historic building arrangements in the wider area. Whilst the development will interrupt the spacious historic orchard area, the proposed building line of the new dwelling is broadly consistent with the Gable House curtilage, ensuring that the open areas preserved on the western side of the site maintain a sense of the space.

Due to landscape screening and distances from relevant receptors, the proposal is not considered to be unduly prominent within the parish setting of the Church of St Denis.

The new access arrangements have been designed so as to minimise highway disruption with a modest break in the hedge line. When seen in aspect from further along the lane, the new entrance will not be unduly prominent.

On balance, the proposal is considered to sustain the significance of the CA and cause no harm to its character and appearance. The proposal is not considered to be harmful to the setting of the listed Church of St Denis furthermore.

Summary of Opinion/Recommendation

The proposal causes no material harm to the character and appearance of the Morton CA or the setting of the Church of St Denis, a Grade II listed building. The proposal therefore accords with the objectives of preservation required under sections 66 and 72 of the Act. The proposal is also considered to be compliant with heritage advice contained within DM9 of the Council's LDF DPD and section 12 of the NPPF.*

If approved, and without prejudice to any further archaeological advice, the following matters should be addressed via suitably worded conditions:

- *All facing materials to be agreed;*
- *Pantiles to be natural red of a non-interlocking variety, sample of which is to be submitted and agreed;*
- *All external joinery, including windows and doors, to be timber (to be retained), the design, specification, opening method and external finish to all be agreed in the form of scaled drawings, sections and product literature;*
- *Further details of the mock barn non-standard elements (notably the full height glazed opening and the car port design), and more generally, further details of verges, eaves, headers, sills, ridge tiles, rainwater goods, conservation roof lights, and any other external accretions (such as meter boxes, vents, flues, extractors etc);*
- *Further details of all boundary treatments, the garden wall and gates;*
- *Sample panel of the brickwork to be shown on site. Panel of no less than 1 metre square showing brick, bond, mortar and pointing finish; and*
- *PD to be suitably restricted, including alterations to any prominent roof.*

NSDC Access and Equalities Officer – It is recommended that the developer make separate enquiry regarding Building Regulations matters.

NCC Highways Authority – *It is not envisaged that this proposal will severely compromise highway safety. Therefore there are no highway objections subject to the following conditions:*

1. *Occupation of the proposed dwelling shall not take place until the access driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the life of the development.*

Reason: To prevent deleterious material/surface water from being discharged to the public highway, in the general interest of highway safety.

2. Occupation of the proposed dwelling shall not take place until a vehicular crossing is available for use and constructed in accordance with the Highway Authority's specification.

Reason: To ensure that drivers can cross the verge in a safe and controlled manner.

Note to Applicant

The development makes it necessary to construct a vehicular crossing over a verge of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact VIA, in partnership with NCC, tel: 0300 500 8080 to arrange for these works to take place.

NCC Archaeology – No comments received

Environment Agency – The site lies within flood zone 1 and is therefore low risk

Trent Valley Internal Drainage Board – No objection to the proposal

Three letters of representation have been received from local residents, raising the following issues:

- The development would reduce the level of privacy for neighbouring properties and increase noise disturbance from both the dwelling and associated vehicular movements
- Impact upon trees within the site and along its boundaries.
- It is difficult to comprehend an objective conclusion to the development when further residential development could be proposed on the site, therefore to consider the application in isolation to the overall intentions gives a false and misleading representation
- Impact of the removal of existing natural surface drainage area upon neighbouring properties
- Impact of additional vehicles upon the public highway.

Comments of the Business Manager

Principle of Development

The Core Strategy outlines the intended delivery of growth within the District including in terms of housing. Spatial Policy 1 sets out a hierarchy which directs development toward the Sub-regional Centre, Service Centres and Principal Villages before confirming at the bottom of the hierarchy that within other villages in the District, development will be considered against the sustainability criteria set out in Spatial Policy 3. The five criteria outlined by Policy SP3 are location, scale, need, impact and character. Morton falls to be considered as an 'other' village against Policy SP3. Before turning to assess the current proposal against the criteria of Policy SP3 it is also pertinent to set out the councils housing supply position.

