

**20/02539/FUL**

**Applicant** Mr Nigel Featherstone, MHR Global Holdings Ltd

**Location** The Lodge, 91 Loughborough Road, Ruddington, Nottinghamshire, NG11 6LL

**Proposal** Minor extension to the site entrance lodge, new hardstanding areas, fencing and the upgrading of the woodland access track, demolition of existing security office building (Amended Description/Part Retrospective)

**Ward** Ruddington

## **THE SITE AND SURROUNDINGS**

1. The application relates to the site of Ruddington Hall, which is currently used as office headquarters for the company MHR, an HR and payroll outsourcing company. The site predominantly consists of the main hall, an estate office building, an entrance lodge and significant surrounding estate land. This application specifically relates to the entrance lodge building and the general area surrounding the entrance. The entire site is located in countryside to the north east of the village of Ruddington and is within the Nottingham-Derby Green Belt.
2. Ruddington Hall was built in 1860 as a private residence. The main hall itself lies approximately 170 metres to the north east of the main entrance to the site and is considered to be a non-designated heritage asset by virtue of its age and significance as a building. The Lodge at the main entrance was originally a residential dwelling but now operates as the reception offices. A smaller, former garage building which lies alongside the lodge provides a security office.
3. The northern part of the site is heavily tree covered and a number of trees around the site entrance are covered by Tree Preservation Orders. There is a neighbouring residential property lying directly opposite the entrance to the site but aside from this there are no other properties within close proximity. A bridleway, 'Old Road' runs around the north western boundary of the site. Mickleborough Hill also lies to the north of the site.

## **DETAILS OF THE PROPOSAL**

4. Planning permission is sought for the following works:
  - a. Two extensions to the front elevation of the Lodge. One extension would provide a new pitched canopy roof over the main entrance door measuring 3.27 metres high. The other would provide a 3.25 metre wide bay window with a pitched roof measuring 4.075 metres high.

- b. Replacement of a window with a new door on the western (side) elevation.
  - c. Demolition of the garage building, which now serves as a security office, lying on the western side of the Lodge. The area where the building stands is to become a turning area for vehicles.
  - d. New areas of block paving around the Lodge and opposite the building to provide parking spaces.
  - e. Replacement of the existing security barrier with retractable security bollards set within 'rumble strips' of raised cobbles.
  - f. The removal of existing palisade fencing and hedgerows around the entrance to the site and their replacement with new estate style, 1.2 metre high metal fencing.
5. Retrospective permission is also sought for the hard surfacing of a track running between the site entrance and the car park of the main Hall, including the provision of edging kerbs and drainage. The southern end of the track by the site entrance is also to be fitted with retractable security bollards.

## **SITE HISTORY**

5. The following site history refers specifically to the Lodge.
6. 05/01422/FUL - Extend garage to form security cabin/store; widen access; install security barriers and lockable gates/change of use of bungalow to offices. Approve 3 January 2006
7. 75/00976/HIST - Side extensions and alterations. Approved 10 November 1975

## **REPRESENTATIONS**

### **Ward Councillor**

8. One Ward Councillor (Cllr J Walker) objects to the proposal as it represents encroachment onto a non-designated heritage asset. There is no official path and it is damaging traditional woodland in Green Belt.

### **Town/Parish Council**

9. Ruddington Parish Council believes that some of this work may have been completed already but would support the request for an ecological assessment.

