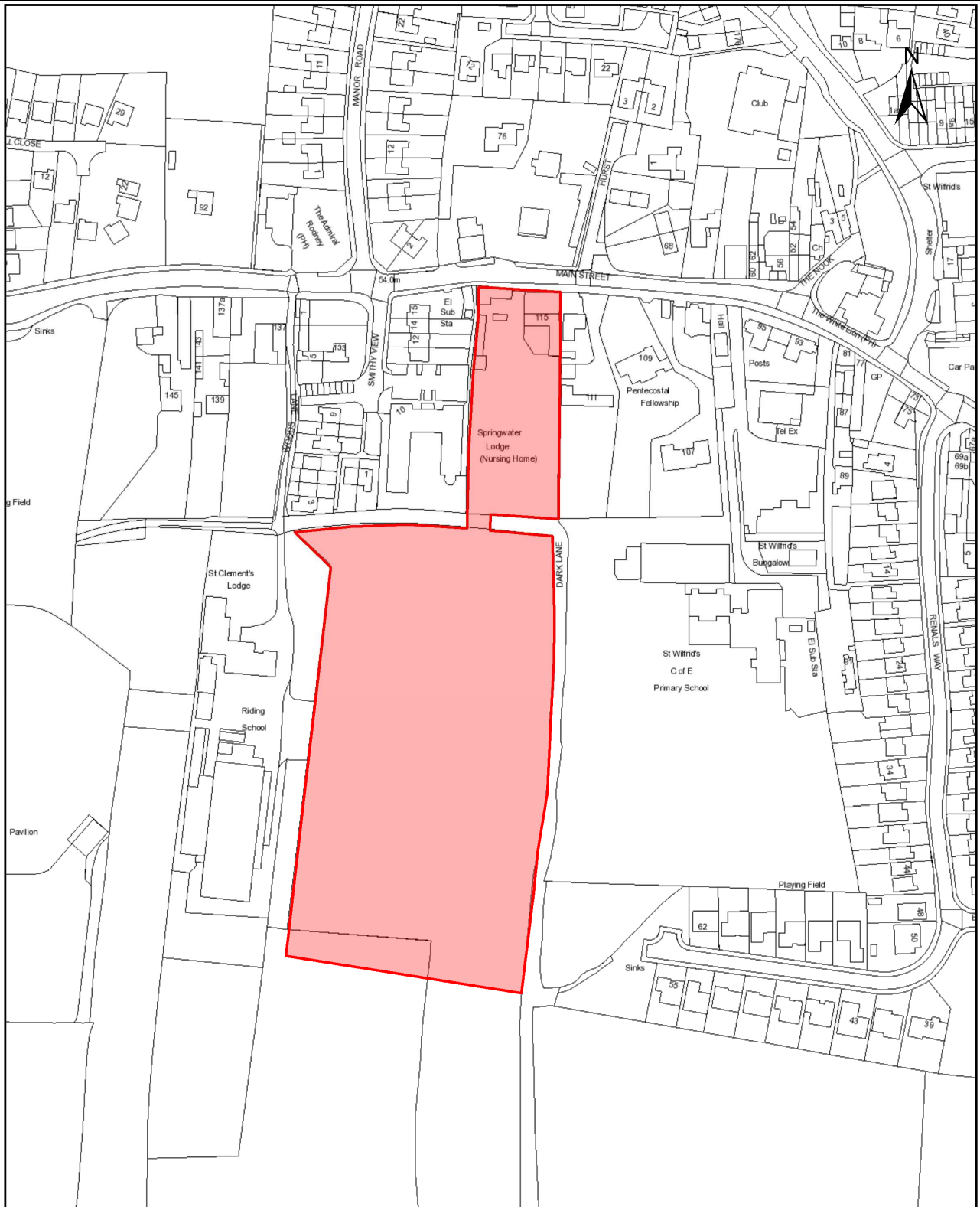


Planning Report for 2012/1503

Location :

115 Main Street Calverton Nottingham



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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APPLICATION NO: 2012/1503

LOCATION: 115 Main Street Calverton Nottingham NG14 6FG

PROPOSAL: Reserved matters application (appearance, landscaping and scale) further to outline appn 2005/0910.

APPLICANT: Mr Roger Foxall

AGENT: Mr Jennifer Bayes

Site Description

The application site relates to land to the west of Dark Lane Calverton and includes land allocated for housing in the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

The front portion of the application site sits outside the land allocated for housing in the Replacement Local Plan and forms the curtilage of no.115 Main Street and an adjacent sub-station. This portion of the site has an approximate size of 0.39 hectares and rises in level from north to south. Calverton Footpath 14 (Dark Lane) dissects the lower and upper portions of the application site and also sits adjacent to the western boundary of the application site.

The larger upper portion of the site is the Dark Lane housing allocation and measures approximately 2.2 hectares. The site rises in level from north to south with the southern boundary sitting approximately 10.0m higher than the northern section of Dark Lane.

Relevant Planning History

The southern portion of the application site comprises the main site in terms of housing provision in this application and was allocated for housing in the Local Plan which was adopted on 12th July 2005. In respect of the Local Plan process, a number of complaints were made to the Ombudsman but no mal-administration was found.

