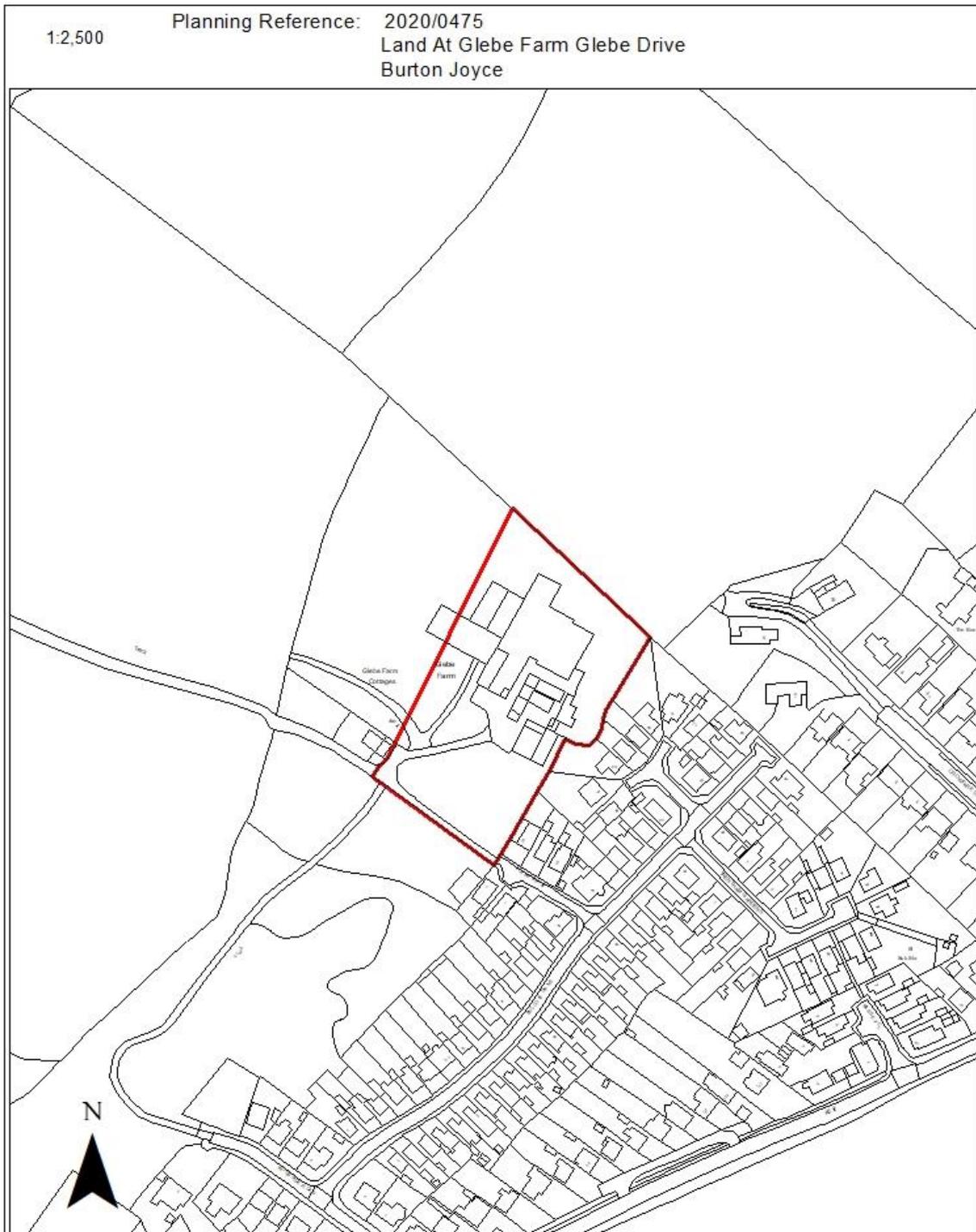




## Planning Report for 2020/0475



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**

<b>Application Number:</b>	<b>2020/0475</b>
<b>Location:</b>	<b>Land At Glebe Farm, Glebe Drive, Burton Joyce</b>
<b>Proposal:</b>	<b>Application for the approval of reserved matters (layout, landscaping, scale and appearance) for the erection of up to 14 dwellings pursuant to outline approval 2016/0306.</b>
<b>Applicant:</b>	<b>Troyal Farms Ltd</b>
<b>Agent:</b>	<b>Gut Taylor Associates</b>
<b>Case Officer:</b>	<b>Nigel Bryan</b>

