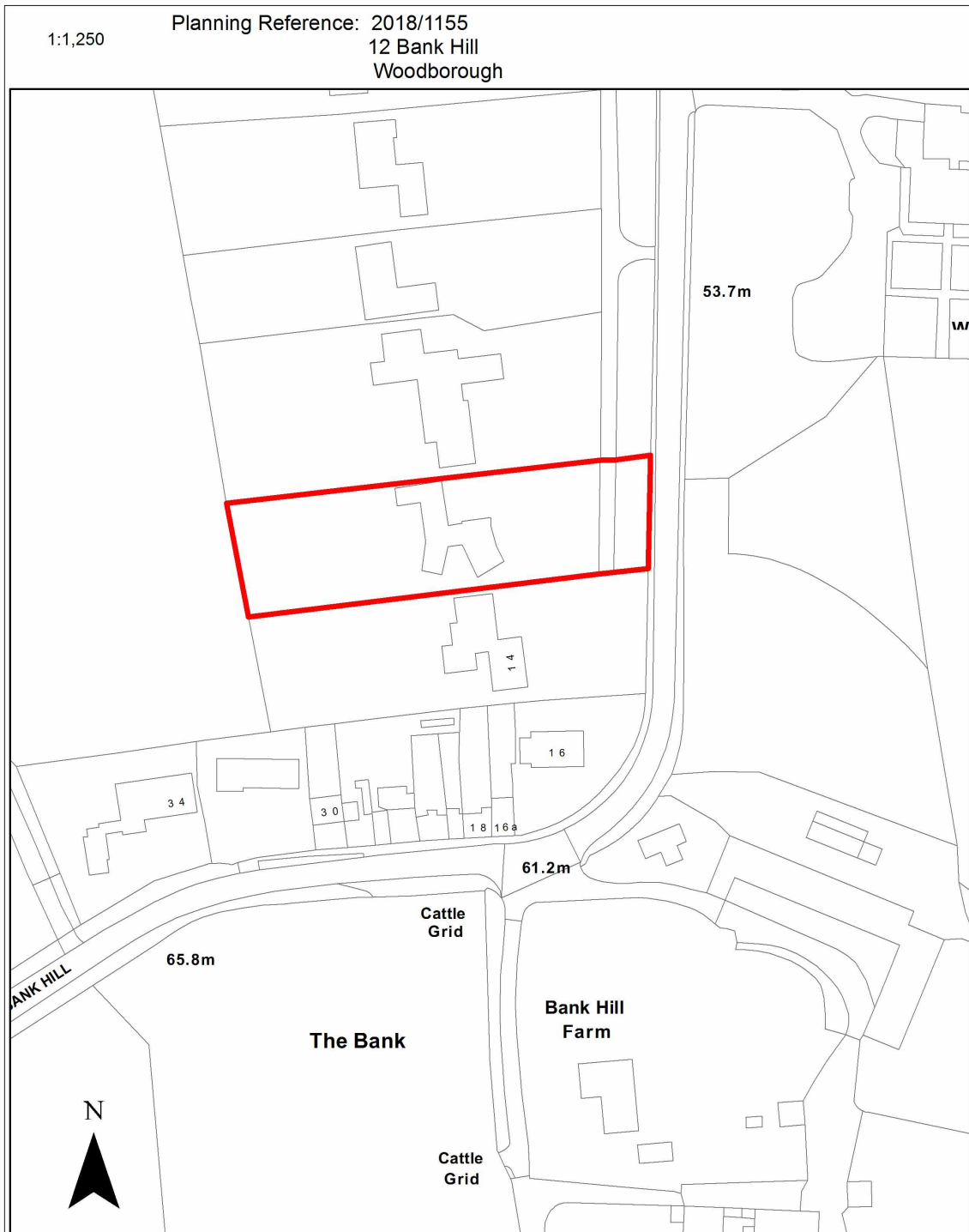




## Planning Report for 2018/1155



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.  
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**Report to Planning Committee**