In 2008 a number of policies were saved including Policy H2 'Distribution of Residential Development' which states that planning permission will be granted for residential development on sites including H2 (g) Dark Lane, Calverton where 110 dwellings are anticipated.

The northern portion of the application site relates to the curtilage of no.115 Main Street and includes a series of barns and an orchard. This part of the application site was incorporated into the Calverton Conservation Area as part of the Calverton Conservation Area Character Appraisal (CCACA), which was adopted in February 2007.

The Development Brief for the site was adopted in July 2008. The Brief acknowledges the CCACA and that the curtilage of 115 Main Street with its barns, orchard and site access are now incorporated into the Conservation Area Boundary.

An application for outline planning permission was submitted in 2005, determination of the application re -began in the summer of 2010 following the conclusion of a Public Inquiry into an application for Village Green status. Outline Planning permission was granted on 27th November 2012 for layout and means of access for a total of 72no. dwellings (3no. dwellings to the northern portion of the site within the existing residential curtilage of no.115 Main Street and the remaining 69no. dwellings to the southern portion of the site which was allocated for housing in the Replacement Local Plan). Barns within the existing residential curtilage of no.115 Main Street were also indicated to be partially rebuilt and converted to B1(a) office use.

A separate application for Conservation Area Consent to demolish some of the existing barns to facilitate the development of the site was also granted permission on 27th November 2012.

Proposed Development

This application now seeks approval of the matters reserved in relation to Appearance, Landscaping and Scale, pursuant to outline planning permission no: 2005/0910.

Elevation plans have been submitted for the 72no. detached, semi-detached and terraced dwellings, bungalows and flats approved at the outline stage which consist of:

- 3no. five bedroomed dwellings north of footpath no.14 situated within the Conservation Area
- 69no. dwellings to the southern allocated portion of the application site consisting of:
 - 4 x two-bedroomed flats
 - 21 x two-bedroomed dwellings
 - 18 x three-bedroomed dwellings
 - 19 x four-bedroomed dwellings
 - 3 x five-bedroomed dwellings
 - 4 x two-bedroomed bungalows

The proposed dwellings would be of a traditional style, predominantly two-storeys in height, with eaves heights ranging between 4.7metres and 5.2metres and ridge heights ranging between 6.5 metres and 8.3 metres. The bungalows located adjacent to the southern boundary of the application site would have an eaves height of 2.4 metres and a ridge height of 5.3 metres.

The proposed dwellings would have off-street parking provision on driveways and garages, and plans of the garages and an illustrative plan of the car ports have been provided.

A revised materials schedule has been submitted proposing Ibstock Birtley Olde English bricks and Sandtoft Neo clay pantiles to the buildings situated within the Conservation Area. Ibstock Kielder Red Blend and Ibstock Grainger Antique facing brickwork is proposed to the upper site outside the Conservation Area along with Ibstock Staffordshire Slate Blue brick plinth and eaves details. Dark grey Sandtoft Dual Calderdale concrete tiles and terracotta red Sandtoft concrete pantiles are proposed outside the Conservation Area. The application is accompanied by a plan

showing proposed character areas to be read in conjunction with the materials schedule.

Plans with a schedule of works to demolish, refurbish and extend the barns within the curtilage of no.115 Main Street have been submitted. A schedule of works timetable setting out that works are scheduled to commence in October 2013 was submitted on 13th August 2013.

The submitted plans include an existing levels plan and the proposed finished floor levels with sections across the application site.

Vehicular access and the highway layout within the site were approved at the outline stage. This application is accompanied by detailed highway layout drawings and drawings to address issues set out in the conditions of the outline consent including a plan to show traffic regulation orders on Main Street and the northern section of the site adjacent to the junction with Main Street, a swept path analysis, highway drainage plans and a crossing detail where the proposed access meets Calverton Parish Footpath no.14.

Surfacing includes Marshalls Tegula paving (in Burnt Ochre colour) to the initial section of highway adjacent to the junction with Main Road, the crossing over public footpath no.14 and a further junction to the upper southern portion of the site, block paving to driveways and private drives, grassed lawns and slab patio areas. The remaining highway land and the proposed footpath to the area of public open space would be surfaced in tarmacadam.

Boundary treatments on the site include 1.8m high timber fencing to rear boundaries, 1.8m brick walls to rear boundaries visible from the street at Plots D06, D07, D15 and A14, a 1.2m brick wall to the rear boundaries visible from the street to Plot C16 which is sited towards the southern boundary of the application site. Boundary hedges are proposed to some front boundaries to the upper southern portion of the application. Shrub planting and raised planters are proposed to some front gardens. To the perimeter of the site boundary hedges are proposed to the western and eastern boundaries of the upper southern part of the application site. Revised plans were submitted to clarify the western boundary treatment to Plot D11 and this is indicated to be a 1.8m high Hedera 'Green Screen'. A boundary hedge is also proposed to the boundary of the public open space and Plot nos. A1 and A17.