**This application has been referred to Planning Committee to accord with the Constitution as it is an application for the erection of more than 9 dwellings.**

**1.0 Site Description**

- 1.1 The application site, Glebe Farm, measures approximately 1.2 hectares and relates to a disused agricultural farm holding comprising various agricultural steel framed barns; brick built barns with pan tile roofs and a disused farmhouse. The remainder of the site is overgrown with areas of hardstanding. The entire site is located within the green belt.
- 1.2 Access to the application site is from northwest spur of the cul-de-sac of Glebe Drive which is currently gated and in operation as access for farm vehicles. Glebe Drive is characterised on either side by residential bungalows which are set at a higher level than the adjoining highway. The application site rises steeply in level from the access in the south corner of the site up to the north corner of the application site. There are areas of hardstanding and deposited broken stone aggregate adjacent to the access of the site.
- 1.3 The application site backs onto split level properties situated at the turning head of the cul-de-sac of Bulcote Drive. There is a significant rise in level from the rear boundaries of these properties to the application site.

**2.0 Relevant Planning History**

- 2.1 In May 2016 the applicant sought the Prior Notification of the Borough Council for the Erection of a Grain Store and General Purpose Store. Further details were required for Prior Approval (ref: 2016/0614PN) and no such details were submitted.
- 2.2 In July 2016 the Prior Notification of the Borough Council was sought for the change of use of an existing building no longer suitable for modern agriculture to industrial storage and offices. No further details were required and the development is permitted under The General Permitted Development Order 2015.
- 2.3 In September 2016 the Prior Notification of the Borough Council was sought for a steel portal framed building up to 465 square meters with a height of 12 metres. No further details were required and the development is permitted under The General Permitted Development Order 2015.
- 2.4 In March 2016 application 2016/0306 was submitted and was originally for the erection of 45 dwellings with all matters reserved. However, the application was amended and planning permission sought for the erection of 14 dwellings with all matters reserved except access. The application was considered at the Planning Committee of February 2017 and it was resolved to grant permission subject to the signing of a Section 106 Legal agreement securing contributions toward education, healthcare and public open space. The application was granted planning permission on the 29 June 2017.

### **3.0 Proposed Development**

- 3.1 The application is a reserved matters application made pursuant to the outline permission granted under reference 2016/0306. As part of the outline permission access was approved, therefore, the matters under consideration as part of this application are scale, landscaping, design and appearance.
- 3.2 During the course of the application various amendments have been made to the application with particular regard to the amount of public open space provided, along with alterations to the housetypes on site, notably units 1-5, those nearest to the site entrance when accessing the site from Glebe Drive; the application is considered accordingly.
- 3.3 The layout as proposed will have two distinct areas of public open space (POS), one near to the entrance to the site, which is adjacent to 5 public parking spaces for visitors to properties on Glebe Drive, as required by condition 19 of the outline permission; the second is to be toward the centre of the site, and will in total provide 10% POS, as required by the Section 106 Legal Agreement. The 14 dwellings to be erected will be a mixture of sizes including 8 five-bed, 3 four-bed and 3-three-bed properties, some of which will be two-storey whereas others will have accommodation over three-storeys, although the upper floors will largely be in the roof space of the dwellings.
- 3.4 The layout has been designed around three character areas with plots 1-5 more modest in scale and design, to reflect the change of levels when heading into the site. Adjacent to the farmhouse and brick barns to be retained two dwellings will be erected and they will be more reflective in terms

of design and elevation treatment of traditional agricultural buildings/barn conversions. The seven dwellings to the northern part of the site will be larger in terms of scale and accommodation provided and will be based around the second area of POS.

- 3.4 All of the modern agricultural buildings on the site will be removed to facilitate the erection of the new dwellings; however, an existing farmhouse, currently unoccupied, and some brick built agricultural buildings will be retained.