**Application Number:** 2018/1155

**Location:** 12 Bank Hill Woodborough

**Proposal:** Replacement dwelling (resubmission of 2018/0026 and 2018/0628).

**Applicant:** Mrs & Mrs Quincey

**Agent:** John Morris Architects

**Case Officer:** Lewis Widdowson

**This application has been referred to Planning Committee by the Planning Delegation Panel to allow Members to further consider the design of the proposed development.**

**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. On the 29<sup>th</sup> March 2018 conditional planning permission was granted for a “Replacement dwelling” under application reference 2018/0026.
- 2.2. A subsequent application reference 2018/0628 was re-submitted for a “Replacement Dwelling” which incorporated an amendment to the design of the roof, changing it from pitched to flat. This was referred to Planning Committee on the 3<sup>rd</sup> October 2018 and permission was refused.
- 2.3. The refusal of application reference 2018/0628 has been appealed and is currently being assessed by the Planning Inspectorate.

## **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.
- 3.2. The roof of the proposed dwelling would be constructed with two monopitch sections. The eaves would start along the north and south elevations rising to two separate ridgelines. An element of the roof would be flat located in-between the two ridges. This would be set slightly lower than the maximum ridge heights.

## **4.0 Consultations**

- 4.1. Gedling Borough Council (Conservation Officer) –The applicant now submits further revised plans that keep the link flat roofed part and flat roofed garage/ swimming pool gym adjacent to number 10 but alters the traditional gabled roofed elements to create two taller mono pitched roofs either side of the lower flat roof linked part. The revised drawings indicate lower pitched roofs and an overall design that is not in keeping with the street scene and the traditions of the Conservation Area to which it is located adjacent to. The revised roof plans are more akin in their appearance to industrial, warehouse type structures because of their size, width and low pitch. This appearance will be exacerbated by the use of non- traditional materials resulting in a building that is alien in its context, harmful to the street scene, local distinctiveness and setting of the Woodborough Conservation Area.
- 4.2. Woodborough Parish Council – The lime trees under the protection of the Preservation Order just outside the curtilage of the property 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 Assessment of Planning Considerations**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2018 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

## **6.0 Relevant Planning Policies**

- 6.1. 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', and  
Section 16 'Conserving and enhancing the historic environment'.
- 6.2. Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 –
- 6.3. 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."
- 6.4. 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."
- 6.5. 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".
- 6.6. 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."
- 6.7. 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."

- 6.8. 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."
- 6.9. Policy LPD 28 - Conservation Areas. "Development proposals should preserve or enhance the character or appearance of Conservation Areas."
- 6.10. 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."
- 6.11. Policy LPD 57 - Parking Standards. "Sets out the requirements with regards to parking provision for both residential and non-residential development."
- 6.12. 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."
- 6.13. Woodborough Conservation Area Character Appraisal Assessment and Management Plan (2017)

Examines the historical development of the Woodborough Conservation Area. The Management Plan sets out the broad planning guidance by which the objectives of preserving and enhancing the unique character and appearance of the Conservation Area can be pursued through the planning process.

## **7.0 Principle of the development**

- 7.1. 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 145 specific types of development, such as the replacement of buildings and limited infill, which are not inappropriate provided they meet a number of conditions.
- 7.2. 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.
- 7.3. 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 that 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.
- 7.4. 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.

- 7.5. 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 limited infilling in villages. Furthermore, 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.
- 7.6. With respect to Policy LPD 15, it is considered that the scale of the development is limited within its context, that it would not have a detrimental impact on the openness of the Green Belt or the reasons for including land within it, that it does not adversely affect valuable views and that it would be in keeping with the surrounding character. The site is enclosed by buildings on two sides.
- 7.7. The proposed development is therefore acceptable in principle, subject to a detailed assessment of all material considerations including the impact upon the character and appearance of the area, residential amenity and highways matters.

## **8.0 Design and the impact upon visual amenity**

- 8.1. 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).