Five Year Housing Land Supply

NPPF Chapter 6 (Delivering a wide choice of high quality homes) paragraph 47 identifies a clear policy objective to, "*boost significantly the supply of housing*". Paragraph 17 states further that the planning system should '*proactively drive and support sustainable economic development to*

deliver new homes....that the country needs. Every effort should be made objectively to identify and then meet the housing...needs of an area.' NPPF indicates that this will be achieved first and foremost, by local planning authorities, *'using their evidence base to ensure that their local plan meets the full, objectively assessed needs of market and affordable housing in the housing market area,...including identifying key sites which are critical to the delivery of the housing strategy over the plan period.'*

Members will be aware of the recent published Housing White Paper, which also promotes a requirement to boost housing supply. The importance of a plan-led system in assisting with housing delivery is clearly identified, as is the requirement for housing targets to be based on Objectively Assessed Need (OAN) which is applied consistently nationally in terms of methodology. The White Paper (re)endorses a plan-led system both in making clear for communities the quantum of development required and in how they can assist in identifying appropriate sites and densities to ensure delivery. The role that neighborhood planning as part of this is also noted.

Members will also be aware that NSDC has for many years been committed to ensuring that the plan-led system prevails. We were the first Council in Nottinghamshire to have a set of LDF plan documents adopted in the form of a Core Strategy (March 2011) and Allocations and Development Management Policies DPD (July 2015). NSDC were also the first authority in the Country to adopt the Community Infrastructure Levy (December 2011).

In order to address its housing requirement the Council, as it is required to do under the NPPF for both objectively assessed need (OAN) and under the Duty to Cooperate, has produced a Strategic Housing Market Assessment (SHMA). The SHMA has been produced in line with Government Guidance by consultants G L Hearn, in conjunction with Justin Gardner of JG Consulting, on behalf of Ashfield, Mansfield and Newark & Sherwood District Councils who form the Nottingham Outer Housing Market Area. The SHMA has produced an OAN for NSDC of 454 dwellings dpa (using 2013 as a base date), although this figure is yet to be tested through an Examination In Public (EIP). This is the first and only objective assessment of need (OAN) available in NSDC, as required by both the NPPF and the Housing White Paper.

Members will be aware that in January 2016 an Appeal in Farnsfield was dismissed on the basis that this Council was deemed not have a 5 year housing land supply. This was the view of one Inspector who disagreed with the annual requirement figure, noting that the information for the whole HMA was not before them. The Inspector concluded that *on the balance of the evidence available to them* (emphasis added), a reasonable assessment of the Full OAN for Newark & Sherwood would be in the order of 550 dwellings per annum. The Council applied for leave to Judicially Review (JR) the Inspector's decision but this was not granted. Since the JR the Council has re-visited the OAN with its consultants and its two neighbouring Councils, all of whom are confident they can robustly defend the OAN at an EIP and that the planning appeal inspector was incorrect. This is underlined by the publication in July 2016 of a Farnsfield Appeal Statement Position Statement (see <http://www.newark-sherwooddc.gov.uk/media/newarkandsherwood/imagesandfiles/planningpolicy/pdfs/prefapp/HMA%20Position%20Statement%20-%20Farnsfield%20Appeal.pdf>).

Moreover, this Council has now set out its preferred approach for spatial development. The issue of housing targets, which follows the OAN is set out at paragraphs 3.2 to 3.33 of NSDC's Local Development Framework Plan Review - Preferred Approach Strategy July 2016 (see <https://consult.newark-sherwooddc.gov.uk/consult/ti/PRPreferredApproachStrategy16/consultationHome>). The Council has produced an OAN with its neighbouring authorities as is

required. The contents and findings have been reviewed. The Council is confident – with the support of the other two Authorities and its professional consultants - that the OAN target is appropriate, robust, and defensible figure.

