

# 23/02182/FUL and 24/00211/RELDEM

**Applicant**

Mr Forlani

**Location**

48 Main Street  
East Leake  
Nottinghamshire  
LE12 6PG

**Proposal**

Proposed Demolition of Part of Existing Barns; Conversion of Existing Barns and Rebuild New Barn with a Single Storey Extension to form 1 New Dwelling

**Ward**

Leake

## THE SITE AND SURROUNDINGS

1. The application relates to a set of outbuildings and land comprising part of the side and rear garden area of 48 Main Street, East Leake, a two storey detached dwelling located in the centre of the village.
2. The outbuildings are located to the north-east of the application site. The outbuildings are currently used for residential living space and storage associated with No. 48 Main Street, East Leake.
3. Although access to the site is located in the centre of the village, opposite a number of commercial premises, the garden area of No. 48 is surrounded by residential properties.

## DETAILS OF THE PROPOSAL

4. This is a joint report for a full planning application, 23/02182/FUL, and an application for relevant demolition of an unlisted building in a Conservation Area, 24/00211/RELDEM.
5. Application 24/00211/RELDEM seeks permission for the partial demolition of the existing outbuildings, located to the north-east of No. 48, to allow for its conversion. The North/South (N/S) barn would be demolished and rebuilt with reclaimed materials. The 1970's glazed link between No.48 and the barns would also be demolished.
6. Application 23/02182/FUL seeks planning permission for the conversion of the existing barns and extensions to form 1 residential dwelling. The N/S barn would be demolished and rebuilt using reclaimed materials and the East/ West (E/W) barn would be retained and converted. The main living accommodation for the dwelling would be on the ground floor. There will be a mezzanine level in the E/W barn to create an office space or additional accommodation. A single storey extension is proposed to the eastern side of the N/S barn to provide further accommodation. The proposed conversion would use

reclaimed brick for the elevations and roof pantiles to match the existing buildings.

7. Access to the site would be accommodated via the existing access road off Main Street which serves both No. 48 Main Street and the residential annexe to the south of the site.
8. No. 3 off street parking spaces for the proposed dwelling would be facilitated to the north of No.48 within its front garden. The front garden is well screened by a front boundary wall, hedging and trees. No. 3 separate car parking spaces serving No.48 would be facilitated to the rear (south) of the site.
9. The application is supported by a structural report and ecological information. During the course of the application, a number of revisions have been made to the proposal. The originally proposed hard surfacing within the front garden which contained 6 off-street car parking spaces has been reduced in size. Landscaping to the front garden has been re-introduced and the hard surfacing within the front garden now only contains 3 off street parking spaces to serve the proposed dwelling. The revised plans have repositioned the 3 off-street car parking serving No.48 to the rear (south) of the site. The revised plans also clarify that no works/ alterations are proposed to the front tree or the front boundary wall. The revisions also clarify the proposed fence line separating No.48 and the proposed dwelling and its design. Updated ecological survey information has also been provided.

## **RELEVANT SITE HISTORY**

10. 20/01974/FUL - Demolition of existing rear garage outbuilding and erection of new dwelling. Permission granted by Planning committee on 22 April 2021.
11. 20/01988/RELDDEM - Demolition of existing rear garage outbuilding. Permission granted by Planning committee on 22 April 2021.
12. 21/03222/FUL - Conversion and Extension of Existing Residential Outbuildings to Form a New Detached Dwelling including associated parking and access works. Application withdrawn.
13. 22/00118/VAR - Variation of Condition 2 (Approved plans) of planning permission 20/01974/FUL to make alterations and replace approved plans. Planning permission granted 14 March 2022.
14. 22/00898/CLUPRD - Certificate of lawful development to resurface front garden. Certificate of proposed lawful development granted 08 July 2022.
15. 23/00998/FUL - Demolition of Existing Barns and Outbuildings, Erection of 1 Detached Dwelling. Application withdrawn.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

16. One Ward Councillor (Cllr Thomas) objects to the planning application and the relevant demolition application on the following grounds:

- a. The amenity of future residents of the existing house would be significantly impacted by the shared car park in front of their property. This arrangement is not suitable for this pair of dwellings
  - b. It harms the setting of the historical farmhouse in the very centre of the village Conservation Area.
  - c. In terms of ownership, the front garden would need to be divided between the two properties and the spaces allocated and access rights assured – shared parking is not suitable. Also not clear how many parking spaces are allocated and whether there would be sufficient space to manoeuvre.
  - d. Considers that parking to the rear of the dwelling would be more appropriate
  - e. Contravention policy V1(a) of the East Leake Neighbourhood Plan which states that the only types of development permitted in the village centre will be those that particularly require a central village location. Family housing is excluded see para 8.1.8 of the ELNP. Housing for older people and those with mobility problems is included. There is no mention of “multi-generational” homes.
  - f. Concerns that elements of ‘lifetime homes’ have not been met
  - g. Intervisibility between back windows of the host dwelling and the proposed dwelling would not provide sufficient privacy. Obscure glazing would harm amenity of host dwelling for future occupiers.
  - h. Additional vehicles accessing property from Main Street will cause traffic hazard
  - i. The proposal is overdevelopment of the site.
  - j. The extension up to the boundary to the east appears to leave a small outside area that has no access
  - k. Concerns that the large ceiling height indicates an intention to add an additional storey internally
  - l. There is no description or analysis of the additional existing outbuilding which is to be demolished
17. After revised plans were received, the Ward Councillor (Cllr Thomas) maintained their objections due to the reasons they had previously cited. They also noted that the proposed parking area to the front of No.48 would have a serious detrimental impact on the amenity of future occupiers to this dwelling.
18. One Ward Councillor (Cllr Way) objects to the application on the following grounds:
- Agrees with the comments made by Cllr Thomas and the parish Council
  - Concerns regarding the proposed increase in roof height as it could lead to further internal extension of the property which would create potential for more vehicles
  - The egress from the site is dangerous and the highways report does not take into account the vehicle and pedestrian traffic at this location
19. Subsequent to the revised plans, the Ward Councillor (Cllr Way) did not remove their objections.
20. On receipt of revised plans one Ward Councillor (Cllr J Billin) objected to the application on the following grounds:
- The proposal would increase the number of vehicles expected to use the narrow driveway onto Main Street and poses issues with safety

- Cannot see need for raising roof height on the section of building that runs North/South and contains only ground floor accommodation
- Concerns that future internal alterations would create additional floor
- This development along with the previously approved dwelling to the rear would result in overdevelopment of the site

### **Town/Parish Council**

21. East Leake Parish Council objected to the original application on the grounds that the proposal would be contrary to Policy V1 of the Neighbourhood Plan, impact on the Conservation Area, the impact on having shared parking, the amount of traffic coming onto the main road and the impact on amenities for future residents.
22. After subsequent revised plans, East Leake Parish council confirmed that they did not object to the application as long as T1 and T2 were protected by TPO and a condition is included to ensure reasonable working hours.
23. However, after further revised plans were received, East Leake Parish Council objected to the revised plans due to parking arrangements and the impact of shared parking and the amount of traffic coming onto the road. They also requested that the proposal adhere to lifetime homes conditions. They also requested that T1 and T2 are protected by TPO and that a site management plan is put in place to minimise disturbance to neighbours.

### **Statutory and Other Consultees**

24. Nottinghamshire County Council Highways Authority acknowledged that the proposal would result in a slight increase in traffic movement as a result of the development. However, they consider that this would not have a significant impact on the highway network. They consider that the existing drive shared with the new building and parking has been provided and meet the Nottingham County Council Design Guide. Based on the information submitted, they do not object to the application.
25. Nottinghamshire County Council Archaeology have no comments or recommendations to make.
26. Borough Environmental Sustainability initially raised concerns that the submitted Ecology Survey as it stated that the buildings have 'negligible potential' for roosting bats and therefore does not require any further emergence surveys, whereas the Borough Ecologist considers there to be 'medium potential' for roosting bats and therefore an emergence survey should be submitted.
27. Subsequent to the concerns raised, a further Emergence Survey was submitted. The Borough Ecologist confirmed that the surveys appear to be completed according to good practice and are in date until December 2025. They consider that the site has the potential to support commuting and foraging behaviour for bats and wild birds. They consider that the reasonable avoidance measures outlined within the report should be conditioned as part of any forthcoming planning permission. Overall, they consider that it is unlikely that

this development will have a detrimental impact on populations of protected species provided the proposed reasonable avoidance measures, mitigation and enhancements are implemented.

28. Borough Conservation Officer considers that the limited demolition and rebuilding to a similar appearance for the N/S barn and the repairs and sensitive conversion of the E/W barn are supported. Considers that the layout, form, scale, massing and design of the buildings to be acceptable and also considers that the proposed materials are of high quality and of the local vernacular and would be appropriate for a conversion scheme. They suggest the re-use of the internal timbers within the conversion. They recommend a number of conditions including details of rainwater goods, landscaping conditions, details of method of demolition and building recording for the barns.
29. However, whilst they supported the conversion scheme for the barns, they raised concerns initially with the proposed parking to the front garden. They note that the works could be done under permitted development, but they raise concerns with potential impact of the hard surfacing on the trees within the front garden. They also consider that hard surfacing the whole front garden would have a small eroding effect on the character of a positive building, which would result in a small negative impact on the Conservation Area. They suggest that parking should be reduced to three cars along the frontage and other parking should be relocated elsewhere within the grounds, preferably to the south.
30. Subsequent to the concerns raised, revised plans were submitted which reduced the level of hard surfacing to the front garden and reduced the number of car parking spaces in this location to 3 spaces. The plans also proposed to add 3 car parking spaces to the south of No.48. The Conservation Officer confirmed that the revised plans addressed their previous concerns and considers that the proposal would be acceptable in terms of heritage impacts. Overall, they consider that the revised scheme would not harm the Conservation Area and its special interest would be preserved.
31. Borough Landscape Officer considers the tree to the front of the site adjacent Main Street to be a very important specimen due to its prominent location and it being visible from both Main Street and Gotham Road. Considers that with the current combination of trees and hedge to the front boundary screening the site, the proposed car parking area would cause harm to the character of the wider area, but also notes a certificate of lawful development has been granted for a porous parking area in this location.
32. Encourages the retention of the boundary hedgerows on the frontage of the site. Considers that the current plans are not clear as to whether the boundary hedging is to be retained. Requests that clarification on this matter is sought and a landscaping condition to secure appropriate replacement planting is utilized.
33. Considers it prudent to condition a method statement detailing the detailed construction of the surface of the car parking area (geocell) and a method statement for the construction and tree/vegetation protection whilst the works take place.