### **Statutory and Other Consultees**

10. Nottinghamshire County Council as Highways Authority has no objections to the proposal.

11. The Borough Council's Landscape and Design Officer does not object to the proposal but recommends conditions are attached to a permission relating to the provision of a landscape scheme and tree protection measures.
12. In relation to the retrospective application for a track through the woods, the Officer confirms that he has been to the site on a number of occasions, but cannot confirm if there was originally a track in this location and whether this would have mitigated the impact on tree roots. A traditional construction has been used which will have resulted in some root damage; it would have been preferable if a no-dig or reduced dig construction had been used and this would have resulted in the finished level of the road being raised above ground level. Trees can tolerate changes to their environment, but as they get older, they struggle to adapt and it can be a number of years before the effects of root damage on trees fully manifests itself.
13. The trees are protected by a TPO, so if the trees decline and need to be removed the Council can ensure replacement planting takes place, this will ensure the woodland remains.
14. A small number of trees located close to the edge of the road could be adversely affected, but the impact on the wider woodland will be minor. Removing the road and reinstating topsoil would be slightly advantageous to nearby trees as it would provide a better rooting habitat, but it is doubted that this would help the most affected trees where large roots could have been potentially severed. It is also noted that removing the road would be a major undertaking and it is instead suggested the best way to mitigate any public harm to the amenity of the adjacent right of way would be to use a landscape condition to ensure some replacement tree planting takes place along the new road. along with some native shrub planting along the site boundary.
15. As long as there is no change in ground level where the guard building is to be demolished and the new parking space provided there should be no harm to the tree on the south side of the access road.
16. The trees on the northern side of the access road have been examined. As the new access will need to link with access road level some excavation will be needed. If the surfacing extends into the root protection area of a neighbouring Lime a no-dig construction should be used. In order to compensate for the work to link the access to the new access road, it is suggested that the proposed parking area to the opposite side of the tree should be reduced in size to leave an area free from construction.
17. The Borough Council's Environmental Sustainability Officer notes that the applicant has stated that there are no protected or priority species, habitats or sites on or adjacent to the application site that will be impacted by this development. The buildings and trees (age, type and setting) in the development area appear to be able to support protected or priority species, therefore a Preliminary Ecological Appraisal is recommended provided prior to the determination of this application. Where possible an assessment to

demonstrate biodiversity net gain should also be provided with the means to support this gain in the long term.

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

18. 12 neighbouring properties have been individually notified and the application has been publicised by notices at the site. One representation has been received which raises concerns that the proposal represents 'townified' encroachment at a non-designated heritage asset in the Green Belt countryside.

### **PLANNING POLICY**

19. 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 (2019), the National Planning Practice Guidance and Supplementary Planning Documents (SPD's).

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

20. The relevant national policy considerations for this proposal are those contained within the 2019 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 following sections of the NPPF are relevant to this application:
  - Section 12 - Achieving well-designed places.
  - Section 13 - Protecting Green Belt Land.
  - Section 15 - Conserving and Enhancing the Natural Environment.
  - Section 16 - Conserving and Enhancing the Historic Environment.

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

21. The following policies of the Rushcliffe Local Plan Part 1: Core Strategy (2014) are considered relevant to this application:
  - Policy 1 - Presumption in Favour of Sustainable Development
  - Policy 4 - Nottingham-Derby Green Belt
  - Policy 10 - Design and Enhancing Local Identity
  - Policy 11 - Historic Environment
  - Policy 17 - Biodiversity
22. The following policies of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) are considered relevant to this application:
  - Policy 1 - Development Requirements.
  - Policy 21 - Green Belt
  - Policy 28 - Conserving and Enhancing Heritage Assets

- Policy 37 - Trees and Woodlands
- Policy 38 - Non-Designated Biodiversity Assets and the Wider Ecological Network

23. The draft Ruddington Neighbourhood Plan is currently being consulted on but is not yet adopted. Therefore, whilst it is a material consideration it has limited weight. Policy 14 of the plan states that proposals should take into account the impact of development on non-designated heritage assets and part 2 includes a Design Guide for minor development.

## **APPRAISAL**

### Principle of Development within the Green Belt

24. Paragraph 144 of the NPPF advises that; *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”* Furthermore, the NPPF states at paragraph 145 that the construction of new buildings within the Green Belt should be regarded as inappropriate development which, by definition, is harmful to the Green Belt and should not be supported except in very special circumstances. However, a number of exceptions to this overarching policy are set out in paragraph 145, including *“the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”*.
25. This national policy advice is reinforced within policy 21 of the LPP2, which states that applications for development within the Green Belt should be determined in line with the NPPF.
26. In this case the planning history indicates that the entrance lodge building may have been previously extended. However, it is necessary to consider the cumulative additions to the building when considering whether the current proposal would result in a disproportionate addition over and above the size of the original building. In this instance, the further extensions proposed under this application are extremely minor in terms of scale and massing, in particular the entrance canopy involves a roof projection covering an area which would remain open. The accompanying statement to the application advises that the additions would represent only 2% of the total floor area.
27. It is also proposed to remove the security building, however, this building was already proposed to be demolished as a compensatory measure for extensions to the estate office elsewhere on the site. The extension to the estate office was considered to be disproportionate and the removal of the security building formed part of a package of considerations that were deemed to represent very special circumstances. Notwithstanding the previous extensions to the lodge building it is considered that the proposed extensions to the building do not result in disproportionate additions over and above the original building and are

therefore not considered to constitute inappropriate development within the Green Belt.