NSDC is well advanced with its Plan Review (I emphasise review as opposed to a wholly new plan and spatial strategy) and it is expected that there will be a Plan Examination this year. Whilst I acknowledged that the OAN and housing target for the District cannot attract full weight until after Development Plan examination the evidence base and national direction of travel is clear in the role that a properly procured, professionally produced, and cooperated OABN should have. I am satisfied that the Farnsfield Inspectors decision has been superseded by new information and is now a material planning consideration to which significant weight should not be attached. On this basis the Council does currently have a 5 year housing land supply against the only OAN available and produced independently by consultants and colleague Authorities. Therefore paragraph 14 of the NPPF is not engaged and the policies of the Development Plan are up-to-date for the purpose of decision making. Notwithstanding this until the OAN and housing target is adopted NSDC will continue to adopt a pragmatic approach for development which is acceptable in all other technical and environmental effects and which will boost housing supply in the short term (including imposing shorter timeframes for implementation). To allow inappropriate development that would cause planning harm has the potential to totally undermine confidence in a plan led system and this will accordingly be resisted.

The following is an assessment of the proposal against the remaining criteria of SP3.

Location

The first criterion of SP3 details that ‘new development should be within the main built up areas of villages, which have local services and access to Newark Urban Area.’ The proposed development site is located within existing built form along Middle Lane, Manor Drive, Church Lane and Main Street therefore I am satisfied that the site lies within the main built up area of the village.

However, Morton’s local services are very limited. The submitted Design and Access Statement lists the services available in the village including a public house; Church and associated rooms; and sports ground and pavilion. Notwithstanding these, proposed occupiers would likely be reliant on private cars to many services, including schools and local shops for day to day provisions. I note the applicant makes reference to a bus route that serves the village, however this runs twice daily (once outbound to Newark, once inbound) on weekdays only and therefore in my view is not a service which would enable the proposal to be considered sustainable. Furthermore, whilst Fiskerton is within walking distance (approx. 1km), there is no pedestrian friendly route that the occupiers could safely use all year round, owing to vehicular traffic on the road and a lack of lit public footpath; I am mindful that in a rural location the LPA would not encourage the latter but this is not a reason to conclude that a walk along a public footpath in the dark could be considered safe.

Until such time as a housing requirement figure has been tested and found sound, the Council will take a pragmatic view on planning applications for residential development and consider development on sustainable sites which fall within main built up area boundaries and village envelopes which meet the relevant requirements of the Development Plan in all other respects, and have the capacity to positively contribute to boosting the supply of housing within the District

in the short term. However, in this instance I am of the view that the proposal does not constitute sustainable development owing to the limited services available within the locality without the need to use a private car and the current situation with regards to the Council's 5 year housing land supply does not outweigh this unsustainable location.

Scale and Impact of Development

The guidance note to accompany SP3 referred to above confirms that the scale criterion relates to both the amount of development and its physical characteristics, the latter of which is discussed further in the Character section of the appraisal. One additional dwelling is considered small scale in numerical terms and as such is unlikely to detrimentally affect local infrastructure such as drainage and sewerage systems. I also consider that one additional dwelling is unlikely to materially affect the transport network in terms of increased traffic levels in volume, a matter on which the Highway Authority has raised no concerns.

Core Policy 10 of the Core Strategy and Policy DM5 of the Allocations and Development Management DPD state that the Council will aim to steer new development away from areas at highest risk of flooding. The site lies within flood zone 1 and is therefore within an area at low risk of flooding. Issues relating to surface water have been raised during the consultation period, and the Highway Authority have sought for drainage to be conditioned should members be minded to approve the application. No details of how surface water is proposed to be disposed within the site have been submitted, but providing there is sufficient drainage within the site, I am of the view that the proposal is unlikely to result in an increased flood risk to the local area; the Environment Agency and Internal Drainage Board have raised no objection to the proposal.

