



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Planning Committee

Agenda

Meeting to be held at
The Ceres Suite, Worksop Town Hall S80 2AH
Wednesday 16th August 2023
at 6:30pm

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Planning Committee

Membership 2023/24

Councillor N.J. Sanders (Chairman)

Councillors: S. Fielding (Vice-Chairman), C.L. Adams, J.P. Bowker, H.M. Brand,
D. Challinor, M.R. Charlesworth, G. Dinsdale, G. Freeman,
F. McFarland, G.A.N. Oxby and D.G. Pidwell.

Substitute Members: None.

Quorum: 3 Members

Lead Officer for this meeting

J. Krawczyk

Administrator for this meeting

C. Hopkinson

Planning Committee

Wednesday 16th August 2023

Agenda

1. Apologies
2. Declarations of Interest
 - (a) Members
 - (b) Officers
3. Minutes of the meeting held on 24th May 2023
(Pages 5 - 10)
4. Minutes of the Planning Consultation Group meetings held between 30th May and 24th July 2023
(Pages 11 - 34)
5. Outstanding Minutes List
(Pages 35 - 36)

Section A - Items for discussion in public

Key Decisions

None.

Other Decisions

6. Report(s) of the Head of Regeneration
 - (a) Public Interest Test
Ms. B. Alderton-Sambrook, Head of Regeneration, has deemed that all Items on the Agenda are not confidential.
 - (b) Appeal Decision APP/A3010/W/22/3308856
- Blanefield, Blyth Road, Oldcotes S81 8JL
(Pages 37 - 44)
 - (c) Planning Application 22/01714/OUT
- Land to the North of Gateford Tollbar, Worksop
(Pages 45 - 70)
 - (d) Planning Application 23/00329/FUL
- Land Next to Low Lound Road, Sutton cum Lound, Retford
(Pages 71 - 90)

Exempt Information Items

The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.

Section B - Items for discussion in private

Key Decisions

None.

Other Decisions

None.

7. Any other business which the Chairman considers to be urgent

Notes:

1. The papers enclosed with this Agenda are available in large print if required.
 2. Copies can be requested by contacting us on 01909 533 232 or by e-mail: cara.hopkinson@bassetlaw.gov.uk
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Planning Committee

Minutes of the Meeting held on Wednesday 24th May 2023 at The Ballroom, Retford Town Hall, DN22 6DB

Present: Councillor N.J. Sanders (Chairman)

Councillors:

S. Fielding (Vice-Chairman)	C. Adams
J.P. Bowker	H.M. Brand
M. Charlesworth	G. Freeman
F. McFarland	G.A.N. Oxby
D.G. Pidwell	

Officers: C. Cook, E. Grant, S. Johnson, J. Krawczyk and S. Wormald.

(The meeting opened at 6:30pm.)

77 Apologies for absence

Apologies for absence were received from Councillors: D. Challinor and G. Dinsdale.

78 Declarations of Interest

78a Members

Councillor J.P. Bowker declared a Non-Pecuniary Interests in:

Item 6(e) – Planning Application: 23/00410/CDM
- Former Ash Disposal Lagoons. Retford

for being predetermined on the application. Councillor Bowker left the meeting for the duration and determination of this item.

Councillor S.J. Fielding declared a Non-Pecuniary Interests in:

Item 6(e) – Planning Application: 23/00410/CDM
- Former Ash Disposal Lagoons. Retford

for being a Member of Nottinghamshire County Council Planning Authority. Councillor Fielding left the meeting for the duration and determination of this item.

Councillor G.A.N. Oxby declared a Non-Pecuniary Interests in:

Item 6(c) – Planning Application: 22/01701/FUL
- Land at High Marnham Power Station, High Marnham

for being a former employee at the onsite business. Councillor Oxby remained in the meeting.

Councillor F. McFarland declared a Non-Pecuniary Interests in:

Item 6(e) – Planning Application: 23/00410/CDM
- Former Ash Disposal Lagoons. Retford

for being predetermined, having campaigned against the use of the site. Councillor McFarland left

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the meeting for the duration and determination of this item.

78b Officers

There were no declarations of interest from Officers.

79 Minutes of the meeting held on 29th March 2023

Resolved that:

The Minutes of the meeting held on 29th March 2023 be approved.

80 Minutes of Planning Consultation Group meetings held on:

80a 17th April 2023

Resolved that:

The Minutes of the Planning Consultation Group held on 17th April 2023 be received.

80b 02nd May 2023

Resolved that:

The Minutes of the Planning Consultation Group held on 02nd May 2023 be received.

81 Outstanding Minutes List

Councillor G. Freeman arrived at 06:37pm during the discussion of this item.

Resolved that:

The Outstanding Minutes List be received.