#### **4.0 Consultations**

- 4.1 Highway Authority – Note that access was approved at the outline stage and raise no objection to the reserved matters application subject to conditions with regard to drainage and provision of off street parking provision;
- 4.2 Burton Joyce Parish Council (BJPC) – in respect of the original consultation the Parish Council objected to the application on the grounds that the dwellings would overbear neighbouring properties given their scale and change of levels in the area, contrary to policy NP3 of the Burton Joyce Neighbourhood Plan (BJNP); the housing mix is not appropriate and contrary to policy NP4; traffic flows will increase as a result of the development; flooding is an issue, made worse by the removal of existing trees; the sewerage network is already at capacity; the wildlife survey would need to be updated and clarity on the extent of open space is sought. On the application as amended BJPC raised concern over future development of the retained farmhouse and barn, which will make a larger scale development.
- 4.3 Environmental Health – notes that an informative was added to the outline permission with regard to electric vehicle charging points and, where possible, would wish to see this incorporated within this reserved matters application.
- 4.2 A site notice was displayed near to the application site, consultation undertaken with local residents and a notice placed in the local press. Furthermore, following updated drawings, further consultation was undertaken with local residents. On the original consultation 21 letters of objection were received and a summary of their objections are outlined below;
- There is an intention on behalf of the applicant to apply for additional dwellings on his remaining land;
  - Access to the site is inadequate and will be detrimental to highway safety and lead to congestion at key junctions;
  - Local ecology will be impacted through the loss of trees, as well harm to animals that live in the area e.g. bats, squirrels etc;
  - The application site is in the green belt and should be refused permission;
  - Burton Joyce has already built out its number of allocated dwellings;
  - Flooding will increase as a result of the application, particular due to the change of levels and loss of vegetation;
  - Infrastructure locally will not be able to cope with the additional people e.g. Doctors etc;

- The scale of dwellings are out of character with the area and too large given the change of levels, as well as being detrimental to the amenity of nearby residents.

Additional consultation was undertaken following receipt of amended plans; a further three letters of objection were received and raised similar concerns to those above and the additional below concerns;

- It is disappointing that the existing farmhouse is being used as a yardstick for the scale of proposed dwellings, which it should not be;
- Flooding issues have not been addressed;
- The alterations do not address highway concerns.

## **5.0 Development Plan Policies**

### **5.1 National Planning Policy Framework (NPPF) 2019**

Sets out the national objectives for delivering sustainable development; chapters 2 – achieving sustainable development; 4 – decision making; 5 – Delivering a sufficient supply of homes; 6 – building a strong, competitive economy; 11 – making effective use of land; 12 - achieving well-designed places and 13 – Protecting Green Belt land are, most pertinent to the determination of the application.

### **5.2 Greater Nottingham Aligned Core Strategy (ACS) Part 1 Local Plan**

Policy A: Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals

Policy 1: Climate Change – all development will be expected to mitigate against and adapt to climate change including with respect to flood risk.

Policy 2: The Spatial Strategy – states that sustainable development will be achieved through a strategy of urban concentration with regeneration.

Policy 8: Housing Size, Mix and Choice – sets out the objectives for delivering new housing.

Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

Policy 17: Biodiversity – sets out the approach to ecological interests.

### **5.3 Local Planning Document (LPD) (Part 2 Local Plan)**

The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:

LPD 4: Surface Water Management – sets out the approach to surface water management.

LPD 7: Contaminated Land – sets out the approach to land that is potentially contaminated.

LPD 11: Air Quality – states that planning permission will not be granted for development that has the potential to adversely impact upon air quality unless measures to mitigate or offset have been incorporated.

LPD14 – Replacement of buildings within the green belt – identifies that replacement buildings will be granted subject to a number of criteria

LPD 19: Landscape Character and Visual Impact – states that planning permission will be granted where new development does not result in a significant adverse visual impact or a significant adverse impact on the character of the landscape.

LPD 21: Provision of New Open Space – sets out that there will be a requirement for public open space on sites of 0.4 hectares in area and above.

LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 33: Residential Density – states that planning permission will not be granted for proposals of less than 30 dwellings per hectare unless there is convincing evidence of a need for a different figure.

LPD 35: Safe, Accessible and Inclusive Development – sets out a number of design criteria that development should meet, including in relation to the massing, scale and proportion of development.