- 8.2. Paragraph 130 of the National Planning Policy Framework states that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion. This application is a resubmission rather than a variation of condition of the original consent. It seeks permission for an amendment to a previously approved scheme.
- 8.3. It is considered that the main pitched roof design of the replacement dwelling, previously approved under application 2018/0026, 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, it was considered that the flat roof box design, which was subsequently refused under application 2018/0628, 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).
- 8.4. The dwelling proposed in this application is contemporary in its design comprising interlinked two and single storey box shaped elements with monopitch roofs and a modern finish utilising large format rain screen cladding, concrete panels and glazing. I note that the monopitch roof design proposed would reduce the height of the replacement dwelling and the number of individual ridgelines compared to the previously approved application 2018/0026. Furthermore I consider that the proposal has been designed as such to give the impression of a more traditional dual pitch roof with a ridgeline to the centre of the dwelling. Whilst the adjacent property No. 14 Bank Hill is modern in its appearance, its main two storey roof is of pitched design which is in keeping with the established roof form of dwellings within this row.
- 8.5. For these reasons it is considered that despite the contemporary design of the revised roof, the development would reflect elements of the surrounding built development, specifically No. 14 Bank Hill. Therefore I consider that on balance the design and impact upon visual amenity would be acceptable and consistent with the objectives of Policy 10 of the Aligned Core Strategy.

## **9.0 Impact upon the Conservation Area**

- 9.1. The site is located close to, but not within, the Woodborough Conservation Area which presently runs along Bank Hill. It is noted that there are proposals to extend the Conservation Area to include the protected trees adjacent to Bank Hill, however the development site would still not fall within the designated area.
- 9.2. Para. 11.5 of the Woodborough Conservation Area Character Appraisal & Management Plan states that the dwellings nos. 4 – 14 Bank Hill are set back behind a service road that runs parallel to the Bank Hill and a line of mature Lime trees on the verge between these two roads. The trees are considered to “make a distinctive contribution to the appearance of the Conservation Area and complement the verdant boundary of Woodborough Hall”.

- 9.3. The Conservation Officer has been consulted and does not consider that the revised scheme is in keeping with the character of the Conservation Area. In addition concerns still remain regarding the extensive use of man-made materials. Whilst these comments are noted, I am mindful that the site is not within the Conservation Area and the design proposed is of a contemporary nature. It is considered that the materials specified could, in principle, be acceptable although specific details should be secured by way of a planning condition. On balance, it is not considered reasonable, as with the previously approved scheme, to request that there is the inclusion of more natural materials given that the site does not fall within the Conservation Area.
- 9.4. Whilst the design of the building remains contemporary in its nature, the plot is set well back from Bank Hill and sits alongside No.14 Bank Hill, which itself has been modernised to give it a contemporary appearance. The positioning of the site and specifically the positioning of the dwelling on it means that the proposal would not have any significant impact upon the Conservation Area, and that there would not be any harm caused to its character and appearance. Again I note the Conservation Officer's comments regarding the amendments to the design of the roof but do not consider, on balance, that this would result in any harm to the character of the Woodborough Conservation Area. In my opinion, the revised roof would be more in keeping with the surrounding dwellings, specifically No. 14 Bank Hill, given it would be constructed with two opposing roofs lobes converging to a single ridgeline, albeit one that would not be visualised. Furthermore I consider that the revised scheme reduces the prominence of the dwelling within its setting by reducing the overall height of the roof. Taking the above into consideration, it is my opinion that on balance the proposal accords with Policy 11 of the Aligned Core Strategy and Policy LPD 28 of the Local Plan.

## **10.0 Impact upon residential amenity**

- 10.1. It is noted that there is a window at first floor level on the side elevation of No.10 Bank Hill which faces the site, however this window is secondary to a large dormer window that is positioned on the rear elevation of the dwelling. Therefore whilst there would be an impact upon this window, given the presence of the larger window to the rear, it is not considered that the proposal would have an undue impact upon the room in question. The proposed replacement dwelling has been designed to position a single storey flat roofed element closest to the boundary with No.10 Bank Hill, with the higher parts of the dwelling positioned further from the common boundary. It is considered that this will ensure that the building does not have an unacceptable impact in terms of its massing or through overshadowing/loss of light. There are no windows on the proposed development that would cause undue overlooking onto this adjacent property.
- 10.2. The proposal would be located approximately 3 metres from the common boundary with No.14 Bank Hill. Whilst it is noted that there are windows in the side elevation of this adjacent dwelling at ground floor level, they are considered to be an adequate distance from the proposed development to ensure that there would not be an adverse impact from residential amenity in terms of massing or loss of light. The proposal does not give rise to



overlooking concerns towards No.14 Bank Hill. There is no built development to the rear boundary and the property has a substantial rear garden.