82 Report(s) of the Head of Regeneration

82a Public Interest Test

The Head of Regeneration, determined that all items on the agenda are non-confidential.

82b Planning Application: 23/00190/CTP - 7 Kingfisher Walk S81 8TQ

Councillor J.P. Bowker arrived at 06:58pm during the discussion of this item. Councillor Bowker was not permitted to participate or vote in determination of this item.

Ref No.	Applicant	Location and Proposal
23/00190/CTP	Ms Sarah Murray	7 Kingfisher Walk, Worksop S81 8TQ. Application for Lawful Development Certificate for a Proposed Use as C2.

Members were advised that permission was being sought, for an application for Lawful Development Certificate for Proposed Use as C2; the application seeking confirmation that the

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proposed use would be lawful for planning purposes under Section 192, Town and Country Planning Act 1990.

The Planning Officer presented the application which outlined the site history, housing type and sustainability of the site.

Members were presented for consideration, site photographs, maps, dwelling designs and site layout.

In accordance with the rules of procedure for public participation, Mr Alex Rice (Local Resident) and Councillor David Pressley (Ward Member) spoke against the application.

Member's questions and comments were addressed by the Planning Officer.

No responses from statutory consultees were received.

In conclusion, the Chairman summarised the debate.

Recommendation of the Head of Regeneration

Grant the Application for the Lawful Development Certificate for a Proposed Use as C2.

Committee Decision

Resolved that:

The Application for the Lawful Development Certificate for a Proposed Use as C2 be granted.

82c Planning Application: 22/01071/FUL - Land at High Marnham Power Station, High Marnham

Ref No.	Applicant	Location and Proposal
22/01071/FUL	J.G. Pears Property Ltd	Land at High Marnham Power Station, Power Station Access, Fledborough Road, High Marnham, Newark. The Erection of Unit A - A Finished Product Despatch Warehouse Building (B8 Use) and Packaging Plant (B2 Use) Including Odour Abatement Plant and Solar PV and Unit B - Raw Animal By-Product (ABP) Intermediate Storage Building (B8 Use) Incorporating Mechanical Processing Plant for Crushing, Freezing and Reloading (B2 Use) Including Odour Abatement Plant and Solar PV on Land Comprising Part of the Former High Marnham Power Station at High Marnham.

Members were advised that permission was being sought, for an application for the erection of Unit A - A Finished Product Despatch Warehouse Building (B8 Use) and Packaging Plant (B2 Use), including Odour Abatement Plant and Solar PV and Unit B - Raw Animal By-Product (ABP), intermediate Storage Building (B8 Use) incorporating Mechanical Processing Plant for crushing,

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freezing and reloading (B2 Use), including Odour Abatement Plant and Solar PV on Land Comprising Part of the former High Marnham Power Station at High Marnham.

The Planning Officer presented the application which outlined the site history, housing type and sustainability of the site.

Members were presented for consideration, site photographs, maps, dwelling designs and site layout.

In accordance with the rules of procedure for public participation, Mr Warren McKeirnan (Local Resident) and Councillor Lewis Stanniland (Ward Member) spoke against the application. Mr Alistair Collins (J.G. Pears Property Ltd) spoke in favour of the application.

Member's questions and comments were addressed by the Planning Officer.

Responses from statutory consultees were detailed in the report.

In conclusion, the Chairman summarised the debate.

Recommendation of the Head of Regeneration

Grant Conditional Consent.

Committee Decision

Resolved that:

Consent be granted subject to conditions detailed in the report.

82d Planning Application: 22/01621/FUL - Land Adjacent to Manor Farm, Mattersey

Ref No.	Applicant	Location and Proposal
22/01621/FUL	Mr & Mrs Martin Doughty	Land Adjacent Manor Farm, Breck Lane, Mattersey. Erection of 24 Dwellings, Relocation of Manor Farmhouse, Construction of Agricultural Building, Garages, Onsite Roadways and Drives, Drainage and Attenuation Pond (24 Dwellings in Total - Phased Development).

Members were advised that permission was being sought, for an application for the erection of 24 Dwellings, Relocation of Manor Farmhouse, Construction of Agricultural Building, Garages, Onsite Roadways and Drives, Drainage and Attenuation Pond (24 Dwellings in Total - Phased Development)..

The Planning Officer presented the application which outlined the site history, housing type and sustainability of the site.

Members were presented for consideration, site photographs, maps, dwelling designs and site layout.

Member's questions and comments were addressed by the Planning Officer.

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Responses from statutory consultees were detailed in the report.

In conclusion, the Chairman summarised the debate.

Recommendation of the Head of Regeneration

Grant.

Committee Decision

Resolved that:

Permission for the application be granted.