LPD 37: Housing Type, Size and Tenure – states that planning permission will be granted for residential development that provides for an appropriate mix of housing.

LPD 48: Local Labour Agreements – sets out the thresholds where a Local Labour Agreement will be required.

LPD 57: Parking Standards – sets out the requirements for parking.

LPD 61: Highway Safety – states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

#### Burton Joyce Neighbourhood Plan (BJNP)

- 5.4 The Burton Joyce Neighbourhood plan has been adopted and forms part of the development plan. Pertinent policies are listed below:

NP1 Spatial Strategy – identifies the density of development that would be appropriate and need to ensure that character of the area, including landscape character, is respected.

NP2: Protecting the Landscape Character of Burton Joyce Parish and Enhancing Biodiversity – aims to ensure that particular viewpoints are respected and biodiversity is enhanced through the retention of existing landscape features and, where possible, enhancements to it.

NP3: Design Principles for Residential Development – new developments should be of high quality design and reinforce the character of the area, both in terms of built form and open space.

NP 4: A Mix of Housing Types – identifies that there is a particular demand for smaller units, 1-3 bed properties, particularly within a 10 minute walk of the village centre and a need to meet accessibility standards.

NP 9: Traffic and Pedestrian Safety – requires there to be adequate off-street parking and a safe access and egress for pedestrians and vehicles

## 6.0 **Planning Considerations**

### Principle of development

- 6.1 The principle of development has already been established through the grant of outline planning permission 2016/0306, which this reserved matters application is made pursuant to. For the avoidance of doubt, access has been approved as the outline stage and the matters under consideration as part of this application are layout, scale, appearance and landscaping.
- 6.2 It should be noted that when the outline permission was granted it was done so as it was considered that ‘very special circumstances’ had been demonstrated to allow development in the Green Belt where such proposals are normally considered to be inappropriate. In coming to that conclusion considerable weight was added to the fact the proposed built form would be less than the existing farm buildings on site; transforming a derelict and possibly contaminated site, the use of which conflicts with some of the adjacent residential properties, as well as possible economic benefits. In respect of the additional benefits to the openness of the green belt, significant work was undertaken exploring the footprint and built volume of the existing and proposed buildings. To this end, a table was included within the outline committee report, reproduced below, outlining existing and proposed figures

### **Built Footprint**

	<b>Existing</b>	<b>Proposed</b>
Cottages	94sqm	
Farm house	121sqm	121sqm
Brick Barns	368sqm	282sqm
Modern Barns	2931sqm	
New Garages		648sqm
New House A		880sqm
New House B		264sqm

New House C		357sqm
New House D		172.5sqm
<b>Total:</b>	<b>3514sqm</b>	<b>2724.5sqm</b>

### Built Volume

	Existing	Proposed
Cottages	630 cubic metres	
Farm house	826 cubic metres	826 cubic metres
Brick Barns	1,250 cubic metres	1,175 cubic metres
Modern Barns	15,638 cubic metres	
New Garages		2,754 cubic metres
New House A		6,380 cubic metres
New House B		1,914 cubic metres
New House C		2,592 cubic metres
New House D		1,251 cubic metres
<b>Total:</b>	<b>18,344 cubic metres</b>	<b>16,892 cubic metres</b>

- 6.3 An important consideration as part of this reserved matters application is to ensure that the broad parameters of what would be considered acceptable in terms of assessing enhancements to the openness of the green belt at the outline stage are realized at the reserved matter stage. To this end, below is a table that offers clarification on the footprint and volume of the built form proposed as part of this application.

<b>Structure</b>	<b>Proposed Footprint Area (sqm)</b>		<b>Retained Footprint Area (sqm)</b>	
	<b>Unit</b>	<b>Garages</b>		
Farm House[1]			95	
Brick Barns[2]			254	
Cottages[3]			94	
Unit R1	101	54		
Unit R2	111	46		
Unit R3	115	51		
Unit R4	101	48		
Unit R5	101	51		
Unit Y1	109	70		
Unit Y2	145	Included in Unit		
Unit G1	101	59		
Unit G2	115	51		
Unit G3	145	Included in Unit		
Unit G4	106	51		
Unit G5	101	51		
Unit G6	145	Included in Unit		
Unit G7	106	51		
<b>Totals</b>	<b>1602*</b>	<b>583</b>	<b>443</b>	<b>Total</b>
				<b>2628sqm</b>

<u>Structure</u>	<u>Proposed volume (sqm)</u>		<u>Retained volume (sqm)</u>	
	<u>Unit</u>	<u>Garages</u>		
Farm House[1]			826	
Brick Barns[2]			1175	
Cottages[3]			630	
Unit R1	542	197		
Unit R2	747	210		
Unit R3	778	220		
Unit R4	542	210		
Unit R5	542	220		
Unit Y1	796	370		
Unit Y2	959	Included in Unit		
Unit G1	771	305		
Unit G2	801	220		
Unit G3	922	Included in Unit		
Unit G4	757	220		
Unit G5	771	220		
Unit G6	923	Included in Unit		
Unit G7	757	220		<b>Total</b>
<b>Totals</b>	<b>10,608</b>	<b>2,612</b>	<b>2,631</b>	<b>15,851 cubic metres</b>

6.4 Taking into account the above it is apparent that foot print of the existing buildings is 3,514sqm and it was identified at outline stage that a footprint of 2,724sqm was proposed; however as part of this reserved matters application the foot print is less at 2,628sqm. Furthermore, with regard to volumes it is apparent that the existing volume is 18,344m<sup>3</sup> and it was identified at outline stage that 16,892m<sup>3</sup> was proposed; however, as part of this reserved matters application the volume is proposed to be 15,851m<sup>3</sup> (please note this excludes nominal features such as, chimneys, dormers and bay windows, which would have nominal floor areas too). Having regard to the above it is considered that the impact on the openness of the green belt will be improved from the broad parameters identified when the outline permission was granted, and one of the key considerations when assessing the acceptability of this application. Furthermore, and for the avoidance of doubt, this is not an opportunity to consider whether or not the principle of development is acceptable, rather to assess that it complies with the outline permission and against the remaining reserved matters; namely scale, layout, landscaping and appearance.

#### Layout, scale and appearance

6.5 The layout has been designed to reflect the change in levels and character of the area in that the housetypes near to the site entrance are more modest in scale, to reflect their prominence when entering the site and views from Glebe Road. Due to the change in levels the proposed dwellings will be significantly higher than the

existing properties; however, due to the proposed public open space there will be adequate distances between existing and proposed dwellings and whilst plot R3 would be closer to properties on Bulcote Drive it would be a similar distance to the existing farmhouse to the immediate north.

6.6 The two units adjacent to the retained farm buildings (Y1 and Y2) would have elevation treatments similar to traditional farm buildings with large, glazed barn type openings, and these units are considered to be sympathetically designed to their rural setting. Heading into the remaining northern end of the site the seven units will be taller in appearance but will not be unduly prominent from any public vantage points and will be grouped around a second parcel of POS, creating its own distinct character. As result the layout is considered to be acceptable and reflect its edge of settlement location with a low density of development. The housing mix has improved from that originally submitted in that smaller three-bed units are now proposed. Policy NP4 of the BJNP would typically look for smaller units of between 1 and 3 bedroom properties; however, it is noted that the site is not within a short walking distance of services, as identified by the policy and that the overall scale of development proposed would still be acceptable having regard to its impact on the openness of the green belt. Therefore, on balance, the housing mix is considered to be acceptable and comply with policies NP4 and LPD37.

6.7 In terms of scale some of the dwellings will be reasonably tall having accommodation within the roof space, particularly toward the northern end of the site; however sections have been provided that show the dwellings proposed to be erected will, due to a change of levels, sit lower than the retained farmhouse. Therefore it is not considered that the dwellings would be overly prominent having regard to the existing built form and any possible overlooking and overbearing impacts would not be significant in nature. The density of development would be approximately 15 dwelling per hectare, lower than the minimum threshold identified in policy LPD33, which would expect development to be not less than 20 dwellings per hectare; however, the overriding factor in the determination of this application is considered to be the impact on the openness of the green belt, and the lower density of development is considered acceptable in this instance. Therefore, it is considered that the application complies with policy LPD32 and the parameters of the outline permission.

