

APPLICATION NO: 2013/0251

LOCATION: 147 Main Street Woodborough Nottinghamshire NG14 6DD

PROPOSAL: Demolition of bungalow and residential re-development of 6 houses, garages, parking, landscaping and access

APPLICANT: Mr N Skill

AGENT: Mr Martin Hubbard

Site Description

The application site relates to a detached bungalow situated within a large plot, accessed via a private drive off Main Street. The application site is located within the Infill Boundary and Conservation Area of the Green Belt washed village of Woodborough. The level of the site rises fairly steeply towards the rear boundary of the site with the properties along Aldene Way. The site contains a number of established and mature trees with an Orchard area located close to the southern boundary of the site and a large cedar tree located centrally within the site. There are also a number of mature trees located on all of the shared boundaries of the site as well as ornamental plants and shrubs within the site. The application site is bordered by residential properties on all sides.

Relevant Planning History

A previous application for Conservation Area Consent (Ref. 2012/1173) for the demolition of the existing bungalow at the site was submitted in conjunction with the previous planning application (Ref. 2012/1172). This application was approved in January 2013.

A planning application (Application Ref.2013/0252) has been submitted in conjunction with the Conservation Area consent application to which this report relates. The planning application seeks permission for the demolition of the existing bungalow and the erection of 6 detached dwellings, as well as the creation of a private drive off of Hawthorn Close to serve the proposed dwellings.

Proposed Development

This application seeks Conservation Area consent for the demolition of the existing bungalow at the site only because of the cubic volume of the bungalow. It does not seek consent for the redevelopment of the site as this is dealt with under the planning application Ref.2013/0252.

Consultations

Many of the comments received in relation to this Conservation Area Consent application also make reference to the planning application 2013/0252. The comments received have been outlined below, some of which refer to non-conservation issues.

Parish Council – The Parish Council has no objection to the demolition of the bungalow and recognises that development of the site is appropriate. The Parish Council welcomes the larger area of permeable surface and the reduction of the number dwellings with the revised proposal however raises objections on the following grounds;

- 5 dwellings should be the maximum.

- Hawthorn Close is too narrow to sustain a larger development.
- The withdrawal of the bus service from this part of the village will compound the issue of extra car journeys.
- A wall should form the boundary along plot 1.
- The reports of the EA and Severn Trent should be critically analysed.
- A fence around the construction site should be made a condition of any permission granted.

Nottinghamshire County Council Highway Authority – No objection to the proposed development, however because more than 5 dwellings are proposed off a private drive the Highway Authority have advised that any permission should be granted subject to the applicant entering into a section 106 agreement with the County Council requiring a Maintenance Company to be set up in order to secure the future maintenance of the private drive.

The applicant will be required by the Highway Authority to clearly indicate that the access road is private. The Highway Authority will also require

- The applicant to deposit a map under Section 31 (6) of the Highways Act 1980 identifying the roads which are to remain private (and any to be adopted too as appropriate);
- To erect road signs indicating that the roads are unadopted and to maintain the signs for as long as the roads remain unadopted, at the applicants expense;
- The applicant to provide evidence that they have made clear to potential purchasers of the dwellings on unadopted roads what the status of the road will mean to them in practice.
- To provide evidence that they have the secured future maintenance of the roads, for example, through a Section 106 of the Town and Country Planning Act to set up a maintenance company.
- Where the road joins together two adopted highways that the applicant indemnify the Highway Authority against future petitioning by residents to adopt their road under Section 37 of the Highways Act 1980, (the indemnity should normally be a legal covenant placed on the properties to prevent future petitioning) ; and
- The boundary between the private road and the publicly-maintained highway to be clearly marked by concrete edging, boundary posts or similar.

The Highway Authority have also requested that conditions be attached to any grant of planning permission that relate to the means of access being constructed and that the access of the site is surfaced in a hard bound material prior to the commencement of development as well as provisions to prevent unregulated discharge of surface water onto the public highway.

Wildlife Trust – No objection, supports the recommendations mentioned within section 5 of the report and recommends conditions relating to mitigation measures mentioned within section 5 of the report.

Natural England – No objection, the proposal is unlikely to affect any statutorily protected site or landscape. The proposal is also unlikely to affect bats.

Planning Policy - No objection, taking into account the applicants argument in relation to the impact on the openness of the Green Belt and the stated fallback position relating to the outbuilding which could be built under permitted development rights.

Nottinghamshire County Council (Archaeology) – No objection subject to the attachment of a condition requiring a scheme of treatment to be submitted and approved by the Borough Council.