28. Paragraph 146 of the NPPF also includes a list of 'other forms of development' which are not inappropriate, including 'engineering operations', providing the openness of the Green Belt is preserved and they do not conflict with the purposes of including land within the Green Belt. The proposed hard-surfacing, fencing and other new security measures would be deemed to be engineering operations of a minimal scale which would not compromise openness. The hard-surfacing of the track through the site would also be considered an engineering operation. This latter work has already been carried out, however, the track runs through dense woodland and it is again not considered that it has compromised openness to any significant degree or conflicts with the aims of Green Belt policy.
29. It is therefore concluded that the proposed development is not inappropriate within the Green Belt and is acceptable in principle.

Impact of the proposals on the character and appearance of The Lodge and the wider site of Ruddington Hall.

30. LPP1 policy 10, Design and Enhancing Local Identity, states that development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce valued local characteristics. This is reinforced under policy 1 of the LPP2, which also states that development should be sympathetic to the character and appearance of the surrounding area and ensure there is no serious adverse effects on landscape character.
31. The Lodge building is a single storey, rendered building under a tiled pitched roof. Two small extensions are proposed, a new bay window on the western half of the building and a canopy entrance porch. Matching render and roof tiles to the existing building are to be used for the additions. The bay window has been designed to reflect the proportions and style of the existing front bay window on the eastern half of the building. It should be an attractive and balanced addition to the building. The new canopy roof over the main entrance and new side door would also have no negative impact on the character and appearance of the building.
32. The accompanying letter with the application draws attention to the current palisade fencing around the entrance to the site which is considered fairly crude and unattractive in appearance. The proposed new park estate style black fencing is considered to be appropriate for the rural location and heritage value of the site and should represent an improvement to the appearance and setting of the site entrance. It is noted that some small sections of hedgerow are to be removed around the entrance, however, these are small sections of landscaped hedgerow which are low in height and do not make any significant contribution to the landscape character of the area.

33. The new retractable bollards set within cobbled 'rumble strips' are also a discreet method of security for the site and sympathetic to the setting and appearance. They should also represent a visual improvement over the existing, more conspicuous security barrier. The proposed areas of paving should also complement the site.
34. Retrospective permission is sought for the works to hard surface the track through the woodland to the north of the lodge building, which is the subject of a Tree Preservation Order, from the entrance to the car park of the main Hall. This specific aspect of the application has prompted concern from a local respondent and Councillor Walker.
35. The Council's Landscape and Design Officer has been to the application site to inspect the works. As advised in the consultation response, a small number of trees located close to the edge of the road could have been adversely affected, but the impact on the wider woodland is deemed to be minor and can be mitigated by replacement tree and hedgerow planting. Whilst it is regrettable that these works were carried out without permission, it appears unlikely that such permission would have been refused. The provision of a landscaping scheme for the approval of replacement planting forms part of the recommendation.
36. Concerns have been raised in relation to the impact on Ruddington Hall itself, which is considered to be a non-designated heritage asset, however, this building lies some distance away from the site entrance and the works around the Lodge. Furthermore, the track which has been hard surfaced runs through dense woodland. It is not considered that the setting of the main hall would be adversely impacted by the proposals, including the hard surfacing to the track which has already taken place.
37. There is a large, residential dwelling located directly opposite the entrance to Ruddington Hall, however, it is not considered that any of the proposed works would have any material impact on the amenity of this dwelling.
38. The proposed works are therefore considered to accord with the aims of LPP1 policy 10 and policy 1 of the LPP2 and have the potential to make a positive contribution to the site and wider landscape character of the area.