Detailed landscape plans have been submitted. The submitted plans indicate trees to be retained, removed and to be planted and a tree protection plan has also been submitted. To the southern boundary of the upper portion of the application site, a revised plan has been submitted showing the depth of the proposed woodland screen to be increased from 4.4m in depth to 6.6m in depth. 1.8m high stock proof fencing is proposed to the perimeter of the woodland screen. Trees to be planted within the woodland screen are ash, cherry and apple trees. A random mix of woodland planting is proposed within the woodland screen and a hedge is proposed to the boundary of the woodland screen with the adjacent field.

The submitted plans also show a planting mix for the public open space with the previously approved dry pond and swale.

Revised plans have been submitted during the processing of this application to address the following issues:

- The provision of chimneys to dwellings within the Conservation Area.

- An amended materials schedule.
- Removal of the most southerly potential footpath link given it would need to negotiate a significant change in level.
- Trees originally shown for removal which were situated outside the application site are now shown to be retained.
- Clarification of the boundary treatment to Plots D11 and D12 to consist of a green screen.
- Provision of plans for all proposed housetypes.
- Provision of revised garage and carport plans.
- Confirmation that an existing Cherry tree within the proposed curtilage of no.115 Main Street is to be removed to facilitate the erection of a new barn serving this property.
- An increase in depth to the proposed woodland screen to the southern boundary of the site.

The application is also accompanied by detailed drainage plans, a Bat Mitigation Strategy (Revision A submitted on 13th August 2013), the previously submitted Phase 1 and 2 Geo Environmental Report, an Archaeological Survey and Metal Detector Report.

Consultations

Calverton Parish Council – The Parish were unhappy with the facing bricks and roofing tiles specified with the details originally submitted as part of this application. As the designated body for developing a Neighbourhood Plan, Calverton Parish Council has given consideration to new builds that impact on the Conservation Area and its setting. It is felt that building materials should be sympathetic to the vernacular style wherever possible. For proposed buildings north of Dark Lane, materials should include Ibstock Birtley range facing bricks, clay pantiles, black rainwater goods, white painted timber windows and vertically boarded timber garage doors. House designs should include appropriately scaled chimney stacks.

Due to the sensitive historic nature of the remainder of the site (south of Dark Lane) it is hoped that a similar design standard can be applied throughout in order to minimise the negative impact on the setting of the Conservation Area and the Scheduled Ancient Monument. At minimum, due to the visibility of the site because of the gradient of the land, there should be a requirement for clay pantiles and facing bricks selected from Ibstock's Birtley range, Holbeach Antique or Kielder Red Blend.

The Parish hoped that the plans will be modified to be in accordance with the emerging Neighbourhood Plan. This plan emphasises local heritage and as such the Parish consider that Plot C19 should be deleted due to its proximity to Keenwell and the potential footpath link just to the north of Keenwell should not be implemented (due to both the sensitivity of the historic Keenwell and the degradation it would cause to the ancient hedgerow of Dark Lane).

Following re-consultation on the revised details submitted the Parish welcomed the changes made to material types, however raised concern that not all their previous recommendations had been incorporated. The Parish consider that the houses to be built within the Conservation Area should have white, wooden window frames and should have appropriately scaled chimneys. All houses outside the Conservation Area should be tiled in Sandtoft double pantile-terracotta red. The Parish consider that these recommendations are in conformity with the emerging Neighbourhood Plan and recent Ministerial announcements, encouraging greater and more meaningful community consultation should be treated as material considerations.

The Development Brief stipulated the importance of heritage design standards for this sensitive site.

Notts County Council (Highways) – It is understood that the current application is a reserved matter application for appearance, landscaping and scale.

Having considered that the access and layout has already been considered previously as part of the outline planning permission reference 2005/0910 and that no further amendments have been made to the road layout except the addition of a temporary turning facility, the Highway Authority has no objections to offer in principle to the proposed development.

It should be noted that the temporary turning facility within the 1st phase of the development will not be considered for adoption so that it can be maintained at the public expense. As indicated on the attached plan submitted with this application it should be removed once an alternative turning facility within the phase 2 of the development has been constructed to the satisfaction of the Borough Council and is available for use.

Whilst assuming that previous conditions as per planning permission reference 2005/0910 (Decision Notice dated 27th November 2012) are still valid, the Highway Authority request that additional conditions are attached to any consent relating to the provision and later removal of the temporary turning facility.

The Highway Authority have no issue with discharging the part of the condition 9 (2005/0910) in relation to details of the wheel washing facility. The exact location of such a facility can be addressed at S38 technical approval and the site inspections stage.

Notts County Council (Archaeology) – The geophysical survey has identified a number of anomalies of possible archaeological origin, and the County Council's Archaeologist concurs with the survey conclusions in section 7 that further work is advisable. The survey suggests trial trenching or a "strip map and sample" strategy be carried out. The metal detecting report was also very interesting, as the finds located included a possible Roman coin, a Medieval silver coin, and a scatter of lead shot. The authors of the report suggest these are casual losses, and that the musket and pistol balls derive from shooting vermin or game. They are possibly correct on both counts, although in the County Council's Archaeologist's experience this kind of cluster of lead shot tends to be found when looking for skirmish sites of, for instance, the Civil War period, or later target shooting. The County Council's Archaeologist requested the metal detecting survey at the Outline planning stage because a gold coin of the pre-Roman period had been found just outside the site some years ago, which with the find of a second at the County Council's excavation by the Iron Age and Roman site on the hill above at Fox Wood makes this a significant area for such finds in the County. The Roman coin is therefore also of added interest.