Forestry officer – No objection, the protection measures mentioned within the tree report should be included into a condition as well as the replacement planting shown on the submitted plans.

Severn Trent – No objection subject to the inclusion of a condition requiring further foul and surface water drainage plans.

Environment Agency – A consultation request has been sent to however the Environment Agency have verbally advised that due to the sites location outside of the high risk flood zone, it is unlikely that the EA will pass formal comments on the proposed development.

Car Parks and Engineering Officer - No Objection. The drainage statement contains all the details required for the size of site. Surface flow from site is being retained at current levels by on site drainage and SUDs. Severn Trent Water have confirmed sewers have capacity for the number of properties. The site is at low risk of flooding and dry access would be available from Shelt Hill.

Conservation Consultant - No objection. Comments that there is no objection to the demolition of the bungalow, as this does not make a contribution to the Conservation Area. No issue, as before, with the new development. Plots 5 and 6 being detached help introduce open space between built forms on the site. The designs of the houses are different but suitable for the site. If the site had a stronger link with the older streets/historic lanes in the village then I would have preferred the architectural styles to reflect that. However, in this instance because the site is contained I do not have issue with the house type or layout.

Leisure (Gedling Borough Council) – No comments received within the 21 day consultation period.

Neighbours - Neighbouring properties have been consulted via letter. The application has also been advertised on site and within the local press. There have been 22 written representations received as a result which object to the proposal on the following grounds.

- Concerns over the use of the access point during construction.
- Parking facilities for construction vehicles during construction phase.
- Requests a wheel washing facility due the a lack of pedestrian footpath along Hawthorn Close.
- Request limitations be put on working hours for construction staff.
- The previous application was refused and there is little difference between the scheme from 7 houses and the now proposed scheme for 6 houses.
- The development will add to the flooding problem in Woodborough.
- Concerns over highway safety issues along Hawthorn Close which is a narrow road.
- The development is not in keeping with the Conservation Area.
- Objects to the loss of mature trees at the site.
- There is no need for this type of housing within Woodborough.
- The applicant has not demonstrated the very special circumstances for development in a Green Belt washed village of Woodborough.
- Objects to the scale and density of the development.
- The dwellings within plots 3 and 4 have an overbearing impact on my property.

- Objects to the position of the garage serving plot 1 as this will have a negative impact on the outlook from my property.

Planning Considerations

Conservation area designation introduces control over the demolition of buildings which have a cubic content of more than 115 cubic metres. In exercising conservation area controls, local planning authorities are required under section 72 of Listed Buildings Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The objective of preservation can be achieved either through changes making a positive contribution to the character or appearance of the area or by development which leaves character and appearance unharmed.

The duty placed on local authorities under section 72 requires consideration to be given to the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular the wider effects of demolition on the building's surroundings and on the conservation area as a whole. The duty suggests a general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of the conservation area. In determining whether demolition consent should be granted consideration should also be given to the merits of the any proposed development at the application site.

Policy ENV13 (Demolition in Conservation Areas) of the Replacement Local Plan is relevant to this applicant and echoes the duty under section 72 in that a general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of the conservation area.

The National Planning Policy Framework paragraphs 134 and 135 are also relevant to the determination of this application.

I consider the main planning considerations in the determination of this application are therefore:-

- the role of the building in relation to the architectural or historic interest of the area;
- the wider effect of the demolition on the conservation area; and
- whether the merits of the proposed redevelopment of the site would warrant the grant of consent to enable the buildings to be demolished.

The National Planning Policy Framework at paragraph 135 states that:-

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

I am mindful that the Conservation Consultant has raised no objection to the demolition of the existing bungalow at the site as the building is of no architectural merit. I concur with these comments and I consider the bungalow to not contribute towards the Conservation Area in regard to any architectural or historical interest of the area. As such, I consider that there would be less than substantial harm upon the designated heritage asset (i.e. the Conservation Area) resulting from the demolition of the bungalow.

Conclusion

Taking account of the above, I am satisfied that the demolition of the bungalow would not result in any substantial harm on the heritage asset by virtue of the existing bungalow having no positive contribution to the architectural or historical interest of the Conservation Area.

Recommendation: GRANT CONSERVATION AREA CONSENT subject to the following conditions:-

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This consent relates to the demolition of the existing bungalow at the site, shown on location plan Ref. 423/Location - A

Reasons

1. Required to be imposed pursuant to section 18 of the Town and Country Planning (Listed and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council, the demolition of the buildings would have a less than significant impact on the character of the Conservation Area and would accord with the National Planning Policy Framework (March 2012).

Notes to Applicant

Decision Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.