#### Additional Arboricultural & Ecology Matters

39. Due to the extent of tree coverage within the site, the application has been accompanied by a Tree Survey. The survey concentrates on the trees around the entrance to the site. It is noted that consent was granted in May 2019 (19/01139/TPO) for various works to trees around the site and the tree survey confirms that the works have been carried out in accordance with this consent.
40. The Council's Landscape and Design Officer has raised no objections to the proposed works but requested a condition in relation to the provision of a tree protection plan and no-dig construction method for prior approval, prior to the commencement of works. This condition has been agreed by the Agent and is

included in the recommendation. With this protection, the proposal accords with the aims of LPP2 policy 37 and should not adversely affect the protected trees and woodland of the site.

41. It is noted that the Environmental Sustainability Officer has requested a Preliminary Ecological Appraisal to assess whether protected species would be impacted by the development. However, taking into account the minor level of proposed works, it is not considered that in this case this would be justified.
42. It is noted that the application includes the demolition of the security office building which is located next to the main entrance lodge. The removal of this building is also an element of a recently approved application for an extension to the Estate office building in another part of the site (application 20/02458/FUL). This building is relatively small and recently built. It is therefore considered that a specific bat survey is not required in this instance, although a note to applicant is recommended to advise that bats, their roosts and access to roosts are protected under the Countryside and Wildlife Act 1981.
43. The Agent has confirmed that several bat and bird boxes can be erected around the entrance to the site to provide biodiversity gain and a condition is recommended for further details of this to be provided for prior approval, in accordance with policy 38 of the LPP2.

### Conclusion

44. The proposals are not considered to constitute inappropriate development within the Green Belt. The proposed extensions to the Lodge harmonise with the design, scale, proportions and materials of the existing building. The other proposed and retrospective engineering works are also considered to preserve the character and appearance of the site and surrounding landscape providing adequate compensation can be provided in the form of replacement planting and landscaping. The proposal therefore complies with the relevant planning policies and is recommended for approval.
45. 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, resulting in a recommendation to grant planning permission.

### **RECOMMENDATION**

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 plans:

1:5000 Location Plan, reference PH/251/20, dated as received 19 October 2020

Proposed Site Location Plan, drawing number MHRG-EI-2020-02

Proposed Entrance Plan, drawing number MHRG-EI-2020-04-R1

Proposed Alterations to Main Entrance Lodge, drawing number MHRG-EI-2020-05

[For the avoidance of doubt and to comply with Policy 10 of the Core Strategy and Policy 1 of the Local Plan Part 2.]

3. Prior to the commencement of the development hereby approved a scheme, including a tree protection plan, for the protection of the retained trees on the site in accordance with BS 5837:2012 Trees in relation to design, demolition and construction, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the specification of a 'No-Dig' construction technique that will be employed within the Root Protection Areas of all retained trees. The development shall be carried out in accordance with the approved details and the protection shall be retained for the duration of the construction period.

[To ensure existing trees are adequately protected during the development, in the interests of visual amenity and to comply with Policies 1 (Development Requirements) and 37 (Trees and Woodlands) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. This condition needs to be discharged before work commences on site to ensure that appropriate protection is provided and retained during the construction works].

4. Prior to any part of the development being brought into use a detailed landscaping and ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should specify the details of replacement tree planting along the new track and native shrub and/or hedgerow planting around the entrance to the site and shall include numbers, size, species and positions of all new trees and shrubs and a programme of implementation. The scheme shall also comprise features required for wildlife and biodiversity enhancement, to include wildlife friendly planting and the installation of new bat and bird boxes.

The approved scheme shall be carried out in accordance with the approved details and programme of implementation. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority.

[In order to preserve the landscape character of the area and achieve a net gain in biodiversity, in accordance with Policy 10 (Design and Enhancing Local

Identity) of the Local Plan Part 1 : Core Strategy and Policy 1 (Development Requirements) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. The external materials used in the construction of the extensions to the building hereby permitted shall be of a similar appearance to the materials used on the exterior of the existing building.

[To ensure the appearance of the development is satisfactory and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

### **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 is not CIL chargeable, as the proposal represents minor development, with a gross internal area of less than 100 square metres. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees concerned it is recommended that felling/surgery should be carried out between September and January for further advice contact Nottinghamshire Wildlife Trust on 0115 958 8242 or by email at [info@nottswt.co.uk](mailto:info@nottswt.co.uk). If bats are present you should contact Natural England on 0300 060 3900 or by email at [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk).