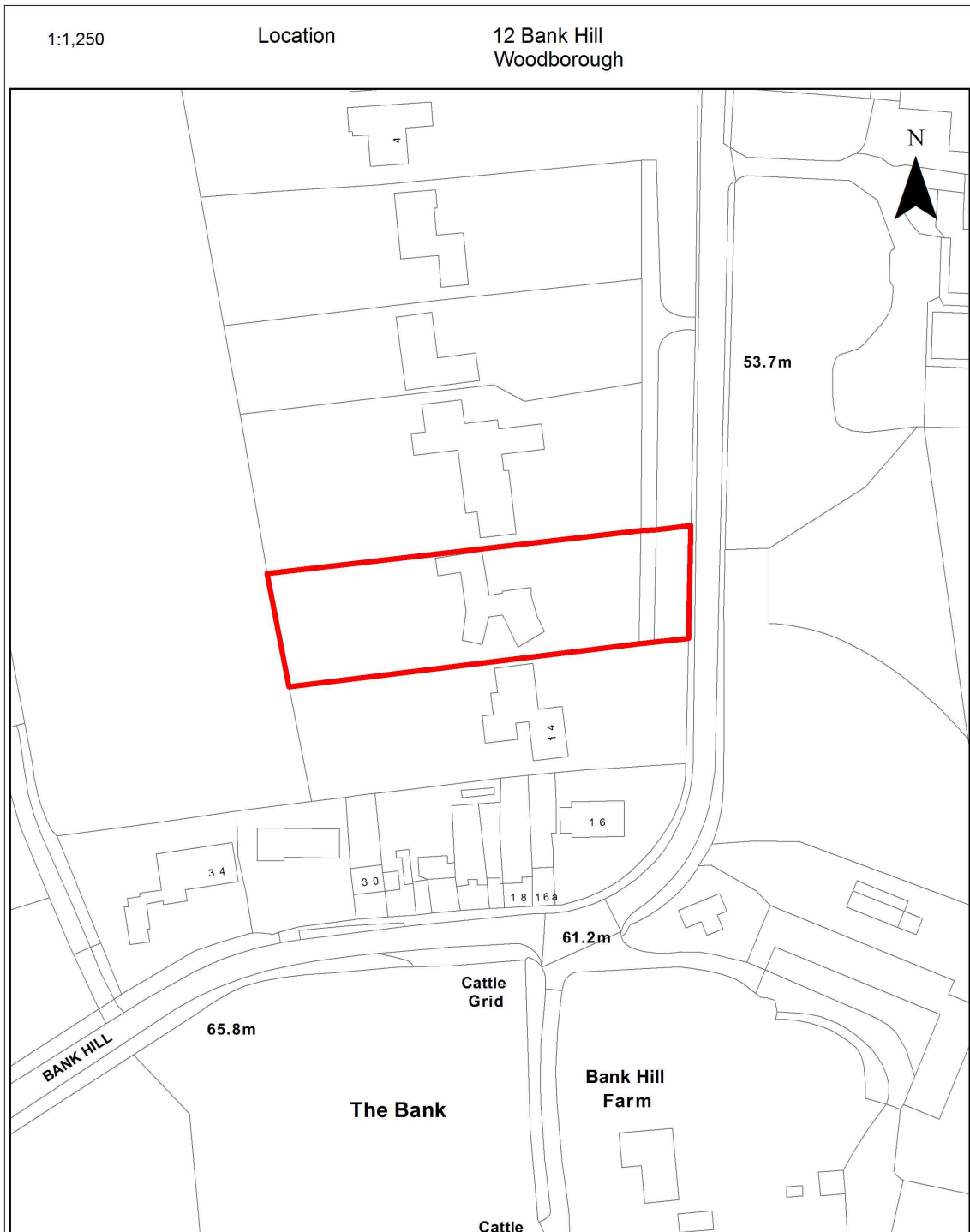




Planning Report for 2018/0628



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Report to Planning Committee

Application Number:	2018/0628
Location:	12 Bank Hill Woodborough
Proposal:	Replacement dwelling (resubmission of 2018/0026).
Applicant:	Mr & Mrs Quincey
Agent:	John Morris Architects
Case Officer:	Helen Johnson

1.0 Site Description

This application is referred to Planning Committee at the request of the Planning Delegation Panel and following a review of the Acting Chief Executive.