34. Also notes that the frontage tree is a lime tree, which could cause inconvenience to owners parking their cars underneath due to honeydew.

### **Local Residents and the General Public**

35. One representation has been received on the planning application from neighbouring occupiers/ local residents neither objecting to or supporting the proposal. The comments raised are summarised as follows:
- a. It is good to see across numerous submissions and subsequent withdrawals that the proposed development has been scaled back to provide a more modestly sized dwelling without an annex
  - b. Disappointing to see the front garden of a large historic farmhouse used as a car park
  - c. Concerns raised with the noise and disturbance caused by continuing building works
  - d. Wants to see a management plan which includes details of how to construction will manage disturbance to neighbours
  - e. Considers that the proposal will affect wildlife and considers that nesting area for displaced bats and swifts should be incorporated.
36. Two representations have been received on the relevant demolition application objecting to the application on the following grounds:
- a. The bat survey is inadequate Assessment needs to be repeated and three emergence surveys need to be conducted during the bat survey season

Full comments can be found [here](#).

### **PLANNING POLICY**

37. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (NPPF) (2023), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Residential Design Guide.

### **Relevant National Planning Policies and Guidance**

38. The following sections in the National Planning Policy Framework (NPPF) are of relevance:
- Chapter 2 – Achieving Sustainable Development
  - Chapter 9 – Promoting Sustainable Travel
  - Chapter 12 – Achieving Well Designed and Beautiful Places
  - Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
  - Chapter 16 – Conserving and Enhancing the Historic Environment

A copy of the National Planning Policy Framework 2023 can be found [here](#)  
A copy of the Planning Practice Guidance can be found [here](#)

## Relevant Local Planning Policies and Guidance

39. The following policies within LPP1 are of relevance:
- Policy 1 – Presumption in Favour of Sustainable Development
  - Policy 2 – Climate Change
  - Policy 3 – Spatial Strategy
  - Policy 8 – Housing Size, Mix and Choice
  - Policy 10 – Design and Enhancing Local Identity
  - Policy 11 – Historic Environment
  - Policy 17 – Biodiversity

A copy of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) can be found [here](#)

40. The following policies of LPP2 are of relevance:
- Policy 1 – Development Requirements
  - Policy 11 – Housing Development on Unallocated Sites within Settlements
  - Policy 12 – Housing Standards
  - Policy 17 – Managing Flood Risk
  - Policy 18 – Surface Water Management
  - Policy 28 – Conserving and Enhancing Heritage Assets
  - Policy 37 – Trees and Woodland
  - Policy 40 – Pollution and Land Contamination
  - Policy 41 – Air Quality

A copy of The Local Plan Part 2: Land and Planning Policies (LLP2) can be found [here](#)

41. The East Leake Neighbourhood Plan was adopted in 2015, and the following policy is considered of particular relevance:
- Policy V1 – Priority Uses for Village Centre
42. The Rushcliffe Residential Design Guide sets out guidance as to local character and materials, height, scale and massing, achieving privacy and guides for amenity space. It states that “Infill development should respect the existing massing, building form and heights of buildings within their immediate locality”. It also provides guidance on garden sizes for new dwellings.
43. Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990) also requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

## APPRAISAL

44. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan

should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

45. The main material planning considerations in the determination of this planning application are:
- Principle of development
  - Impact upon the character of the area and Conservation Area
  - Highway Safety
  - Ecology and Biodiversity
  - Impact on trees
  - Residential amenity
  - Sustainability

#### Principle of the development

46. Local Plan Part 1 Policy 3 sets out the spatial distribution of development across Rushcliffe. This directs the majority of development towards the main urban area of Nottingham, the edge of the main urban area (within sustainable urban extensions) and identified Key Settlements. The village of East Leake is identified within Policy 3 of LPP1 as a key settlement identified for growth.
47. The application proposes the conversion of existing outbuildings to form a new dwelling. The site is located within an existing built-up part of the village, which is surrounded on all four sides by existing residential properties. The conversion of the building would be located within a Key Settlement which is identified for growth. The proposal would contribute an additional dwelling to the Boroughs housing supply within a highly sustainable location and it is therefore considered acceptable in principle.
48. Objections have been received from the Parish Council and three Ward Councillors on the grounds that the proposal would be contrary to Policy V1 of the East Leake Neighbourhood Plan. Policy V1 (Priority Uses for Village Centre) seeks to limit the types of development within the centre of the village to those that particularly require this village central location, including; housing for older people, those with mobility problems, and situations where 'living over the shop' is appropriate.
49. Policy V1 allows for housing for older people and people with mobility issues, but does not elaborate on the type of development this is. In this case, the applicant has clarified that the dwelling has been designed to incorporate the following:
- A substantial clear space available in each of the main ground floor living areas for circulation and turning;
  - Areas earmarked for the potential adaptation for lifts and hoists;
  - The structure above Bedroom 1 and the En-suite Wet Room area will be suitable for supporting hoists;
  - All internal doorways to be a minimum of 800mm wide clear opening;
  - 300mm nib minimum leading to edge of doors;
  - All WC, En-suite and Bathroom wall structure to be capable of supporting grab rails;



- Windows to all habitable rooms to have low handles for ease of opening;
  - Windows to allow for views out while seated;
  - Service controls to be fitted between 450mm - 1200mm from finished floor level and at least 300mm from internal corners for ease of access;
  - Level threshold to main entrance doors;
  - Provision of a wider parking space next to the porch with level access to the dwelling.
  - Provision of living space for live-in carer or family member to assist with care.
50. It is considered that the proposed dwelling has been sensitively designed to be accessible for wheelchair users, people with mobility issues and older people. It is primarily single storey with a study annotated at the first floor. It has been shown that a lift could be installed if required to gain access to this area. Policy V1 does not specify that housing development within the village centre needs to ensure accessibility for wheelchair users, but the applicant has incorporated this and other accessibility features within the design therefore it would allow the dwelling to be occupied by someone with mobility problems. It is therefore considered that the proposed dwelling would conform with Policy V1 of the East Leake Neighbourhood Plan and would provide provision of this housing need within the centre of East Leake.

#### Impact on Character of the area and Appearance of Conservation Area

51. Policy 11 of the LLP 2 supports housing development on unallocated sites, subject to a number of criteria including; the proposal is of a high standard of design and does not adversely affect the character or pattern of the area by reason of its scale, bulk, form, layout or materials; the site does not make a significant contribution to the amenity of the surrounding area by virtue of its character or open nature; the proposal would not result in the loss of any existing buildings considered to be non-heritage assets unless the loss of the asset is justified; the proposal would not have an adverse visual impact from outside the settlement; the proposal would not cause a significant adverse impact on the amenity of nearby residents and occupiers; and appropriate provision for access and parking is made.
52. The proposal would include the demolition of the part of the existing N/S barn to facilitate its conversion. A Structural Report was submitted to support the application, and this confirms that the N/S barn is in very poor condition and there is widespread evidence of significant movement and distortion of the walls. It also confirms that the E/W element of the barns will also need demolishing due to structural integrity issues. It is understood that remedial work has already taken place to prevent the roof of the N/S barn from collapse.
53. It is considered that the proposed partial demolition of the barns is required for safety, as clarified within the submitted Structural Report, and would not cause harm to the character of the Conservation Area. It is also considered that the proposed demolition would allow the sensitive restoration of a building that contributes positively to the Conservation Area.

54. The barns are set back approx. 13 meters from Main Street and is largely screened by No. 50, located to the north of the building, and the trees along the northern (front) boundary. The proposal would see the conversion of the existing barns which would include the raising of the ridge height of the barns by approx. 0.3 meters at the N/S barn and approx. 0.6 meters to the E/W barn. Due to the position of existing properties to the north of the site and screening, it is considered that the proposed additional height would not materially impact the Conservation Area.
55. The resulting building has been designed to appear sympathetic to the existing barns. The Conservation Officer considers that the form, layout, scale, massing and design of the proposals to be acceptable and that the proposed materials are of high quality and appropriate for this type of conversion. They have requested that the internal timbers should be reused where possible. Whilst the reuse of internal timbers would be desirable, it is not considered a condition requiring the reuse of internal timbers would meet the appropriate tests in order to make the proposed development acceptable in heritage terms, as this would be an internal alteration that would not impact upon the Conservation Area.
56. The application initially proposed the hard surfacing of the entirety of the front garden area, located to the north of No. 48 Main Street to include 6 off-street car parking spaces (no. 3 spaces for no. 48 and no. 3 spaces for the proposed dwelling). Whilst this work could be carried out under permitted development rights, as confirmed with the granting of 22/00898/CLUPRD, it was considered that the hard surfacing of the entirety of this front garden could cause harm to the existing trees on the site, which are prominent within the Conservation Area and identified by the Senior Landscape Officer as an important specimen. The Conservation Officer also considered that the proposed parking area would have a small eroding effect on the character of the positive building (No. 48) and would result in a small negative impact on the Conservation Areas special interest.
57. Subsequent to the concerns, the applicant revised the proposed parking area to reduce the amount of hard surfacing proposed and to ensure that adequate separation between the trees within the front garden and the hard surfacing. This allowed landscaping to be retained to the front of the site, which softens the appearance of hard surfacing and is a betterment to what could be achieved under permitted development. This change also reduced the number of car parking spaces to the front of the dwelling (from 6 to 3) and allowed for the car parking associated with No. 48 to be positioned to the rear of the dwelling, rather than having a shared car parking area. The changes to the car parking area have been supported by the Conservation Officer as they now consider that the proposal would not cause harm to the Conservation Area.
58. In terms of the pattern and grain of development within this part of the Conservation Area, there are a number of residential properties to the west of the application site which have been constructed behind properties fronting onto Main Street. Further, the proposal would be a conversion of an existing building. As a result, the proposed dwelling would not conflict with and would preserve the pattern of development within this part of East Leake.

59. For the reasons set out above, it is considered that the proposal would preserve the character of the East Leake Conservation Area, as required by Section 72 of the Planning (Listed Buildings and Conservation Areas Act).
60. It is also considered that the proposed conversion would be sensitively designed and would be sympathetic to the existing barns. It is therefore considered that the proposal would also accord with Policy 10 (Design and Enhancing Local Identity) of LPP1 and Policy 1 (Development Requirements) of LPP2.
61. Concerns have been raised by Ward Councillors that the proposal would result in overdevelopment of the site, when taking into consideration the previously approved annex to the rear (granted under 20/01974/FUL). It is considered that the proposed dwelling and the host dwelling would retain sufficient private amenity space and parking. It is therefore considered that the proposal would not result in overdevelopment of the site.

### Highway Safety

62. The proposed dwelling would utilise the existing vehicular access serving 48 Main Street. The application does not propose to alter the existing access.
63. Concerns have been raised by Ward Members in terms of highway safety and traffic congestion as a result of the proposed dwelling. The Highway Authority acknowledged that the proposal would result in a minor increase of traffic using the existing driveway. However, the existing driveway meets the NCC Highways Design Guide criteria and is considered sufficient to accommodate the proposed marginal increase in traffic. The Highways Authority have raised no objections to the proposal on highway safety grounds.
64. Further, the proposal would provide 3 no. off street car parking spaces for the proposed dwelling, and a further 3 no. parking spaces for No.48. This level of parking is considered sufficient to meet the needs of future occupiers.
65. In terms of refuse bins, there is sufficient space within both the existing plot and the proposed plot to store the three bin system. Rushcliffe Council operates a kerb side bin collection service, therefore it would be the responsibility of future occupiers to deliver their bins to the kerb side on Main Street on collection day.

### Ecology and Biodiversity

66. The Borough ecologist initially raised concerns that the submitted Ecology Survey submitted with the application concluded that the buildings have 'negligible potential' for roosting bats and therefore does not require any further emergence surveys. However, due to gaps in the condition of the buildings, the Borough Ecologist considers that the buildings have 'medium potential' for roosting bats and therefore an emergence survey should be submitted.
67. Subsequent to the concerns raised, a further Emergence Survey was submitted. The Borough Ecologist confirmed that the surveys appear to be completed according to good practice and are in date until December 2025. They consider that the site has the potential to support commuting and foraging

behaviour for bats and wild birds. They consider that the reasonable avoidance measures outlined within the report should be conditioned as part of any forthcoming planning permission. Overall, they consider that it is unlikely that this development will have a detrimental impact on populations of protected species provided the proposed reasonable avoidance measures, mitigation and enhancements are implemented.

68. A bat emergence survey was subsequently submitted and confirmed that no protected/ priority species were recorded using the barn but does have a potential to support commuting and foraging behaviour for bats and wild birds. The Borough Ecologist has confirmed that the proposal is unlikely to have detrimental impact on populations of protected species provided that reasonable avoidance measures, mitigation and enhancements are implemented. It is considered prudent to impose a condition which requires submission of enhancement details including provision of swift bricks and bat boxes.
69. The application was submitted prior to national Biodiversity Net Gain requirements. However, Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) requires that developments, where appropriate, should seek to achieve net gains in biodiversity. The proposal would include the restoration of existing buildings and would include the incorporation of landscaping to the parking areas and rear garden. It is considered prudent to condition the submission of a detailed landscaping scheme to ensure that the proposal will include biodiversity enhancements.

#### Impact on Trees

70. There are a number of trees within the site and along the site boundaries. Following consultation with the Borough Council's Landscape Officer he acknowledged that the tree to the front of the site (T1) is an important specimen which contributes to the character of the area and Conservation Area.
71. Concerns have been raised in relation to the impact of the proposed development on the trees and hedgerows within the front garden and the impact this would have on the Conservation Area. The application initially sought permission to hard surface the front garden in its entirety to provide 6 parking spaces. After concerns were raised in relation to the potential impact to the trees within the front garden, the parking area was revised reduce the level of hard surfacing and to allow separation between the hard surface and the trees/hedgerow to the front boundary.
72. The hedgerow within the front garden is identified as 'significant' within the East Leake Townscape Appraisal positively contributes to the Conservation Area. The applicant has confirmed that the hedgerow is to be retained as part of the development. It is considered prudent to impose a condition securing the retention of the hedgerow to ensure it continues to contribute to the Conservation Area.
73. It is also considered prudent to impose a condition requiring the submission of a detailed method statement which details the proposed construction method for the car parking area and details of tree/vegetation protection measures

whilst works take place to ensure that the trees are adequately protected during construction works.

### Residential Amenity

74. Ward Councillors have raised concerns in relation to the impact of the proposed car parking area (serving the proposed new dwelling) on the existing dwelling known as No.48 Main Street. They consider that the proposed parking area would result in significant harm to future occupiers of No. 48 due to the shared parking arrangement.
75. Revised plans were submitted to amend the parking arrangement, so that the parking associated with No.48 would be positioned to the rear of the dwelling and parking for the proposed dwelling would remain to the front of the site. It is not considered that car parking in this location would cause significant harm to the amenity of future occupiers, parking to the front of properties is a common arrangement. Further, the parking would serve only one additional dwelling, it is therefore not considered that the proposal would result in a significant increase in activity which would cause unacceptable levels of noise and disturbance to the host dwelling.
76. Concerns have also been raised by ward councillors in relation to the intervisibility between back windows of the host dwelling and the proposed dwelling and that this would cause privacy concerns. They also consider that obscurely glazing windows would harm the amenity of future occupiers for No. 48. The eastern side elevation of No.48 faces onto the private amenity space and windows serving habitable rooms for the proposed dwelling. In order to ensure privacy of future occupiers of both the proposed dwelling and No.48, the ground floor side elevation which serves the living room is proposed to be obscurely glazed. It is considered that obscurely glazing this window would not have significant impacts on the future occupiers of No.48, as they have a large set of bifold doors/ windows to the southern rear elevation that would be retained and receives more sunlight than the window on the side elevation. The living room would also be serviced via an existing window on the northern (front) elevation that is proposed to be retained. It is considered that these windows are sufficient to ensure that the proposal would not have a detrimental impact on the future occupiers of No.48, whilst also ensuring that privacy is retained for the proposed dwelling.
77. Concerns have also been raised in relation to the potential noise and disturbance caused by the construction phases of the proposed development. This is a small-scale project and it is not considered necessary to impose a condition requiring a management plan, but an informative can be placed on the decision reminding the applicant of reasonable construction hours to prevent these issues.
78. In terms of the impact of the proposed conversion on neighbours, the proposal would only include marginal extensions to an existing building. It is therefore considered that the proposal would not result in overshadowing or overbearing impacts to neighbouring properties within the vicinity, nor would it cause these impacts to future occupiers of No.48.

79. In terms of overlooking, the nearest buildings are located to the north of the proposed dwelling and comprise commercial units at ground floor and what appear to be offices at first floor. The northern elevation of the proposed dwelling would not include any window openings at ground or first floor level and, as such, it is considered that the proposal would not cause undue overlooking or loss of privacy for the buildings to the north or future occupiers of the dwelling. It is considered prudent to impose a condition which restricts the insertion of window openings in this elevation to retain this level of privacy.

### Sustainability

80. In order to promote sustainable development and construction, conditions are recommended which would require the dwellings to be constructed so as to limit the water consumption to no more than 110 litres per person per day, and require the installation of electric vehicle charging points.

### Other matters

81. Concerns have been raised by ward members in relation to car parking being located to the front of No.48 and within close proximity of this property. This is a private matter and would be the choice of the occupier and future purchasers. It is therefore afforded very limited weight in the planning balance.
82. Further, ward members have raised concerns between the subdivision of the host dwelling and the proposed dwelling and the relationship between these properties. It is considered that this is a private matter and therefore afforded very limited weight in the planning balance.
83. Ward members have also raised concerns with the potential of creating an additional floor within the barns if permission were granted. The plans as submitted only indicate a mezzanine floor within the E/W barn to provide an office/study. The plans do not indicate any further first floor accommodation would be provided. Internal alterations after the implementation of a planning permission would not require planning permission and therefore it is considered that this is not a material planning consideration and, subsequently this is afforded very limited weight in the planning balance.

### Conclusion and Planning Balance

84. The proposal would contribute an additional dwelling to the Boroughs housing supply within a highly sustainable location. It would provide a new dwelling that is accessible for wheelchair users, older people and people with mobility issues. Subject to conditions, the proposal would not result in harm in relation to highway safety, trees, ecology, or residential amenity. The proposal therefore accords with the policies contained within the Rushcliffe Local Plan and the guidance contained within the NPPF.
85. The proposed development was not the subject of pre-application discussions. Negotiations have however taken place with the agent during the course of the application and amended plans have been submitted to address the concerns raised in relation to the character and appearance of the Conservation Area. This has resulted in a more acceptable scheme and the recommendation to grant planning permission, subject to conditions.

86. With regards to the application for relevant demolition within a conservation area, it is considered that the partial demolition of the existing barns would facilitate the sensitive conversion of the buildings to a dwelling. It is also considered that the proposal would not cause harm to the Conservation Area and therefore it is considered acceptable.
87. Please note there are two separate recommendations, one for each application.

## RECOMMENDATION

**(i) 23/02182/FUL - It is RECOMMENDED that planning permission be granted subject to the following conditions:**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Proposed Plans and Elevations revision 14 (received 18<sup>th</sup> July 2024)
- Proposed Parking plan Revision 10 (received 18<sup>th</sup> July 2024)
- Proposed Block Plan and Site Location Plan Revision 14 (received 18<sup>th</sup> July 2024)

[For the avoidance of doubt and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The development hereby permitted must not proceed above the damp proof course level until details of the type, texture and colour of the materials to be used in the construction of the exterior of the development, including details of windows, doors and rainwater goods, have been submitted to and approved in writing by the Local Planning Authority. The development must only be constructed in accordance with the approved materials.

[To ensure the appearance of the development is satisfactory having regard to policies 10 (Design and Enhancing Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapters 12 and 16 of the National Planning Policy Framework]

4. The development hereby permitted must not proceed above damp proof course until a written scheme the hard and soft landscaping based on of the site based on the submitted (including the location, number, size and species of any new trees/shrubs to be planted) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial

completion of the development hereby permitted or it being brought into use, whichever is sooner.

If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal. Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

[To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework.]

5. Development shall not commence until a method statement together with a Tree Protection Plan has been submitted for the written approval of the Borough Council. The method statement shall detail the construction methods of the driveway surface hereby approved and methods by which existing trees on the site will be protected during construction.. The tree protection measures shall be provided before work commences on site and the development works shall only be carried out in accordance with the approved plan. No spoil, materials or vehicles shall be stored within the area of tree protection.

[This is a pre-commencement condition to ensure that appropriate controls are secured prior to development commencing, to protect the health of existing trees and to comply with Policy 37 (Trees and Woodland) of the Local Plan Part 2: Land and Planning Policies.]

6. Prior to the commencement of demolition, a Building Recording Exercise of the building (to a detailed level 2 record, in accordance with guidance provided in Understanding Historic Buildings: A guide to good recording practice), shall be carried out, submitted to and approved in writing by the Borough Council.

[To ensure a detailed record of the building is obtained and to comply with policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. A pre-commencement condition is required to ensure an accurate record of the building can be obtained]

7. Prior to the commencement of works beyond damp proof course level, a scheme of biodiversity enhancements including the use of bat/bird/bee boxes/bricks shall be submitted to and approved by the Local Authority. Thereafter the development shall only be carried out in accordance with the approved details.



[To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework]

8. Prior to commencement of any works, including site clearance and demolition, details of the method of demolition for the buildings shall be submitted to and agreed in writing by the Local Planning Authority. The methodology shall include details of the hand tools to be used for the demolition hereby approved. Thereafter the demolition shall be undertaken in accordance with the approved details.

[This condition is a pre commencement condition to avoid damage to the parts of the building that are to be retained having regard to Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 28 (Historic Environment: Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework]

9. The development hereby approved shall be carried out in accordance with the recommendations as set out in section F, G and H of the Ecological Appraisal WCL/SF/BES/LP/5624 dated 5<sup>th</sup> June 2024.

[To ensure that protected species and their habitats are enhanced as a result of the development, in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2: Land and Planning Policies]

10. The existing front (northern) boundary hedgerow shall be allowed to grow to, and then retained at, a minimum height of 3 feet for the lifetime of the development. Should any part of the front boundary hedgerow be removed, uprooted, destroyed, die or become diseased or damaged then another of the same species and size as that originally planted must be planted in the same place during the next planting season.

[To ensure the appearance of the development is satisfactory having regard to policies 10 (Design and Enhancing Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapters 12 and 16 of the National Planning Policy Framework].

11. The dwelling shall be designed and constructed to meet the higher Optional Technical Housing Standard for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Local Plan Part 2: Land and Planning Policies].

12. The development shall not be brought into use until a scheme for the provision of electric vehicle charging points has been submitted to and approved by the Borough Council. The scheme shall provide details of the provision of electric vehicle charging points to serve the development on site. Thereafter, unless it has been demonstrated that the provision of electric vehicle charging points is not technically feasible, the use shall not commence until such time as the site has been serviced with the appropriate electric vehicle charging infrastructure, in accordance with the agreed scheme and the apparatus shall be retained for the lifetime of the development.

[To promote sustainable modes of transport and to comply with policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

13. Notwithstanding the provisions of the Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no window openings or rooflights (other than those expressly authorised by this permission) shall be inserted into the northern elevation of the dwelling hereby permitted without express planning permission from the Local Planning Authority.

[To preserve the amenities of neighbouring properties, having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

14. Prior to the first occupation of the dwelling hereby permitted, the new parking spaces for the host dwelling (No.48) of the application site shall be implemented and completed in accordance with the details submitted on the approved Proposed Parking plan Revision 10 (received 18<sup>th</sup> July 2024) Proposed Block Plan and Site Location Plan Revision 14 (received 18<sup>th</sup> July 2024) and once provided shall be permanently so maintained and retained at all times thereafter.

