

# 19/00413/REM

**Applicant** Mr & Mrs Robinson

**Location** Land At The Croft 1A Landcroft Lane Sutton Bonington Nottinghamshire LE12 5PD

**Proposal** Erection of dwelling and associated access arrangements (application for approval of matters reserved under planning application 18/00660/OUT).

**Ward** Sutton Bonington

## THE SITE AND SURROUNDINGS

1. The application relates to a 0.08 hectare broadly rectangular site located to the rear of 1 Landcroft Lane, with access from Landcroft Lane via an existing gravel drive running between Nos. 1 and The Croft. The site is located to the southern edge of a larger circa 0.98 hectare field that falls within the ownership of The Croft. The Croft is a large two storey detached brick dwelling with an attached single storey granny annex to the rear corner, both granted under a single application in 2002 (reference 02/01044/FUL). To the rear of this property and its residential curtilage is an area of hard surfacing and a collection of stables/outbuildings to the south west corner of the field.
2. The site of the proposed dwelling itself is an informal manege/enclosure consisting of a rectangular area of woodchip enclosed by a post and wire fence. The wider field is currently used for the grazing of horses, enclosed by a post and rail fence with scattered mature trees along the eastern and northern boundaries. There is a dense band of trees, referred to as Domleo's Spinney, running along the west boundary. The immediate streetscene consists of a linear frontage of dwellings along the north side of Landcroft Lane with sporadic development to the south. The cluster of dwellings is detached from the settlement of Sutton Bonington.

## DETAILS OF THE PROPOSAL

3. The reserved matters application follows the grant of outline planning permission at appeal for the erection of a dormer bungalow and associated access, with all matters reserved except for access, which was considered at outline stage (appeal reference APP/P3040/W/18/3205676).
4. The application proposes the erection of a 3 bed, two storey detached dwelling with the first floor accommodated within the roof space. The dwelling would have a footprint of 8 by 18 metres with a pitched roof measuring 7.6 metres to the ridge. The building would be clad in vertical timber boarding with a slate roof. The north elevation would feature a large section of glazing across both floors. The roof would feature roof lights to either side. The dwelling would have a 6.5 metre deep garden to the front, combined with garden space to the side and rear providing approximately 210 sqm of outdoor amenity space. The layout would include a parking and

turning area to the front with access via the existing drive running between No. 1 and The Croft.

## **SITE HISTORY**

5. 18/00660/OUT- Erection of a dormer bungalow and associated access arrangements (outline application with all matters reserved except for access). Refused in 2018. Allowed on appeal.

## **REPRESENTATIONS**

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

6. The Ward Councillor (Cllr Brown) objects to the application on the basis that it would result in an over development of the site

### **Town/Parish Council**

7. No consultation responses received.

### **Statutory and Other Consultees**

8. Nottinghamshire County Council as Highway Authority commented that they do not permit vehicular crossings to be provided with a gravel finish. The applicant is required to apply for a license to carry out the works within the highway extents. The surfacing will be controlled through the license.

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

9. No consultation responses received.

## **PLANNING POLICY**

10. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as the Core Strategy) and the 5 saved policies of the Rushcliffe Borough Local Plan 1996.
11. The emerging Local Plan Part 2: Land and Planning Policies, which was the subject of a Hearing in November and December 2018, is also a material consideration. Paragraph 48 of the NPPF allows weight to be given to relevant policies in an emerging local plan. The weight that can be given to these policies is dependent on the stage of its preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the NPPF. The plan is currently still under examination but on 7 February 2019 the Inspector appointed to examine the plan wrote to the Council to advise that they thought the plan is likely to be capable of being found legally compliant and sound, subject to main modifications. It can, therefore, be afforded some considerable weight subject to the relevant policies not being subject to relevant modifications and providing the relevant policies not being in conflict with the NPPF.
12. Other material considerations include the National Planning Policy Framework (NPPF) (2018), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Borough Non-Statutory Replacement Local

Plan (NSRLP) (2006).

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

13. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The proposal falls to be considered under section 12 of the NPPF (Achieving well-designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Under paragraph 197 of the NPPF, the effect of the application on the significance of any non-designated heritage assets should be taken into account in determining the application
14. Section 5 of the NPPF (Delivering a sufficient supply of homes) is of relevance to this application, specifically paragraph 79 whereby planning policies and decisions should avoid the development of isolated homes in the countryside unless the development meets one or more of the circumstances set out in this paragraph.

### **Relevant Local Planning Policies and Guidance**

15. The Core Strategy reinforces a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the NPPF. Policy 3 of the Core Strategy identifies the locations where development should be accommodated, these areas being the main built up area adjoining Nottingham and the defined Key Settlements for growth. Outside of these areas, residential development should be for 'local needs' only through small scale infill, exception site development or allocated land through Neighbourhood Plans to meet local needs identified by communities preparing Neighbourhood Plans. Paragraph 3.10 of the emerging Local Plan Part 2 (LPP2) defines small scale infill as "the development of small gaps within the existing built fabric of the village or previously developed sites, whose development would not have a harmful impact on the pattern or character of the area".
16. The proposal falls to be considered under Policy 10 of the Core Strategy (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should be assessed in terms of the criteria listed under section 2 of Policy 10, specifically 2(b) whereby the development should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.
17. Core Strategy Policy 8 (Housing Size, Mix and Choice) states that residential development should provide a mix of housing tenures, types and sizes. Paragraph 7 of this policy states that where there is robust evidence of local

need, such as an up to date Housing Needs Survey, rural exception sites or sites allocated purely for affordable housing will be permitted within or adjacent to rural settlements.

18. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan (NSRLP) should be given weight as a material consideration in decision making. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) of the Rushcliffe NSRLP. GP2d sets out that development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development. Also of relevance to this application are GP2a (amenity impacts of traffic generation), GP2b (suitable access and parking), GP2c (sufficient ancillary amenity and circulation space), and GP2g (impact on future occupiers from existing nearby uses).
19. The proposal falls to be considered under policy HOU2 as an unallocated development. The size and location of the site should not detrimentally affect the character or pattern of the surrounding area, and the site should not make a contribution to the amenity of the surrounding area by virtue of its character or open nature. The site should be accessible by a range of services other than by private car. The proposal falls to be considered under EN19 and should ensure that in line with policy EN19a) "there will be no significant adverse impact upon the open nature of the Green Belt or open countryside, or upon important buildings, landscape features or views".

## **APPRAISAL**

20. Outline planning permission was granted on appeal for a dormer bungalow with all matters reserved except for access. The principle of residential development on this site has, therefore, been established and the current application seeks the approval of the reserved matters of appearance, landscaping, layout, and scale.
21. With regard to the effect of the proposal on the character and appearance of the area and the countryside, the Inspector contended that the development would result in some harm to the character and appearance of the area arising from the loss of countryside, however this harm would be limited and localised, thereby not resulting in a 'significant adverse impact' upon the open countryside or landscape views. With regard to the matter of the rural location, the Inspector contended that a small range of services and facilities are available within walking distance in Sutton Bonington, and that the bus stops offer a relatively good bus service by rural standards. As the site adjoins an existing linear development, it cannot be reasonably considered to constitute isolated development.
22. With regard to residential amenity, the proposed dwelling would be situated approximately 33 metres from the closest property at 1 Landcroft Lane. The dwelling would be set back approximately 13 metres from the rear boundary with this neighbour and it is not considered that the dwelling would give rise to an overbearing impact. Given the location of the site to the north of the properties fronting Landcroft Lane, there would not be a direct overshadowing impact.

23. No windows are proposed in the southern elevation of the dwelling. Oblique views from the side-facing windows would not result in a loss of privacy to the properties fronting Landcroft Lane. The largely glazed rear elevation would face onto open fields.
24. The proposal would provide two off-road parking spaces and approximately 210 sqm of usable outdoor amenity space to the front, side and rear. It is not considered that the proposal would result in an over-intensive development of the site and the level of amenity space complies with the advice within the Council's adopted Design Guide.
25. In terms of scale, the first floor of the dwelling would be incorporated within the roof space, thereby limiting the overall height. Whilst not a 'dormer' bungalow the height is not full two storey and the scale of the building would sit comfortably in its context amongst the mix of buildings nearby. The footprint of the dwelling would be akin to other properties fronting Landcroft Lane. It is not considered that the scale of the dwelling would appear at odds with the existing built form on Landcroft Lane.
26. The proposed dwelling would be contemporary in design whilst the proposed vertical timber cladding and the overall proportions would give the visual impression of an agricultural building. The dwellings fronting Landcroft Lane are individual in character and the proposed dwelling would not detract from the character and appearance of the street scene. Views of the dwelling from the public realm would be limited given its backland location.
27. Matters of access were considered at outline stage. It was considered that the driveway would comply with Highways standing advice. The vehicular crossing should be surfaced in a bound material (not gravel). Works to the vehicular crossing itself would require a licence from Highways.
28. It is considered that the details of the reserved matters are acceptable. For the reasons set out above it is considered that the development accords with the general national and local planning policies considered above.
29. The application was not the subject of pre-application discussions. The scheme, however, is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary, thereby resulting in a recommendation to grant planning permission.

## **RECOMMENDATION**

It is **RECOMMENDED** that planning permission be granted subject to the following condition(s)

1. The development hereby permitted shall be carried out in accordance with the following approved plans: (10)002 (Proposed Site Plan), and (20)001 (Proposed Layouts and Elevations), received on 16 February 2019.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

2. No development shall take place above damp course level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

3. Prior to the occupation of the dwelling, a detailed landscaping scheme for the site shall be submitted to and approved in writing by the Borough Council comprising species, numbers and sizes of trees and plants. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

4. Prior to the occupation of the dwelling, the new boundary treatments being post and rail timber fence as indicated on the approved site plan shall be erected in accordance with the approved plans.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

### **Notes 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 Nottinghamshire County Council) on 0300 500 8080 to arrange for these works to take place.

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.

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.

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

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.