1.0 Site Description

- 1.1 The site lies within the village infill boundary of Woodborough, inside the Green Belt and adjacent to the Woodborough Conservation Area which runs alongside Bank Hill.
- 1.2 The site is set back from Bank Hill and accessed via a private road which runs parallel to Bank Hill and serves six dwellings. There are mature trees to the frontage with Bank Hill which are protected by a Tree Preservation Order.
- 1.3 The site currently comprises a detached single storey dwelling, with an element of accommodation at first floor level, set within a spacious plot with generous amenity space to the front and rear. The property benefits from off street parking provision to the front of the site.
- 1.4 The site is bound to the south by No. 14 Bank Hill, a detached two storey dwelling which has recently been altered and extended at first floor level with a contemporary appearance and to the north by No. 10 Bank Hill, a large detached single storey dwelling similar in design to the existing property and the remaining neighbouring properties (Nos 4, 6 and 8 Bank Hill). To the west beyond the rear garden is open countryside.

2.0 Relevant Planning History

- 2.1 There has been one recent planning application:

2.2 Application reference 2018/0026 for a replacement dwelling was granted permission on 29th March 2018. The current application is a resubmission following this permission, primarily to change the design of the roof from pitched to flat.

3.0 Proposed Development

3.1 The application seeks permission for the demolition of the existing dwelling and replacement with a new four bed dwelling. The proposed dwelling would be two storeys in height reducing to single storey at its northern elevation, comprising a garage, swimming pool and gym. The scheme would involve the creation of a terrace at ground floor level to the rear together with alterations to the frontage of the site to accommodate car parking.

4.0 Consultations

4.1 Gedling Borough Council Conservation Officer – ‘In terms of this resubmission and its location adjacent to the Woodborough Conservation Area nothing has changed in the immediate context and potential impact upon the Conservation Area that this development would have. I therefore refer to my initial comments relating to the first scheme submitted prior to its amendment since this application resubmits the flat roofed scheme initially proposed under 2018/0026 before it was amended. I do not accept that the contemporary building approved to the south west at Bank Hill farm sets a precedent in this case since Bank Hill is located in open countryside well outside the Woodborough Conservation Area and where the site circumstances are different. In particular, 12 Bank Hill (This application) is part of a street scene within the village envelope and not an isolated dwelling in open countryside. There is a duty to consider the immediate setting, character and appearance of the Woodborough Conservation Area and this has not changed. My comments for GBC reference 2018/0026 dated 28.2.2018 are relevant and still stand and I recommend refusal.’

4.1.1 Original comments made in relation to the previous application reference 2018/0026 conclude:

4.1.2 ‘Were the proposed building to be erected it would dominate the location and provide a conspicuous building in views from the road that would harm the setting of the Conservation Area given its proposed design and use of materials. The architectural style and design is alien in its location to the existing character and the proposal would result in a permanent structure that would be at odds with the area.

4.1.3 I find the proposed dwelling does not meet the aims of preserving or enhancing the setting of the Woodborough Conservation Area and in view of the policy guidance set out in the NPPF and Historic England Guidance on the setting of Heritage assets, LPD 28 conservation areas section C) the application is recommended for refusal.’

- 4.2 Woodborough Parish Council – The increase in floor space (unspecified) should accord with guidelines and the trees with TPOs outside the curtilage should be protected during works.
- 4.3 Letters were sent to immediate neighbouring occupiers, a site notice posted near the site and an advert placed in the local newspaper. No representations have been received in response.

5.0 Relevant Planning Policies

5.1 National Planning Policy Framework (NPPF) 2018

Section 2 ‘Achieving Sustainable Development’

Section 4 ‘Decision-making’

Section 12 ‘Achieving well-designed places’

Section 13 ‘Protecting Green Belt land’

Section 16 ‘Conserving and enhancing the historic environment’

5.2 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014

Policy A: Presumption in Favour of Sustainable Development

A positive approach will be taken when considering development proposals reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy 1: Climate Change

All development will be expected to mitigate against and adapt to climate change with respect to sustainable design and adaption, reducing carbon dioxide emissions, decentralised energy generation and flood risk and sustainable drainage.

Policy 10: Design and Enhancing Local Identity

All new development should be designed to make a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment, reinforce valued local characteristics; be adaptable to meeting the changing needs of occupiers and the effects of climate change and reflect the need to reduce the dominance of motor vehicles. Development will be assessed in terms of its treatment of a number of specified elements.

Policy 11: The Historic Environment

Sets out the criteria that development will need to meet in order to conserve and/or enhance the historic environment and heritage assets.

5.3 Local Planning Document (LPD) 2018

Policy LPD 14 – Replacement of buildings with the Green Belt

Within the Green belt, replacement buildings will not be considered inappropriate development provided that a number of criteria are met.

Policy LPD 15 - Infill development within the Green Belt

Within the parts of Woodborough that are within the Green Belt and within the boundaries of previously developed sites within the Green Belt, the construction of new buildings is not inappropriate providing that a number of criteria are met.

Policy LPD 28 - Conservation Areas

Development proposals should preserve or enhance the character or appearance of Conservation Areas.

Policy LPD 32 - Amenity

Planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.

Policy LPD 57 - Parking Standards

Sets out the requirements with regards to parking provision for both residential and non-residential development.

Policy LPD 61 - Highway Safety

Planning permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.

6.0 **Planning Considerations**

Principle of the development

- 6.1 Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 The NPPF attaches great importance to the Green Belt (paragraph 133). When determining planning applications, substantial weight should be given to any harm to the Green Belt and 'inappropriate development' should be approved only in 'very special circumstances'. Not all development, however, is inappropriate. The NPPF sets out at paragraph 89 specific types of development, such as the replacement of buildings and limited infill, which are not inappropriate provided they meet a number of conditions.

- 6.3 The proposal is for a replacement dwelling. Policy LPD14 states that permission will be granted for the replacement of buildings provided a number of criteria are met including that the use must be the same as existing buildings. In all cases replacement buildings must meet the criteria specified in the policy.
- 6.4 Woodborough Parish Council has made comments and considers that the increase in floorspace should accord with guidelines. However, as the proposal involves infill development within the Green Belt, it is not considered that the restriction of floorspace to no more than 50% of the originally constructed dwelling should apply in this instance and rather the criteria outlined within Policy LPD 15 of the Local Planning Document should be used to assess the acceptability of the proposed replacement dwelling.
- 6.5 The application site lies within the infill boundary of Woodborough and as such Policy LPD 15 of the Local Planning Document states that for those parts of Woodborough that are within the Green Belt and within the boundaries of previously developed sites within the Green Belt, the construction of new buildings is not inappropriate provided a number of criteria are met. This policy accords with Paragraph 145 of the National Planning Policy Framework which states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with certain exceptions, one of these being the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. The proposed development would not be inappropriate in accordance with LPD15 provided:
- a. the scale of development is limited;
 - b. the proposal is for the development of a gap within a village or site which is enclosed by buildings on at least two sides; the proposal is for development within the fabric of the village or a previously developed site;
 - c. the proposal does not have a detrimental impact on the openness of the Green Belt or the reasons for including land within it;
 - d. the proposal does not adversely affect valuable views into or out of or in the village or site; and
 - e. the proposal is in keeping with surrounding character in terms of height, bulk, form and general design.
- 6.6 The proposed development is therefore acceptable in principle, subject to compliance with Policy LPD 15 of the Local Planning Document and the detailed assessment of all material considerations including the impact upon the character and appearance of the area, residential amenity and highways matters.

Design and the impact upon visual amenity

- 6.7 The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and

helps make development acceptable to communities (Paragraph 124). Planning decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, and establish or maintain a strong sense of place (Paragraph 127).