Impact on the Character of the Area

The character criterion of SP3 states that new development should not have a detrimental impact on the character of the location or its landscaped setting. The assessment overlaps with the consideration required by Policies DM5 and DM9, which confirm the requirement for new development to reflect the rich local distinctiveness of the District's landscape and character through scale, form, mass, layout, design, materials and detailing.

The design ethos references historic farmstead character in its layout and form, and whilst there are modern domestic elements, these are generally not prominent to the public realm. The proposal has been amended during the course of the application to ensure that the overall design reflected the character of the conservation area.

Given the location of the site within the conservation area comments from the conservation officer have been sought and are available in full above. The scheme has been amended during the course of the application process following concerns raised by the internal Conservation Officer; the full comments above are based on these revisions, which include removing some domestic features, such as dormer windows to create a dwelling that references historic farmstead in character. The design of the building has been much improved through revisions, reflecting the rural character of the area. The dwelling is considered to sit subservient to Gable House, an assessment I would concur with, along with the agreement that the dwelling reflects the character of the local area and is unlikely to have a harmful impact upon Conservation Area.

To ensure that the proposal is constructed to a high quality, the Conservation Officer has recommended various conditions seeking materials and details to be agreed prior to the

commencement of development, as detailed in the consultations section of this report. I consider these requested conditions to be important in ensuring the development respects the character of the area and would therefore recommend that these conditions are imposed should Members be minded to approve the application.

Additionally, Gable House is located within an ample plot which has capacity for an additional dwelling without compromising the space available for the principal dwelling. The two plots would each have sufficient amenity space and the development would not result in the overdevelopment of the plot.

Policy DM7 confirms that, in line with the requirements of Core Policy 12, new development should protect, promote and enhance green infrastructure. The Arboricultural Survey Report confirms that the majority of the tree stock recorded in the survey area is in good or fair condition and category B or C. Many of the trees form components of existing boundaries. The majority of trees within the site are proposed to be retained, except for a few smaller trees within the middle of the plot and along the new driveway.

The report recommends tree protection and retention plans as part of the development, although no details have been submitted with the report and only indicatively on the proposed block plan. I am minded to agree with the conclusions of the report that there are very few trees on the site that should constrain development, although I would recommend that Members look to include a tree protection condition should they be minded to approve the application.

Need for Development

SP3 provides that new housing must meet an identified proven local need. The Spatial Policy 3 Guidance Note (September 2013) states that proven local need must relate to the needs of the community rather than the applicant. Assessments should be based on factual data such as housing stock figures where the need relates to a type of housing or census data where the needs relate to a particular population group. The onus is ordinarily on the Applicant to demonstrate a local need. No supporting information as to how the proposed development would meet an identified need as the applicant understood that there was no longer a requirement to prove a local need. A draft Housing Needs Survey has been written for Fiskerton-cum-Morton which has concluded that there is a need for 1-3 bed dwellings within the area. This application seeks a 4-bedroom dwelling.

In any event, in the context of the above discussion and on the basis of the Council's current position on housing supply, the Council need to take a pragmatic view in relation to the need element of policy SP3 can be reached. Whilst the need criteria remains as part of SP3, the approach the District Council has taken since June 2016 is that this is being relaxed until such time as the 5YHLS issue has been ratified through the Plan Review.

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 that 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.

I note the comments received relating to the impact of the development upon the privacy of neighbouring properties, along with increased noise disturbance. It is considered that, based on the submitted block plans, the separation distances from neighbouring properties and the existing and proposed boundary treatment are sufficient to limit the overall impact upon neighbouring properties in terms of privacy, overshadowing and overbearing impacts.

With regards to noise disturbance, I appreciate that a new dwelling would create additional noise expected from a residential property and this would extend to noise created by additional vehicular movements. However, one additional dwelling is unlikely to result in a significant increase in disturbance, particularly owing to the separation distances between properties and the location of the driveway which is approximately 35m from 2 Manor Drive which borders the driveway and 30m across the highway from Ivy Cottage.

On the basis of the above, I am of the view that the proposal is unlikely to have a detrimental impact upon the amenities of surrounding land uses.

Impact on Highway Safety

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.

The Highway Authority are of the view that the proposal is unlikely to severely compromise highway safety, subject to conditions relating to the surfacing of the driveway, surface water drainage and a new vehicular crossing. I am therefore satisfied that the proposed scheme would not result in highway issues sufficient to justify refusal on these grounds. The proposal is therefore considered to accord with Policy SP7 and DM5.

Other Matters

It has been identified by both the Conservation Officer and the applicant that there is potential archaeological interest within the site. The archaeologist at NCC has been consulted on the application however no comments have been received to date. In order to ensure that an archaeological interest is protected and recorded, should members be minded to approve the application I would recommend that a condition requesting a programme of archaeological works including written scheme of investigation, to be submitted to the LPA prior to the commencement of development.

Conclusion

The application has been carefully assessed against Spatial Policy 3 (Rural Areas) of the Development Plan along with the NPPF. SP3 supports new dwellings in rural areas subject to satisfying 5 criteria namely, location, scale, need, impact and character.

With regards to location, although the site is considered to be within the main built up part of Morton, Morton is not considered to provide adequate facilities for residents and reasonable public transport connections to facilities in nearby larger settlements. As such the proposal is considered to fail the locational criterion of this policy.

This application relates to a new dwelling and is considered to be small scale development and appropriate for the overall settlement of Morton. It is not considered that the proposal would

have an adverse impact in terms of excessive car borne traffic, upon local infrastructure or have such an adverse impact on residential neighbours that this would warrant a reason for refusal.

No proven local need has been demonstrated as part of this application, and limited weight can be given to the draft housing needs assessment which identifies a local preference for 1-3 bed dwellings within the settlement not a 4-bedroom dwelling.

In terms of design, issues raised by the internal Conservation Officer have been addressed and as such, the appearance and scale of the dwelling is considered appropriate for the setting, remaining subordinate to Gable House and will not be overly prominent within the public realm.

However, in this instance, the benefits of the scheme are not considered to outweigh the issues regarding Morton's rural location and limited services available to provide a sustainable location for a new dwelling. As such, on balance, the application is recommended for refusal.

RECOMMENDATION

The application is refused for the following reason;

01

Spatial Policy 1 (Settlement Hierarchy) of the adopted Newark and Sherwood Core Strategy Development Plan Document sets out the settlement hierarchy for the District. In respect of Morton, this falls within the category of an "other village within Newark and Sherwood." This means that it does not form part of the Sub-Regional Centre, is not a Service Centre and is not a Principal Village. Spatial Policy 3 (Rural Areas) contains a number of criteria which need to be satisfied before the proposal could be considered to be in compliance. The applicant has not provided evidence to demonstrate that there is an identified proven local housing need, which is required by Spatial Policy 3. The Council is of the opinion that it has a demonstrable 5 year land supply against its Objectively Assessed Need (yet to be tested via full plan review) and that on this basis the issue of need as a material planning consideration should carry significant weight, particularly within a village such as Morton which itself has limited local services.

The proposal represents an unsustainable pattern of development, contrary to Spatial Policy 3 (Rural Areas) of the adopted Newark and Sherwood Core Strategy 2011 (Core Strategy) and the National Planning Policy Framework 2012 (NPPF). There are no material considerations that outweigh the harm; the Council is satisfied that it has 5 year housing land supply which identifies suitable locations of dwellings across the district on more suitable and sustainable sites. Therefore the Council is not in an intensified position to allow dwellings in such unsustainable locations where there is a proven supply of adequate land in other locations throughout the district.

Notes to Applicant

01

The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason(s) for refusal. Whilst the applicant has engaged with the District Planning Authority at pre-application stage our advice has been consistent from the outset. 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.

02

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/

Background Papers

Application case file.

For further information, please contact Nicolla Ellis on ex.5833.

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 - 17/00382/FUL

