



Planning Report for 2023/0140



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Report to Planning Committee

Application Number:	2023/0140
Location:	Glebe Farm, Glebe Drive, Burton Joyce NG14 5BA
Proposal:	Erection of dwelling (amendments to plot G6).
Applicant:	Glebe Farm Developments
Agent:	Guy St John Associates Architects Ltd
Case Officer:	Nigel Bryan

This application has been referred to Planning Committee to comply with the Council's Constitution as the application would need to be accompanied by a Legal Agreement to secure contributions achieved through outline permission 2016/0306.

1.0 Site Description

- 1.1 The application site comprises a small parcel of land within the larger Glebe Farm development that has permission on it for the erection of 14 dwellings. Development has commenced on site and a number of dwellings toward the site entrance have been built and occupied whilst dwellings to the rear are in the process of being erected. Land to the east and north remain in agricultural use and are open fields. There is a significant change of levels through the application site in general with the application site raised above the adjacent property on Bulcote Drive.
- 1.2 The application site is currently vacant save for housing some building material associated with the wider development of Glebe Farm.

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.
- 2.5 Reserved matters approval was sought under reference 2020/0475 for the erection of some 14 dwellings. The application was granted consent on the 30th October 2020 having been considered at the Planning Committee of 21st October 2020.
- 2.6 Application 2020/1303 was approved for 'application for the approval of reserved matters (layout, landscaping, scale and appearance) for the erection of 3 dwellings pursuant to outline approval 2016/0306 (plot substitution of R1, R4, R5 of reserved matters approval 2020/0475)' having been determined under delegated powers on the 26th February 2021.
- 2.7 Application 2021/1114 was refused permission to 'Demolish farmhouse and farm buildings and construct 2 No. detached dwellings'
- 2.8 Application 2021/1321 was granted permission on the 1st March 2022 having been considered at the Planning Delegation Panel of the 25th February for the 'Erection of dwelling (amendment to plot Y2)'.
- 2.9 Application 2022/0748 was granted permission on the 19th October 2022 having been determined under delegated powers for the 'Erection of dwelling (amendments to plot G3 of planning permission 2020/0475)'.
- 2.10 Two Non-Material Amendment (NMA) applications to plots within the wider site have recently been granted permission; 2022/0557NMA and 2022/0443NMA.

3.0 Proposed Development

- 3.1 The application is for the erection of a dwelling on land of the former Glebe Farm site. The application is submitted in full and is a standalone application and would, in effect, be for alterations to plot G6 that was approved under outline and reserved matters applications 2016/0306 and 2020/0475 respectively.
- 3.2 The key change to the application is that the original dwelling was proposed to be a two-storey dwelling with the revised application to create a split level dwelling, parts of which would be spread over 3-floors. It is identified by the

applicant's agent that the change is as a result of looking to create additional space for the proposed purchaser and given the large change of levels through the application site that allows for a split-level property.

- 3.3 The dwelling originally approved on the plot would have had 5 bedrooms spread over two floors with an integral garage. The proposed dwelling would still have 5 bedrooms but with additional living space on the lower ground floor. The dwelling would appear as two-storey from within the development but three-storey on the rear (facing the open field) and side elevations (facing toward Bulcote Drive). To accommodate the additional storey the dwelling would increase in height by 0.9m with the majority achieved by lowering the dwelling into the site by 1m; the detached garage would now be linked and have accommodation over it too.

4.0 Consultations

4.1 Highway Authority – no objection;

4.2 Burton Joyce Parish Council (BJPC) – no comments received;

4.3 Environmental Health – no comments received.

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. As a result of public consultation no responses have been received.

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.

Policy 19: Developer Contributions – sets out the criteria for requiring planning obligations.

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 and two subsequent reserved matters applications (ref: 2020/0475 and 2020/1303). Therefore, despite the application site being within the Green Belt, the principle of development has been established and the application is for alterations to the previously approved dwelling to be built on plot G6. Notwithstanding that the principle of development is supported there is still a need to have regard to the impact on the openness of the Green Belt, planning history of the site, residential amenity and a need to secure contributions achieved on the site.

Impact on the green belt

- 6.2 It should be noted that when the original 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

	Existing	Proposed
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
Total:	3514sqm	2724.5sqm

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
Total:	18,344 cubic metres	16,892 cubic metres

When reserved matters approval 2020/0475 was granted permission the impacts on openness were again covered in some detail, as outlined in the below tables, and covered matters in respect of both footprint and volume.

Structure	Proposed Footprint Area (sqm)		Retained Footprint Area (sqm)	
	Unit	Garages		
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		Total
Totals	1602*	583	443	2628sqm

Structure	Proposed volume (sqm)		Retained volume (sqm)	
	Unit	Garages		
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		Total
Totals	10,608	2,612	2,631	15,851 cubic metres

6.3 Since the original outline and reserved matters approval were granted there have been further amendments through the grant of reserved matters approval 2020/1303 and two further standalone permissions for dwellings, the cumulative volume impacts of that approval are outlined below.

Volume approved under 2020/0465 -15,851
Additional volume approved under 2021/1303 – 270
Additional volume approved under 2021/1321 – 48
Additional volume approved under 2022/0748 – 89
Total approved volume 16,258

- 6.4 The additional volume proposed as part of this application is 166 cubic metres, making a total 16,424 cubic metres. Therefore, having regard to outline application it is considered that the proposal complies with the original outline permission in that the volume of built form would be less than what was originally on site. There is a need to take into account the impact on openness and whilst there would be an increase in height of the building from that previously granted permission it is apparent that there are a number of dwelling that have accommodation over three floors. The larger units for the site, in terms of height, are also primarily in this area of the site.
- 6.5 Therefore, having regard to the above it is considered that the alteration to the plot would not conflict with the matters approved at the outline stage nor would the proposal have a detrimental impact on the openness of the green belt having regard to the built form that surrounds it. These matters, in particular the planning history of the site, are considered to be the very special circumstances that would allow what would otherwise be considered inappropriate development within the Green Belt. The application is, therefore, deemed, on balance, to comply with guidance within the NPPF and LPD14.

Impact on residential amenity

- 6.6 The proposed dwelling would be sited in the same location as previously approved. In terms of changes it is noted that the dwelling would be 0.9m taller than previously approved, sited 1m lower and parts, including the elevation adjacent to Bulcote Drive, would be over three-storeys.
- 6.7 Within the wider application site the changes would be negligible in that the dwelling would appear to be two-storey and still appear lower than the nearest neighbouring property, plot G5. Therefore, it is not considered that the alterations would have detrimental impact on the amenity of dwellings proposed to be erected adjacent to the application site.
- 6.8 The increase in height would have an impact on views from the property on Bulcote Drive; however, there would be a rear garden depth of 10m and the nearest dwelling on Bulcote drive, number 55, would be some 30m away. Therefore, whilst there would be an increase in scale of the proposed dwelling, it is not considered it would result in any significant increase given it would be 0.9m taller and separation distances to neighbouring properties. As a result, the application is therefore deemed to comply with policy LPD32 guidance within the NPPF.

Other considerations

- 6.9 It should be noted that a number of issues including drainage, flooding, protected species and highway matters were considered at the outline stage. Further details would need to be secured in respect of a detailed landscaping

scheme, which can be done via condition, and with the proposal being a standalone development, a condition requiring EV charging can also be sought and is deemed to comply with LPD11.

Section 106 Legal Agreement

- 6.10 When outline permission (2016/0306) was granted on the larger site a section 106 Legal Agreement was signed and secured contributions toward education, primary healthcare, public open space and an employment and skills plan, to mitigate the impact of the development. The lowest trigger point within the Legal Agreement is the approval of public open space on 80% occupation. Given that two standalone dwellings have been approved permission (references: 2021/1321 and 2022/0748) allowing a third would mean the trigger of 80% would not be met. Therefore, to ensure that public open space is approved there is a need for a deed of variation to bind any new permissions on the site to the original S106 Legal Agreement. The agreement is required to comply with policy LPD21 and ASC19.

Conclusion

- 7.0 The principle of residential development is accepted following the grant of outline planning permission 2016/0306 and reserved matters approval 2020/0475. This full application would result in an increase in size of plot G6; however, having regard to the planning history of the application site and built form that would surround it, it is deemed that the impact on openness of the Green Belt would be acceptable and very special circumstances have been demonstrated to allow what would otherwise be in-appropriate development. The design of the dwelling would on certain elevations be relatively contemporary but having regard to the built form that surrounds it, it is not considered that the proposal would be out of character with the area nor be harmful to the amenity of surrounding properties.

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 PLANNING PERMISSION: Subject to the owner entering into deed of variation to tie this permission to the obligations secured through outline planning permission 2016/0306; and subject to the conditions listed for the reasons set out in the report.**

Conditions

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:
Location plan - G6(08)101

Proposed site plan - G6(19)1010

Elevations as proposed - G6(08)301

Floor plans as proposed - G6(08)201

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

3. There shall be no gates or other physical barriers erected across the shared private road at any time.
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).
5. Prior to above ground works commencing, a scheme of landscaping showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
6. From the date of first occupation of the dwelling one or more dedicated vehicle parking spaces and/ or a garage shall be provided with access to an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.

Reasons

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt.
3. To ensure that the public open space is accessible and that the character of the area is respected and to comply with policies LP21 and to comply with policy ACS10.
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.
5. To ensure that the character of the area is respected and to comply with policy LPD19.

6. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.

Informatives

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