- 6.8 The proposed replacement dwelling is contemporary in its design comprising interlinked two and single storey box shaped flat roofed elements with a modern finish utilising large format rain screen cladding, concrete panels and glazing. I note that the flat roof design proposed would reduce the height of the replacement dwelling. Whilst the adjacent property No. 14 Bank Hill is modern in its appearance has a flat roof element, this is single storey and the main two storey roof is of pitched design which is in keeping with the established roof form of dwellings within this row.
- 6.9 It is considered that the previously approved main pitched roof design of the replacement dwelling took design cues from development in the immediate vicinity, comprising detailing which offered relief and softened the appearance of the principle elevation, and as such the proposal would assimilate into its surroundings. In contrast, the flat roof box design of the proposed dwelling would result in a development which would appear incongruous in this location and as such would fail to take the opportunity available for improving the character and quality of the area and the way it functions (Paragraph 130 of the National Planning Policy Framework). Policy 10 of the Aligned Core Strategy also requires all new development to make a positive contribution to the public realm and sense of place and reinforce valued local characteristics whilst Policy LPD 15 of the Local Planning Document states that infill development within the Green Belt, comprising the construction of new buildings, would be inappropriate if the proposal is not in keeping with the surrounding character in terms of height, bulk, form and general design.
- 6.10 Paragraph 130 of the National Planning Policy Framework also states that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion. Whilst this application is a resubmission rather than a variation of condition of the original consent it seeks permission for a design that was submitted originally before amendments were negotiated to secure a development which would function well whilst being sympathetic to the surrounding built environment.
- 6.11 The proposed development would incorporate a number of sustainability measures in accordance with Aligned Core Strategy Policy 1 and this is afforded weight, however the National Planning Policy Framework is clear in its direction that great weight should only be given to innovative design and high levels of sustainability so long as they fit in with the overall form and layout of their surroundings (Paragraph 131). The flat roof design would also result in the proposed photovoltaic panels appearing proud and prominent above finished roof level.

- 6.12 For these reasons it is considered that due to the design of the proposed replacement dwelling, the development would fail to respect the established character, form and design of dwellings in the immediate vicinity, contrary to National, Regional and Local Policies.

Impact upon the Conservation Area

- 6.13 The site is located adjacent to the Woodborough Conservation Area, which runs alongside the private access road parallel to Bank Hill.
- 6.14 The Conservation Officer has been consulted and he comments that the established character and appearance of the area adjacent to the Conservation Area is one of large, predominantly single storey gabled roofed dwellings located within large mature garden plots with mature hedgerows and trees. The Conservation Area is experienced in views from the application site and the character of the buildings and plots adjacent along Bank Hill also offer views to the Conservation Area.
- 6.15 The Conservation Officer raises an objection to the scheme considering that whilst a contemporary design may be appropriate in this location, the design of the proposed replacement dwelling and pallet of materials would not accord with the existing special architectural and historic interest of the Conservation Area which is predominantly two storey gabled buildings with pitched roofs utilising natural clay tiles and brickwork. The proposal would result in an alien form that would not complement or respect the existing character of the streetscene or wider area and as such would fail to the complement or respect the setting of the Woodborough Conservation Area as a designated heritage asset, causing substantial harm.
- 6.16 I note that the proposed materials have been considered acceptable previously, subject to a safeguarding condition requiring further details to be submitted to the local planning authority. However, it is considered that the proposed flat roofed, box design of the replacement dwelling would result in a prominent form of development within the streetscene which would serve to highlight the difference in the materials proposed.
- 6.17 The application documentation draws attention to a contemporary building that has been approved to the south west at Bank Hill. However, this site enjoys a very different context to the application site. The approved dwelling is reasonably isolated and not viewed, as the application site is, within an established streetscene, allowing greater flexibility in terms of design. It was therefore considered that that development would not have an adverse impact upon the village's character or appearance.
- 6.18 The proposal involves a replacement dwelling and it is not considered that there are any public benefits which would outweigh the harm to the setting of the designated heritage asset.
- 6.19 For the reasons outlined above, it is considered that the proposed development would fail to preserve or enhance the setting of the Woodborough Conservation Area contrary to Paragraphs 192 & 193 of the

National Planning Policy Framework, Policy 11 of the Aligned Core Strategy and Policy LPD 28 of the Local Planning Document.