Between the two reports the County Council's Archaeologist is sure further work is advisable, and is happy to accept the suggestion in the survey submitted for a "strip, map and sample" exercise. This is a standard method of archaeological investigation at development sites and involves the topsoil strip of the site being undertaken carefully under archaeological supervision, with appropriate allowance for the proper recording and investigation of archaeological features uncovered, and suitable contingency provisions in the case of unexpectedly significant remains being uncovered. The County Council's Archaeologist recommends that once the applicants have supplied an appropriate written scheme of investigation to cover this

work, the first part of the condition can be discharged, with the second part being discharged once the archaeological work has been implemented and reported upon to the Borough Council's satisfaction. The County Archaeologist would be pleased to monitor this work and to advise on the suitability of the submitted scheme and its implementation.

Environment Agency – The planning condition, relating to the proposed surface water drainage, as stated in the Environment Agency's comments on the outline application is still applicable. Additional information is required from the applicant before the Environment Agency would be able to provide further advice as to whether the condition attached to the outline consent can be satisfactorily discharged. The additional information required includes plans/calculations showing infiltration rates at the proposed soakaway locations to confirm if soakaways are feasible, confirmation as to whether the block paving shown on the development layout will be permeable and can therefore be classed as another form of sustainable drainage, details of a sustainable form of drainage to the northern section of the proposed development, a proposed drainage layout/schematic and/or calculations to confirm the surface water drainage system has sufficient capacity for a range of rainfall events and further details of the overland flood flow route from the northern swale. The responsibility of the future maintenance of the surface water drainage system (including SUDS features) should also be confirmed.

Severn Trent Water – Confirmed the submitted drainage details are acceptable and sufficient to discharge condition 16 attached to 2005/0910.

Nottinghamshire Wildlife Trust – No comments to make.

Police Architectural Liaison – No comments received.

English Heritage – Their previous advice relating to application nos.2005/0910 and 2010/0514 focused on the impact of the outline proposals on the setting of the scheduled monument, Fox Wood earthworks, and the loss of the barns, which they considered would have a harmful impact on the significance of the conservation area. English Heritage further considered that the supporting information was insufficient to justify the demolition of these structures within the conservation area. In their most recent letter relating to the previous applications English Heritage recognised the reduction in housing and layout which pushed the housing back to follow the existing housing line established to the east of the site. However the housing would still result in a loss of open space, harming the rural relationship between the scheduled ancient monument (on higher ground) and conservation area. Accordingly English Heritage recommended that the Borough Council judged whether the case had been fully made in accordance with the National Planning Policy framework (para.134), weighing up the public benefit of housing against the harm to significance of both the designated and non-designated heritage assets.

In determining the reserved matters application, this advice remains and English Heritage also refer the Borough Council to relevant paragraphs within the NPPF in respect of new development and revealing significance. Paragraph 131 refers to the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 137 states that Local Planning Authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

English Heritage also recommend further guidance is sought from relevant publications including Manual for Streets 2 (2010), Building in Context: New Developments in Historic Areas (first pub.2002) and The Setting of Heritage Assets (English Heritage 2011).

With regard to the potential for impacts on buried archaeological remains within the footprint of the proposed development, English Heritage repeat their recommendation that the Borough Council is guided by the County Council's Archaeologist.

English Heritage recommend that the application be determined in accordance with national and local policy guidance and on the basis of the Borough Council's specialist conservation advice.

Natural England – The proposal is unlikely to affect any statutorily protected sites or landscapes.

From the information available to Natural England, the proposal is likely to affect bats, through disturbance to individuals, or from damage or destruction of a roost. However, Natural England are satisfied that the avoidance or mitigation measures proposed would be sufficient to maintain the favourable conservation status of the species.

Scientific Officer – Is aware of the Phase 1 and 2 Geo Environmental Report which has been resubmitted as part of this application and also received a remediation method statement (RMS) from OPUS in July 2012.

Planning conditions 27 and 28 (2005/0910) would apply still however, as verification of the remediation works outlined in the RMS need to be submitted and approved. As such the Scientific Officer recommends that conditions 27 and 28 of the Outline consent are carried over.

Notts County Council (Rights of Way) – The Rights of Way Officer initially commented that this application may impact on public footpath no.14 in Calverton Parish which runs both through and alongside the eastern boundary of the site.

Whilst not an objection, the Rights of Way Officer requires that the availability of the footpath is not affected or obstructed in any way by the proposed development in this location. The Rights of Way office asked that they be consulted with regards to any re-surfacing issues and that developers be made aware of potential path users in the area who should not be impeded or endangered in any way.

The further comments of the Rights of Way Officer were received in respect of the crossing detail submitted relating to the proposed vehicular access' junction with Footpath no.14. The Rights of Way Officer confirmed that they have no objections to the proposed works or materials to be used.

The Rights of Way Officer advised that if the footpath requires closing at any time for the works to be carried out then the contractors must apply for a formal closure.

The Ramblers Association – No comments received

Nottingham Fire and Rescue – Ask whether the blocked paved areas of the cul-de-sac's are compliant with ADB: Vol 2, 16.11 and Diagram 50 (Turning Facilities)?

Also query whether the provision of hydrants will be in accordance with ADB: Vol 2, 15.7b?

Nottingham Fire and Rescue confirm that they have no other comments/observations to make.

Forestry Manager – Confirmed that the information supplied with regard to reserved matters further to application 2005/0910 is as requested in their previous comments.

The Forestry Manager's only area of confusion is with regard to the Large Cherry Tree as identified to the main entrance to the site on drawing LO1. The protection zone of this tree extends through a building and clearly this is both unworkable and impractical solution to safe tree retention.

All other issues raised in conditions 4, 5, 22, 18 and 19 of the outline consent (ref.2005/0910) relating to landscaping, tree protection and the proposed woodland screen have been adequately answered.

Urban Design and Conservation Consultant – Originally commented that the plans show very ordinary standard housetypes, no issue as they are acceptable. However, they do not stretch design quality into better architecture but keep the same to the same kind of development being built elsewhere in the Borough. It is a shame we are not seeing new house designs or contemporary architecture.

The Consultant considers that the landscaping details submitted are all acceptable.

Following receipt of revised details including materials for the proposed dwellings and chimneys incorporated to dwellings within the Conservation Area the Consultant advised that they were pleased to see small element paving on the first section of highway from Main Street linking into the site (Burnt Orche Tegula). The Consultant advised that it would be good to see trees to be planted to the front of the site to be semi-mature to make an instant impact. The details submitted in relation to boundary walls and railings are all good. The consultant considers the addition of chimneys on cottages on the approach to the front of the site has improved the scheme.

Housing – No comments received.

Public Protection – No comments received.

Parks and Street Care – The requirement of open space provision in the context of Gedling Borough Council's supplementary planning guidance is to provide open space that meets both active (sport and play) and passive recreational (dog walking, picnicking etc.) needs, was made as increasingly Sustainable Urban Drainage Systems (SUDS) swales are being included as amenity recreation areas in developments.

Whilst developments need to accommodate SUDS, such features themselves have limited amenity/recreational value.

The strip of open space on the Dark Lane development provides a green wildlife corridor, and a place for people to take their dogs for a walk and as such the proposal is accepted in this instance.

The proposed planting mix is suitable for a dry pond and swale and Parks and Street Care have no issues with this.

Parks and Street Care are mindful that the proposed Public Open Space has already been considered at the outline stage and accept the planting proposals provided.

Waste Services – No comments received.

Site and press notices have been posted advertising the application – 2no. written representations have been received raising the following issues:

- House types including doors, windows and garages should be sympathetic to the Calverton village traditional style with red brick and pantile roofing.
- Existing trees and hedges should be retained wherever possible and enhanced.
- Boundary fences, pathways and road surfaces should be in keeping with the surrounding area with subdued designs and restrained colour.
- Street furniture should be kept to a minimum and blended into surroundings.
- Disagree with the previous decision to grant outline planning permission.
- If the development goes ahead it should abide by the Justification Statement (November 2011) submitted with the outline application.
- The proposals would overlook an existing property.
- The proposals would result in a loss of daylight for a neighbouring property.
- The proposals would impact on the outlook of an existing property.
- The proposals would overlook and result in a loss of privacy for a neighbouring property.
- The proposals would result in light pollution.
- The proposals would impact on the quality of life for neighbouring residents especially given the plans allude to a number of three-storey properties.
- Objections made to the previous outline application remain valid.

Planning Considerations

The principle of developing this site with siting and layout to provide 72no. dwellings (69no. dwellings on the allocated portion of the site at a density of 34no. dwellings per hectare), the demolition of existing barns to the side of 115 Main Street as well as their partial rebuilding and their conversion to B1(a) offices, and the provision of access from Main Street has been established through the grant of outline planning permission under application no: 2005/0910.

The main planning considerations in relation to this application, therefore, are whether the matters submitted for approval in relation to appearance, landscaping, and scale are acceptable, having regard to design and the response to local context including the Conservation Area and the Scheduled Ancient Monument at Fox Wood, highway safety, drainage, residential amenity, landscaping and biodiversity.

National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development. The following core planning principles of the NPPF are relevant to this planning application:

3. Supporting a prosperous rural economy
6. Delivering a wide choice of quality homes
7. Requiring good design

- 11. Conserving and enhancing the natural environment
- 12. Conserving and enhancing the historic environment

Locally, the following saved policies of the Gedling Borough Replacement Local Plan 2005 (Certain Policies Saved 2008) (RLP) are relevant in considering the reserved matters:

- Policy ENV1 – ‘Development Criteria’
- Policy ENV2 – ‘Landscaping’
- Policy ENV13 – ‘Demolition in Conservation Areas’
- Policy ENV14 – ‘Change of Use of a Building in a Conservation Area’
- Policy ENV15 – ‘New Development in a Conservation Area’
- Policy H16 – ‘Design of Residential Development’

Gedling Borough Council at its meeting on 13th February 2013 approved the Gedling Borough Aligned Core Strategy Submission Documents which it considers to be sound and ready for independent examination. Consequently, Gedling Borough in determining planning applications may attach greater weight to the policies contained in the Aligned Core Strategy Submission Documents (ACS) than to previous stages, as it is at an advanced stage of preparation. The level of weight given to each policy will be dependent upon the extent to which there are unresolved objections (the less significant the unresolved objections, the greater weight that may be given). It is considered that the following policies are particularly relevant to this planning application:

- Policy 1 – Climate Change
- Policy 8 – Housing Size, Mix and Choice
- Policy 10 – Design and Enhancing Local Identity
- Policy 11 – The Historic Environment
- Policy 17 - Biodiversity

Design & Local Context

The relevant planning policies that need to be considered in relation to design and how well the development responds to the local context are set out in Policies ENV1, and H16 of the RLP, Section 7 of the NPPF and Policies 1, 8 and 10 of the ACS.

Policy ENV1 and H16 of the RLP both ask for development to have regard to the appearance/surroundings of the area and to not adversely affect it in terms of its scale, bulk, form, layout and materials. Policy H16 also requires dwellings to be sited and designed to relate to each other and for residential development to be laid out and designed so as to reduce crime.

Policy 1 of the ACS requires all development proposals to deliver high levels of sustainability in order to mitigate against and adapt to climate change and to contribute to national and local targets on reducing carbon emissions and energy use and sets out how this should be achieved.

Policy 8 of the ACS requires that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create mixed and balanced communities. Affordable housing will be required in new residential developments on appropriate sites.

Policy 10 of the ACS requires all new development to be designed to a high standard and sets out in detail how this should be assessed. All new development should make a positive contribution to the public realm and sense of place and create an attractive, safe, inclusive and healthy environment. Development should reinforce valued local characteristics. Layout, density and mix were approved at the outline stage. In determining this application, consideration needs to be given to the scale of the proposals, the materials, architectural style and detailing and the impact on the amenity of nearby residents. Consideration also needs to be given to the incorporation of features to reduce opportunities for crime and anti-social behaviour as well as the potential impact on important views and vistas and the setting of heritage assets.

The layout of the scheme was approved at the outline stage and therefore the key considerations relating to design relates to the external appearance and scale of the proposed dwellings. I note that following receipt of revised plans, the Urban Design and Conservation Consultant has raised no concerns with regards to the scale of the properties or the choice of materials.

I am satisfied that the scale of the proposal is as anticipated at the outline stage bearing in mind the height of the proposed dwellings reflects the property types annotated on the approved outline plans and overall heights are relatively modest particularly towards the rear boundary of the site where bungalows are incorporated into the scheme. The proposed woodland screen to the southern boundary of the site has also been increased in depth. The properties are of a traditional style and I consider the materials proposed will also aid the relationship with the character of the area. This is considered in more detail below in considering the impact on heritage assets.

I consider the proposed boundary treatments and surfacing details respect the character of the area and aid the transition between the application site and its respective surroundings.

Impact on heritage assets

The main policy considerations in considering the impact of the proposals on the Conservation Area and the Scheduled Ancient Monument at Fox Wood are set out under Section 12 'Conserving and enhancing the historic environment' of the NPPF and Policies ENV13, 14 and 15 of the RLP and the principle of the development and its relationship with heritage assets was assessed in detail at the outline stage. In assessing the details submitted relating to appearance, landscaping and scale particular regard should be given to Paragraph 131 of the NPPF which states inter-alia that in determining applications local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

ENV14 of the RLP requires that any changes to buildings to facilitate a change of use in a Conservation Area will be permitted if it preserves or enhances its contribution towards the character or appearance of the area.

Policy ENV15 of the RLP states inter-alia that the scale, design and proportions of proposals are sympathetic to the characteristic form in the area and compatible with adjacent buildings and spaces. The use and application of building materials and finishes should respect local traditional materials and building techniques.

As stated above Policy 10 of the ACS requires inter-alia that consideration be given to the impact of development on important views and vistas and the setting of heritage assets.

Policy 11 of the ACS states that proposals will be supported where the historic environment and heritage assets and their settings are conserved and enhanced in line with their interest and significance. Planning decisions will have regard to the contribution heritage assets can have to the delivery of wider social, cultural, economic and environmental objectives.

I note the comments of English Heritage. The principle of the development and its relationship with the conservation area and scheduled ancient monument were considered in great detail at the outline planning stage. I consider the scale and appearance of the proposals accurately reflect the scale shown on the indicative cross sections submitted at the outline stage and will ensure an acceptable relationship with the Conservation Area and views towards Fox Wood. In my opinion the traditional styles and materials proposed will also help to ensure the development makes a positive contribution to local character and distinctiveness and this is considered in more detail below in response to comments received during the consultation process.

I note the comments of the Parish Council and other written representations received relating to the materials to be used in the construction of the proposed buildings. A revised materials schedule has been submitted with bricks, clay pantiles and black rainwater goods in the Conservation Area in line with the comments of the Parish Council.

