

Application Number: 2014/0415
Location: Bank Hill House Bank Hill Woodborough Nottinghamshire



NOTE:

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Report to Planning Committee

Application Number:	2014/0415
Location:	Bank Hill House Bank Hill Woodborough Nottinghamshire
Proposal:	Proposed replacement dwelling and new field access within the site.
Applicant:	Speedograph Ltd
Agent:	Mr Alan Heafford

Site Description

The application site, Bank Hill House, relates to a traditional two-storey dwelling in an isolated position within the Green Belt of Nottinghamshire. The dwelling is situated to the north of Bank Hill and development on the site includes a detached double garage and a large outbuilding that abuts the boundary with the adjoining highway with garage doors. The application site occupies a substantial plot which has a steep gradient falling from the front southeast to rear northwest boundary of the site. Bank Hill also slopes from southwest to northeast on a gentle decline. The existing dwelling is sited in a prominent location in the southwest corner of the application site.

Proposed Development

Full planning permission is sought for the erection of a replacement 5 bedroom dwelling which would be sited in a more central location in the application site. Given the topography of the land the dwelling would be set over 3 floors with a lower ground floor basement area and rooms within the roof slope. The design incorporates various sections and roof designs.

The dwelling is designed in various sections with a two storey element to the southwest, a central single-storey element and a lower ground floor built into the slope of the land. The floor area of the proposed dwelling would account to 470sq m.

A Design and Access Statement has been submitted with the application.

Consultations

Woodborough Parish Council – No objection

Nottinghamshire County Council (Highway Authority) –

The proposal is to demolish the existing dwelling and re-use the 2no access points. The access to the existing garage area to the right is acceptable, however the access to the left will require to be brought up to current standards as the verge is stoned and not hard surfaced.

The verge fronting the site has been stoned and will be required to be reinstated as verge at the applicant's expense.

In light of the above the Highway Authority have no objections subject to conditions with regards to the hard surfacing of the driveway and the highway verge.

Nottinghamshire County Council (Forestry Manager) – The loss of shrubs and small trees as indicated will not be significantly detrimental to the overall visual amenity of the area.

Severn Trent – No objections received.

Neighbouring Properties were notified and a Press Notice and Site Notice were posted advertising a departure and no letters of representation were received as a result.

Planning Considerations

In my opinion the main planning considerations in the determination of this application are the impact on the openness of the Green Belt, the size and design of the proposal and impact on the character and appearance of the area, and the impact on neighbouring amenity.

Relevant Planning Policy

The relevant national Planning Policy guidance in respect of these matters is set out in the National Planning Policy Framework (March 2012) (NPPF).

In relation to this proposal the most relevant paragraphs of the NPPF are paragraphs 79, 89 and 87 which relate to Green Belt and paragraph 64 which relates to design.

At local level the following policies of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008) are relevant: -

- ENV29 – Replacement Dwellings in the Green Belt;
- H16 – Design of Residential Development; and
- ENV1 – Development Criteria.

The Gedling Borough Council Parking Provision for Residential Developments (SPD), is also relevant.

Impact on Green Belt

The key consideration in Green Belt terms, in relation to this proposal, is whether the openness of the Green Belt would be affected by the proposal. The NPPF at paragraph 89 indicates that a replacement dwelling should not be materially larger than the one it replaces. The sub-text to Local Plan Policy ENV29 indicates that a materially larger dwelling may be one that is more than 50% of the original floor area and that an enlarged dwelling above this level would be inappropriate development in the Green Belt.

I note the calculations that have been submitted with the application show that the existing dwelling and outbuildings have a floor area of 295 square metres. The proposed dwelling has a floor area of 470 square metres. This represents an increase of 59% over the original floor area. The sub-text to Local Plan Policy ENV29 would indicate that this would be materially larger and would be inappropriate development in the Green Belt.

In relation to the Local Plan, the proposal is therefore considered to be inappropriate development. Whilst the Local Plan Policy indicates that the development is materially larger than the original dwelling, because it would have a floor area 59% over that of the original dwelling, the NPPF at paragraph 89 does not give an indication of what size may be considered to be inappropriate. Paragraph 89 refers to ensuring that the replacement dwelling is not materially larger than the one it replaces. In my view Paragraph 79 of the NPPF needs to be also considered, which states that the essential characteristics of Green Belt are their openness and their permanence. In my opinion the key consideration in determining whether the dwelling is materially larger than the original dwelling is the impact that the proposal would have on the openness of the Green Belt. To assess impact on openness in this instance a number of factors need to be considered. The additional aspects that need to be considered are the height of the existing dwelling and outbuildings and the form that the existing development takes on site, in comparison to the proposed replacement dwelling.

The existing dwelling is located on the highest point of the site and is positioned on the south western boundary of the site. The dwelling is 25m long, it is 8m wide at its widest point and at its narrowest width it is 4m wide. It has a maximum height of 6.4m. To the east of the dwelling is a garage. This garage is located directly off Bank Hill and measures 11m by 5.5m, it has its longest edge siding onto Bank Hill. The garage is single storey and has a maximum height of approximately 4.0m. There is another detached garage, located 25m to the east of the existing dwelling house. This garage is 6m by 6m and is approximately 3.5m in height.

The proposed new dwelling would be sited towards the centre of the site. The eastern elevation would be positioned 4m from the eastern boundary. The new dwelling would be located on a lower part of the site and would be set back 18m from the highway. It has been designed to take account of the site slope so that from the highway the property would appear to be mainly single storey, whilst to the rear and side elevations it would be two storeys with a basement below. The new dwelling would be 6.4m in height, though one of the gables would have a ridge height of 7.4m.

If planning permission were to be granted, the proposal would result in one building

being provided in a central location, it would be of a similar height to the existing dwelling, but its position on a lower part of the site would mean that it would be less prominent when viewed from the road. Given the change to the built form of the site, I do not consider that the proposed dwelling should be considered to be materially larger than the existing dwelling on site, because the proposal would not increase the impact on the openness of the Green Belt at this location. I therefore consider that on balance the proposed development would accord with paragraphs 89 and 79 of the NPPF.

As the site is located within the Green Belt and in order to protect the openness of the Green Belt at this location in the future, if members were minded to approve this application it is recommended that a condition be attached to remove permitted development rights. This would enable the Council to retain future control over the creation of any extensions or curtilage buildings.

Should planning permission be forthcoming a condition would be attached requiring the existing dwelling and outbuildings to be demolished prior to the construction of the new dwelling.

Design and Impact on Surrounding Area

Both policies ENV1 and H16 require development to have no adverse impact on their surroundings. In my opinion, the repositioning of the dwelling would assist in enabling a new hedge to be planted to the site frontage and trees to be planted along the western boundary. This would result in positive benefits for the visual appearance of the surrounding area. The repositioning of the dwelling would also improve the visual impact of the building on the character and appearance of the area. The proposed development would therefore comply with policies ENV1 and H16 of the Local Plan. The proposal would also accord with paragraph 64 of the NPPF which seeks to ensure that new development takes opportunities for improving the quality and character of an area.

Highway Issues

I am satisfied that the proposed development would provide sufficient off street car parking in accordance with the Gedling Borough Council Parking Provision for Residential Developments (SPD).

I note that the existing outbuilding has garage doors facing onto the highway which I consider could be a potential hazard. Given the proposed garage to serve the dwelling would be located within the site away from the highway boundary I consider the proposal would result in an improvement to highway safety. I note the comments from the Highway Authority and as such I am satisfied that there would be no undue highway safety implications as a result of the development. Should planning permission be forthcoming the suggested conditions would be attached to any approval.

Impact on Neighbouring Residents

Given that there are no neighbouring properties bordering the site, I am satisfied that

the new dwelling would have no undue impact on residential amenity.

Other Issues

I note the comments from the Wildlife Trust with regards to the protected species survey on the site. Whilst no survey has been submitted the dwelling is still in occupation and should planning permission be forthcoming a notification would be attached to any approval advising of the comments received from the Wildlife Trust and that all bats are protected by the Wildlife and Countryside Act.

I note the comments from the Forestry Manager and as such I am satisfied that the development would not harm any trees of significance during the construction. Should planning permission be forthcoming I would suggest attaching a condition requiring a landscape plan showing the position and species of trees and planting given that the existing dwelling is to be demolished and the new dwelling would be sited in a different location. The site of the old dwelling should be landscaped in accordance with the plans before the development is first brought into use.

Conclusion

For the reasons highlighted above I recommend that planning permission be granted.

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. The development hereby permitted shall be completed in accordance with the submitted plans received on 21st March 2014 drawing no's: 14.232.02, 14.232.01, and 13-60-01.
3. Before development is commenced there shall be submitted to and approved by the Borough Council details of the materials to be used in the external elevations of the proposed dwelling. Once approved the development shall be carried out in accordance with these details, unless otherwise agreed in writing by the Borough Council.
4. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted

5. The approved landscape shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.
6. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. The proposed means of surfacing shall be completed in accordance with the approved details before the dwelling is first occupied.
7. No part of the development hereby permitted shall be brought into use until the vehicular verge crossing has been hard surfaced along the verge to bring it up to the Highway Authority specification to the satisfaction of the Borough Council.
8. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
9. No works permitted under Class A, B, C, D or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council.
10. The existing dwelling and outbuildings shall be demolished prior to the commencement of the construction of the new dwelling.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt
3. To ensure a satisfactory development in accordance with policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008)
4. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).
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6. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

7. In the interests of highway safety.

8. In the interests of highway safety.

9. In order to protect the openness of the Green Belt, in accordance with the aims of Policy ENV28 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).

10. To ensure that the existing dwelling and outbuildings are demolished prior to the construction of the replacement dwelling in order to ensure that there is only one dwelling on the site, so as to protect the openness of the Green Belt in accordance with the aims of Policy ENV29 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

In the opinion of the Borough Council the proposed development is acceptable in terms of Green Belt policy, results in no significant impact on the openness of the Green Belt nor does it impact upon the amenity of occupiers of neighbouring properties and highway safety. The proposal therefore accords with the National Planning Policy Framework (2012) and policies ENV1 (Development Criteria) and ENV29 (Replacement of dwellings in the Green Belt) of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Notes to Applicant

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. 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.

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence

at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

The proposal makes it necessary to hard surface the vehicular crossing over the verge of the public highway and reinstate the verge fronting the site back to verge. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.

Planning 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.