Impact upon residential amenity

- 6.20 In terms of the impact on the living conditions of neighbouring property occupiers, there are no openings proposed at ground floor level within the northern elevation, facing No. 10 Bank Hill whilst the opening at first floor level within this side facing elevation would be high level, and as such would prevent views into the neighbouring property. There is an opening proposed at ground floor level to the southern elevation, facing No. 14 Bank Hill. Given the positioning of this opening at ground floor level and the additional planting that is proposed to this shared boundary, it is not considered that this element of the scheme would result in an unacceptable level of overlooking or loss of privacy.
- 6.21 Due to the design of the balconies proposed to the rear elevation, there would be no loss of privacy for the adjacent property occupiers whilst the proposed balcony at first floor level to the front elevation, serving a bedroom, would overlook the private access road and neighbouring amenity space which is already visible from public vantage points, resulting in no greater impact.
- 6.22 There is an opening within the side elevation of No. 10 Bank Hill serving a room which benefits from an additional rear facing window and I note that the single storey element of the scheme is sited to the northern elevation. For these reasons it is considered that the proposed development is unlikely to result in an unacceptable overbearing impact or loss of light to this neighbouring habitable room.
- 6.23 Having regards to the scale of the development to the shared boundaries, together with the proposed front and rear building lines and relationship with the built form of the adjacent properties, it is not considered that the replacement dwelling would give rise to an overbearing or overshadowing impact or loss of light to neighbouring rooms or immediate private amenity space.
- 6.24 It is considered that the proposed replacement dwelling would provide a good standard of accommodation for future occupiers.
- 6.25 For these reasons it is considered that the development accords with Policy LPD 32 of the Local Planning Document.

Impact upon trees

- 6.26 Given the separation distance with the trees that are protected to the frontage of the site together with the nature and extent of the proposed development it is not considered that the scheme would have a detrimental impact upon these trees.
- 6.27 Whilst the development would result in some loss to existing vegetation and trees within the site it is not considered that these are worthy of retention. I note that the scheme proposes some additional planting within the site.

Highways matters

- 6.28 The proposed development makes provision for three off street car parking spaces, comprising two spaces to the front of the site and one space within a garage. As such, the proposal accords with the parking standards for residential development of this scale within rural areas as required by Policy LPD 57 of the Local Planning Document.
- 6.29 The scheme utilises the existing private access road from Bank Hill and involves the replacement of one dwelling. As such it is not considered that the proposal would result in a significant material increase in movements to and from the site. For these reasons I am satisfied that there would be no detriment caused to highway safety in accordance with Policy LPD 61 of the Local Planning Document.

Other matters

- 6.30 The proposed dwelling would be of modern construction in terms of its design and materials, with the provision of photovoltaic panels to the flat roof. The scheme would therefore accord with the objectives of Policy 1 of the Aligned Core Strategy.
- 6.31 Given the scale and location of the site, it is not considered that a safeguarding condition in relation to the appearance of the site post demolition and prior to redevelopment commencing would be necessary.

7.0 Conclusion

- 7.1 For the reasons outlined above it is not considered that the proposed development would cause material harm to the living conditions of future or neighbouring property occupiers and there would be no detriment to highway safety or protected trees in the vicinity of the site. However, due to the design of the proposed replacement dwelling comprising a flat roof, box design which is out of keeping with the prevailing pitched roof design of neighbouring properties within the immediate vicinity the scheme would result in an incongruous development which would cause harm to the character and appearance of the streetscene and the setting of the adjacent Woodborough Conservation Area. As such, the proposal is contrary to Paragraphs 124, 127, 130, 131, 192 & 193 of the National Planning Policy Framework, Policies 10 & 11 of the Aligned Core Strategy and Policies LPD14, LPD15 & LPD28 of the Local Planning Document.

8.0 Recommendation: Refuse Planning Permission for the following reason:-

Reason

- 1 The proposed replacement dwelling, by virtue of its design, would result in an incongruous development, out of keeping with the prevailing character and appearance of neighbouring properties, causing harm to the streetscene and setting of the adjacent Woodborough Conservation Area as a designated heritage asset, contrary to Paragraphs 124, 127, 130, 131, 192 & 193 of the

National Planning Policy Framework, Policies 10 & 11 of the Aligned Core Strategy and Policies LPD14, LPD15 & LPD28 of the Local Planning Document.