- 10.3. It is therefore considered that the proposal meets with the objectives of Policy 10 of the Aligned Core Strategy and Policy LPD 32 of the Local Planning Document.

#### **11.0 Impact upon trees**

- 11.1. There are a number of mature trees situated on the frontage of the site with Bank Hill that are subject to a Tree Preservation Order. It is not however considered that any element of the works proposed would impact upon these trees and it is not considered necessary to impose tree protection conditions. Whilst the works to the existing driveway and parking areas would require the removal some vegetation and trees, none of these specimens are considered to be worthy of retention. I am satisfied that the protected lime trees to the front of the site will remain unaffected by the proposed works.

#### **12.0 Highways matters**

- 12.1 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.

#### **13.0 Other matters**

- 13.1. The proposal would replace an older dwelling with one built to more modern standards and it is considered that the development would as a result meet with the objectives of Aligned Core Strategy Policy 1. As the site does not fall within the Conservation Area it is not considered reasonable or necessary to impose a planning condition relating to the appearance of the site post demolition and prior to redevelopment commencing.

#### **14.0 Conclusion**

- 14.1. The proposal has been assessed against Green Belt policy set out within national and local planning policies. It is considered that the proposal represents infill development that would not cause harm to the openness of the Green Belt or result in further encroachment into the Green Belt due to its location between existing building development and within the fabric of the village. The amended roof design would not cause harm to the character or appearance of the Conservation Area or views into the village, would be of an appropriate design, would not have an undue impact upon the residential amenities of the occupiers of adjacent dwellings or cause harm to protected trees and the surrounding highway network.
- 14.2. The proposal therefore meets with the objectives of the National Planning Policy Framework, Policies A, 1, 10 and 11 of the Aligned Core Strategy, and Policies LPD 15, 28, 32, 57 and 61 of the Local Plan and the Woodborough Conservation Area Character Appraisal & Management Plan.

**15.0 Recommendation GRANT PLANNING PERMISSION 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 permission shall be read in accordance with the details within Application Form, Planning Statement, Heritage Statement, Design and Access Statement and following plans: P-01 Rev B "Site Location Plan", P-02 Rev C "Existing and Proposed Plot Plans", P-03 Rev B "Existing Plans & Elevations", P-04 Rev B "Proposed Ground Floor Plan", P-05 Rev C "Proposed First Floor & Roof Plans", P-06 Rev D "Proposed Elevations" and P-07 Rev B "Proposed Landscaping Plan" received on 10th December 2018. The development shall be retained in accordance with these plans.
- 3 No above ground construction works shall commence until samples of the proposed external facing materials and the proposed hard surfacing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.

**Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and to define the terms of the permission.
- 3 To ensure a satisfactory standard of external appearance.

**Reasons for Decision**

The proposal represents infill development that would not cause harm to the openness of the Green Belt or result in further encroachment into the Green Belt due to its location between existing building development and within the fabric of the village. The proposal would also not cause harm to the character or appearance of the Conservation Area or views into the village, would be of an appropriate design, would not have an undue impact upon the residential amenities of the occupiers of adjacent dwellings or cause harm to protected trees and the surrounding highway network. The proposal therefore meets with the objectives of the National Planning Policy Framework, Policies A, 1, 10 and 11 of the Aligned Core Strategy, and Policies LPD 14, 15, 28, 32, 57 and 61 of the Local Plan and the Woodborough Conservation Area Character Appraisal & Management Plan.

## **Notes to Applicant**

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). During the processing of the application there were considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)