Outside the Conservation Area bricktypes again reflect the advice of the Parish Council and black rainwater goods are proposed. A mix of concrete pantiles and dark grey interlocking flat concrete tiles are proposed to the properties to the South of Dark Lane. Whilst I am mindful that the Parish Council would prefer to see pantiles to all properties, I have discussed this with the Urban Design Consultant who has advised that a uniform approach to roof tiles is likely to have a very stark appearance. I concur with this view and consider that the proposed character areas with contrasting roof tiles is co-ordinated and will give some character to areas within the development.

In my opinion the proposed materials will have an acceptable relationship with the character of the area and I am satisfied the details provided meet the requirements of Condition 6 of the outline consent.

I am mindful of the comments received from the Parish Council requesting that appropriately scaled chimneys and wooden window frames should be incorporated into the dwellings within the conservation area. The revised plans include chimneys to dwellings within the Conservation Area and the Urban Design and Conservation Consultant is supportive of this amendment to the plans. I also consider the chimney stacks will help the new properties within the Conservation Area to relate to traditional village properties when viewed from Main Street. Whilst wooden window frames have not been incorporated, I do not consider that it would be reasonable to insist on wooden frames in this instance given that the Borough Council does not have control over window frames on other properties within the Conservation Area.

With regards to the works to demolish, refurbish and extend the barns within the curtilage of no.115 Main Street, the Conservation Consultant has confirmed that they have no concerns to raise with regards to the proposed plans or schedule of works to the barns and that the details provided meet the pre-commencement requirements of condition 3 of the Conservation Area Consent (2010/0514) which is repeated at Condition 23 of the outline consent (ref.2005/0910) relating to this reserved matters application. Revised timetables for the works including a bat mitigation strategy have been submitted and no objections have been raised by statutory consultees during consultation.

Details required by condition 23 to re-clad the existing substation have not been submitted and the condition can therefore only be partially discharged. The agent has advised that they have spoken with the new energy provider responsible for the sub station (Western Power) and have been advised that the existing substation does not have the capacity to serve the development and therefore will be decommissioned and replaced to serve the proposed development and maintain current service to existing residents. The agent has been discussing appropriate sub station housing with Western Power to include brick walls and a tiled roof. Western Power have advised the agent that the dimensions of the new substation will need to be approximately 4m x 4m and would be located in front of the existing substation. If the element of the scheme to re-clad the existing sub-station is not coming forward a separate application to vary Condition 23 of the Outline consent would be required.

Landscape and biodiversity

Policy ENV2 of the RLP requires that landscaping complements buildings and structures on the site, where possible retains, incorporates and enhances established features, reflects the character of the surrounding landscape, provides effective all year round screening where required, uses native species where practicable, where possible creates new or enhances existing features of nature conservation value and incorporates the use of appropriate species on defensible boundaries in an attempt to prevent crime.

I am mindful that existing hedgerow to the centre of the upper site is to be removed to facilitate development and this was considered as part of the outline application. I note new hedges are proposed to front boundaries of several properties fronting the spine road on the upper site and I consider this will help to soften the appearance of properties within the street scene. Further hedges are proposed to the southern and western boundaries of the upper site, to properties fronting the public open space and to some of the properties fronting cul-de-sacs on the upper site. Overall I consider the planting of these hedgerows will help to integrate the development into the rural setting and also help in offering biodiversity benefits. The hedgerows also offer a good balance between the hard boundary treatments proposed to other front boundaries which are mainly limited to brick walls and brick walls and railings particularly along the main entrance to the site as well as to the first part of the upper site. I consider the walls are well positioned and will help the transition from the Conservation Area into the allocated housing site.

I am satisfied that a vibrant planting mix is proposed and no objections have been raised by the Forestry Officer, Natural England or Nottinghamshire Wildlife Trust to the size, species, positions of hedges, trees and shrubs. Parks and Street Care have also confirmed that the proposed planting mix is suitable for the dry pond and swale. The depth of the woodland screen has also been increased when compared to the outline permission which will further soften the southern boundary of the site and help the transition into the adjoining green belt.

I note the Urban Design and Conservation Consultant has requested that trees to the front of the site are planted as semi-mature. The submitted plans confirm these trees will be between 3.0m and 4.2m in height.

With regards to the Forestry Manager's comment relating to the Cherry tree, close to the entrance of the site, revised plans have been submitted showing this tree to be removed. Given the location of this tree to the rear of the existing dwelling at 115 Main Street within the residential curtilage of this property and that the siting of the proposed barn was approved at the outline stage and the Forestry Officer raised no objections, I consider the removal of this tree is acceptable.

A maintenance schedule has been submitted for the planting including for the proposed woodland scheme and I consider this will ensure that the proposed planting establishes itself. The details provided for the maintenance of the woodland screen also satisfy the requirements of Condition 22 of the outline consent.

The submitted proposed levels plans and cross sections show that any changes in level on the site will not be significant and I am satisfied the details submitted meet the requirements of Condition 3 of the outline consent.

I am satisfied that the proposed surfacing provides a suitable mix to help break up the development and provide strong character areas. In particular I note the Urban Design Consultant and Rights of Way Officer endorse the proposed use of Marshalls Tegula Paving within the Conservation Area and at the crossing over Public Footpath no.14.

Natural England and the Nottinghamshire Wildlife Trust have raised no objections to the proposals and Natural England have confirmed that the bat mitigation proposals are acceptable which therefore meets the requirements of Condition 24 of the outline consent.

With regard to the Parish Council's comments relating to Plot C19, the position of this plot and its proximity to the Keenwell was considered at the Outline application stage and the proposed layout was considered as having an acceptable relationship with the wider setting. A revised plan has been submitted removing the potential footpath link just to the north of Keenwell given the footpath would have needed to negotiate a change of level of approximately 1.5m to join up with the existing footpath which was likely to require a ramp or steps and therefore would be impractical.

I am satisfied that the landscape details submitted meet the requirements of Conditions 4, 5 and 22 of the outline consent.

Highways

The Highway Authority have not objected to the principle of any of the details submitted relating to the detailed highway design as required by Conditions 8, 11, 12, 15, 29 and 30 of the outline consent. Formal discharge of these conditions can only take place once the plans have received technical approval from the Highway Authority through a Section 38 Agreement. I note that the Highway Authority have requested that additional conditions are attached to any reserved matters consent requiring the proposed temporary turning facility to facilitate phase 1 of the development as indicated on the submitted plans to be provided and then removed following the completion of this phase with the Highway reinstated in accordance with details to be prior approved. I am satisfied that such conditions are appropriate in this instance.

The Highway Authority have raised no objections to the wheel wash schedule submitted and therefore Condition 9 of the Outline Consent has been partly met.

Other issues

I note the comments received from the County Council's Archaeologist. Condition 21 of the outline planning permission (ref.2005/0910) remains extant and given the comments received I am not in a position to discharge this condition at this stage. A note can be attached to any reserved matters consent drawing the applicant's attention to the latest comments of the Archaeologist and that these should be read in conjunction with Condition 21 of the outline consent.

With regards to the disposal of foul sewage, Severn Trent Water have confirmed that the submitted details meet the requirements of Condition 16 of the permission. However the foul sewage information forms part of the detailed drainage plans. The Environment Agency requested additional information relating to drainage and at the time of writing this report this information has not been submitted. The details submitted are therefore not sufficient to discharge condition 17 of the outline consent. Conditions attached to any consent can make it clear that only the details relating to drainage of foul water are being approved and that Condition 17 still requires discharging. The details requested by the Environment Agency can be submitted as part of a separate Discharge of Condition application.

I note the comments of the County Council's Rights of Way Officer. Condition 20 of the Outline consent required details of safer pedestrian crossing facilities at the junction of the new access road and footpath no.14 including the provision of signage to be submitted. A plan showing crossing details and signage has been submitted as part of this application and the Rights of Way Officer has confirmed that they have no objections to the proposals. Should permission be granted, the requirements of Condition 20 will therefore have been partly met although the details submitted need formal approval from the Highway Authority through a Section 38 Agreement and therefore I am not in a position to discharge this condition under this reserved matters application. The crossing would also need to be implemented in accordance with any approved details for the condition to be fully discharged.

I have spoken to my Building Control colleagues in respect of the comments received from Nottinghamshire Fire and Rescue. The base course of the block paved cul de sacs and the provision of hydrants are issues that would be addressed during the building out of the development under the Building Regulations and through the surfacing details agreed with the Highway Authority. However, the Building Control team do not anticipate any significant problems.

With regards to conditions 27 and 28 of the outline consent which relate to a scheme to deal with any contamination on the site, the outstanding information relating to the verification of the remediation works can be submitted as part of a discharge of condition application relating to the outline planning consent should reserved matters approval be granted.

The agent has confirmed that bin collection points shown on the submitted layout plans are proposed to be an area of block paving sized to suit the number of properties being served. The agent has advised the intention is not to enclose these areas and I consider, given the modest scale of the bin storage areas and that they will only be used on bin collection days, that this is acceptable in this instance.

Conclusion

The details of external appearance, landscaping and scale submitted as part of this application reflect the existing character of the area and will have an acceptable relationship with the Conservation Area, the Scheduled Ancient Monument at Fox Wood and existing and proposed neighbouring amenity. The detailed highway and drainage plans for the site can be considered under a separate Discharge of Conditions Application.

Notes to Applicant

As a result of the proposed development being constructed in phases you are advised to enter into separate Section 38 agreements for each of the construction phases. For further advice on this matter I would suggest you contact Nottinghamshire County Council at an early stage.

The technical detailed highway plans submitted with this application need to be considered for technical approval as part of the Section 38 agreement procedure under the Highway Act 1980 for the adoption of the proposed new roads. The Highway Authority have advised that they have previously written to your highway consultant (BSP Consulting) regarding this matter but no response has been received to date. It should be noted that no works shall commence on site until such time Section 278 and Section 38 agreements are in place and the respective highway related conditions attached to the outline consent (2005/0910) and this reserved matters consent have been discharged.

Your attention is drawn to the attached comments of Natural England.

Your attention is drawn to the attached comments of Nottinghamshire County Council's Archaeologist dated 14th August 2013. These comments should be read in conjunction with Condition 21 of Outline Planning Consent no.2005/0910.

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.

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.