15. Prior to the occupation of the dwelling hereby permitted, the window(s) in the eastern side elevation of No.48 at ground floor and first floor level must be;

- a. non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and;
- b. fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent.

Thereafter, those window(s) must be retained to this specification throughout the lifetime of the development.

[To preserve the amenities of neighbouring properties, having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

16. Prior to the occupation of the dwelling hereby approved, the boundary 1.8 metre high close bordered fence separating the host dwelling and the dwelling hereby approved shall be constructed and completed in accordance with the

details submitted on the approved Proposed Block Plan and Site Location Plan Revision 14 (received 18<sup>th</sup> July 2024) and once provided shall be permanently so maintained and retained at all times thereafter.

[To preserve the amenities of neighbouring properties, having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

17. Prior to the occupation of the dwelling hereby approved, the glazed link connecting No.48 Main Street and the dwelling hereby approved, as denoted on the Proposed Block Plan and Site Location Plan Revision 14 (received 18<sup>th</sup> July 2024) shall be removed.

[To preserve the amenities of neighbouring properties, having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

18. Notwithstanding the provisions of the Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no enlargement or any other alteration shall be carried out to the dwelling hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations that may harm the amenities of neighbouring properties, the appearance of the dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

## **NOTES TO APPLICANT**

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL).

Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

The development makes it necessary to amend a vehicular crossing over a footway 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 Nottinghamshire County Council) on 0300 500 8080 or at [licenses@viaem.co.uk](mailto:licenses@viaem.co.uk) to arrange for these works to take place.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

During and post construction, a sensitive lighting scheme should be implemented to prevent disturbance to commuting and foraging bats in the local area. Lighting should be directed away vegetative features within the site and along boundaries, and light overspill of over 1lux should be avoided within these vegetated areas.

This Authority is charging for the discharge of conditions in accordance with revised fee regulations which came into force on 6 April 2008. Application forms to discharge conditions can be found on the Rushcliffe Borough Council website.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins

You are reminded that the site is located within the East Leake Conservation Area and permission would be required for the demolition of any gate, wall or fence or other means of enclosure with a height of one metre or more if next to a highway, or a height of two metres elsewhere.

You are advised that the site is within a designated Conservation Area and any trees are therefore protected. Prior to undertaking any works to any trees you should contact the Borough Councils Landscape Officer on 0115 914 8558.

Condition 13 requires the new dwelling to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

**(ii) 24/00211/RELDDEM - It is RECOMMENDED that planning permission for relevant demolition of an unlisted building in a conservation area be granted subject to the following conditions:**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Proposed Plans and Elevations revision 14 (received 18<sup>th</sup> July 2024)
  - Proposed Parking plan Revision 10 (received 18<sup>th</sup> July 2024)
  - Proposed Block Plan and Site Location Plan Revision 14 (received 18<sup>th</sup> July 2024)

[For the avoidance of doubt and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

3. Prior to commencement of any works, including site clearance and demolition, details of the method of demolition for the buildings shall be submitted to and agreed in writing by the Local Planning Authority. The methodology shall include details of the hand tools to be used for the demolition hereby approved. Thereafter the demolition shall be undertaken in accordance with the approved details.

[To avoid damage to the parts of the building that are to be retained having regard to Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 28 (Historic Environment: Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework]

4. Development shall not commence until, a Tree Protection Plan detailing the construction methods of the driveway hereby approved and methods by which existing trees on the site will be protected during construction, shall be submitted to and approved by the Borough Council. The tree protection measures shall be provided before work commences on site and the development works shall only be carried out in accordance with the approved plan. No spoil, materials or vehicles shall be stored within the area of tree protection.

[This is a pre-commencement condition to ensure that appropriate controls are secured prior to development commencing, to protect the health of existing trees and to comply with Policy 37 (Trees and Woodland) of the Local Plan Part 2: Land and Planning Policies.]

5. Prior to the commencement of demolition, a Building Recording Exercise of the building (to a detailed level 2 record, in accordance with guidance provided in Understanding Historic Buildings: A guide to good recording practice), shall be carried out, submitted to and approved in writing by the Borough Council.

[To ensure a detailed record of the building is obtained and to comply with policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. A pre-commencement condition is required to ensure an accurate record of the building can be obtained]

## **NOTES TO APPLICANT**

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development may be CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

This Authority is charging for the discharge of conditions in accordance with revised fee regulations which came into force on 6 April 2008. Application forms to discharge conditions can be found on the Rushcliffe Borough Council website.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322

You are reminded that the site is located within the East Leake Conservation Area and permission would be required for the demolition of any gate, wall or fence or other means of enclosure with a height of one metre or more if next to a highway, or a height of two metres elsewhere.

You are advised that the site is within a designated Conservation Area and any trees are therefore protected. Prior to undertaking any works to any trees you should contact the Borough Councils Landscape Officer on 0115 914 8558.