#### Landscaping

6.8 The site is currently devoid of any significant planting given that it is in a semi-derelict state, save for self-set trees and planting toward the periphery of the site. As part of this application it has been identified that a small number of trees are proposed to be planted and boundary treatments to the periphery of the site is to be hedging. Requisite on-site POS, 10% of the site spread over two areas, is to be provided too. As a result there would be ecological enhancements in terms of planting over and above the existing.

#### Other considerations

- 6.9 It should be noted that concern has been expressed about matters such as drainage and flooding issues; however, these matters were considered at the outline stage and conditions 8 and 9 of the outline consent require details of surface and foul water to be approved through a discharge of condition application. Furthermore, condition 11 of the outline consent requires a protected species survey to be submitted to and approved in writing by the Local Planning Authority too. Therefore, whilst concern has been expressed about certain aspects of the development they are either not under considerations as part of this reserved matters application or will require additional information through the discharge of conditions process. Details in respect of highways were approved at the outline stage and adequate parking provision is provided as part of this application with each unit having access to a double garage with parking in front too; in addition, 5 spaces for wider public use near to the entrance of the site is proposed. The highway authority have raised no objection to the application and the application complies with policy LPD57. A note is proposed to be added to the decision notice encouraging the use of electric vehicle charging points.
- 6.10 Concerns have been raised regarding the impact of this development on local infrastructure. A section 106 legal agreement was completed at outline stage which will remain pertinent to the application in terms of contributions, as outlined in section 2.4 of this committee report. Financial contributions have been secured toward education and primary healthcare to mitigate the impact of the development and POS is to be provided on site.

## **7.0 Conclusion**

The principle of development is accepted following the grant of outline planning permission 2016/0306. This reserved matters application will lead to a reduction in built footprint and volume when compared with the site as existing, to increase the openness of the green belt, and has been designed in a manner that reflects its rural location. The layout, scale and appearance of properties will also respect the amenity of neighbouring properties adjacent to the application site. Adequate public open space would be provided and parking provision would be acceptable too. As a result the application is deemed to comply with policies LPD21, LPD32, LPD33, LPD35, LPD37, LPD57 and LPD61 of the Local Planning Document; policies A, 1, 2, 8, 10 and 17 of the Aligned Core Strategy; policies NP1, NP2, NP3, NP4 and NP9 of the Burton Joyce Neighbourhood Plan and guidance within the National Planning Policy Framework.

## **8.0 Recommendation: Grant reserved matter approval subject to the following conditions:**

### **Conditions**

1. This permission shall be read in accordance with the application form and following list of approved drawings:

812.1160.2 PL04B Public Open Space  
812.1160.2 PL127 Proposed Site Sections  
812.1160.2 PL110D Unit R1  
812.1160.2 PL111A Unit R2  
812.1160.2 PL112C Unit R3  
812.1160.2 PL113C Unit R4  
812.1160.2 PL114C Unit R5  
812.1160.2 PL115A Unit Y1  
812.1160.2 PL116A Unit Y2  
812.1160.2 PL117A Unit G1  
812.1160.2 PL118A Unit G2  
812.1160.2 PL119A Unit G3  
812.1160.2 PL120A Unit G4  
812.1160.2 PL121A Unit G5  
812.1160.2 PL122A Unit G6  
812.1160.2 PL123A Unit G7  
812.1160.2 PL124 Units R2 and Y1 Garage  
812.1160.2 PL125 Plot R3 Garage  
812.1160.2 PL126 Plot G1, G2, G4, G5 and G7 Garages  
812.1160.2 Site Location Plan

The development shall thereafter be undertaken in accordance with these plans/details.

2. No dwelling hereby approved shall be occupied until its drive and parking area is surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

3. No dwelling hereby approved shall be occupied until its drive and parking area is constructed with provision to prevent the unregulated discharge of surface water from the driveway and parking area to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of Class A (extensions); Class B and C (roof alterations); D (porches) and Class E (Development within the curtilage of a dwellinghouse).

## **Reasons**

1. For the avoidance of doubt.
2. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc) and to comply with policy LPD61.
3. To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with LPD61.

4. To ensure that the openness of the green belt is retained and residential amenity is respected and to comply with policies LPD14 and LPD32.

### **Notes**

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)

Your attention is drawn to the observations of our Environmental Health Officer with regard to electric vehicle charging points and their inclusion within the development.