82e Planning Application: 23/00410/CDM - Former Ash Disposal Lagoons, Retford

Ref No.	Applicant	Location and Proposal
22/00410/CDM	Lound Hive Limited	Former Ash Disposal Lagoons, South of Lound, Retford. County Matter Application for the Extraction, Processing and Export of Pulverised Fuel Ash From Former Ash Disposal Lagoons and Their Progressive Restoration, and Associated Development Including Earthworks, Dewatering and Soil Storage, Ponds and Excavations, Hard and Soft Surfacing and Landscaping and Boundary Treatment, Buildings and Structures, Plant, Conveyors, Utility Connections, Roadways, Parking, Drainage and Ancillary Development.

Members were advised that a consultation response was being sought, on County Matter Application for the extraction, processing and export of Pulverised Fuel Ash from the former Ash Disposal Lagoons and their progressive restoration and associated development including earthworks, dewatering and soil storage, ponds and excavations, hard and soft surfacing and landscaping and boundary treatment, buildings and structures, plant, conveyors, utility connections, roadways, parking, drainage and ancillary development.

The Planning Officer presented the application which outlined the site history, housing type and sustainability of the site.

Members were presented for consideration, site photographs, maps, dwelling designs and site layout.

In accordance with the rules of procedure for public participation, Councillor Darrell Pulk (Ward Member) and Mr Steve Shelley (Idle Valley Communities Group) spoke against the application. Mr Jake Barnes-Gott (Hive Energy) spoke in favour of the application.

Member's questions and comments were addressed by the Planning Officer.

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Responses from statutory consultees were detailed in the report.

In conclusion, the Chairman summarised the debate.

Recommendation of the Head of Regeneration

Raise no Objection.

Committee Decision

Resolved that:

To raise an Objection.

82f Part 5 Constitution - Rule of Procedure 24 - Conclusion of Proceedings

At 08:57pm, in accordance with **Part 5 Constitution – Rule of Procedure 24 – Conclusion of Proceedings**, Members agreed to extend the meeting to 09:30pm to conclude business on the agenda.

82g Development Management Performance Report 2022/23 Full Year

Members received a quarterly performance report, recorded for the Development Management function for the whole year of 2022/2023.

Following agreement at Planning Committee in June 2014, that performance reporting would be presented to Members on a regular basis, the report provided details of the planning application performance for the full year.

Options, Risks and Reasons for Recommendations

To ensure that appropriate monitoring and performance management procedures are in place and that the Council continues with its focus on achieving high performance, facilitating development and providing good service to all who use the Planning Service.

Resolved that:

The current performance data be noted.

83 Any other business which the Chairman considers to be urgent

As there was no other urgent business, the Chairman closed the meeting.

(Meeting closed at 9:01pm.)

Planning Consultation Group

Minutes of the meeting held on Tuesday 30th May 2023 via MS Teams

Present: Councillors C Adams, S Fielding and N Sanders

Officers in attendance: B Alderton-Sambrook, R Colebourne, E Grant and J McKeown.

(Meeting opened at 4.00pm).

1. Apologies

There were no apologies for absence received.

2. Declarations of Interest

There were no declarations of interest.

3. Planning Applications

Ref. No.	Description
22/01131/FUL	Unit A4c (Phase II Plot A4) Lords Wood Road, Harworth Proposed Commercial Unit for B2/B8/E(g) Class Uses, together with Associated Car Parking and Service Yard Area

Members were advised that the application sought to construct new industrial units at Harworth contained within the existing industrial site.

Plans were circulated to Members prior to the meeting.

Members noted there were residential properties already in the site and discussion ensued about potential impacts arising.

No objections were received from Highways or Harworth & Bircotes Town Council.

Environmental Health requested a noise assessment be carried out as a nearby unit has been converted into apartments, it was noted that one additional unit would not add to any existing noise as the apartments are already within the existing industrial unit site.

The Parish Council has no objections to the development other than they requested a Section 106 Agreement, but as no other units on the site have a Section 106 Agreement this would not be acceptable.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No. Description

23/00311/ADV Unit 2 Symmetry Park, Blyth

Erect two internally illuminated signcases installed to fascias and one internally illuminated letters installed to fascia

Members were advised that the application sought permission to approve internally illuminated B&Q signs, these signs would have a low level output.

Plans were circulated to Members prior to the meeting.

The Parish Council had raised concerns that the signs had been erected and were illuminated. An officer visited the site and confirmed the signs are not erected.

There were no objections.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No. Description

23/00407/HSE 9 Town Street, Sutton cum Lound

Erect Single Storey Front and Rear Extensions

Members were advised that the application sought permission to erect single and rear extensions. The existing property is a modern bungalow within the village development area.

Plans were circulated to Members prior to the meeting.

An objection was received from a member of the public citing that whilst they do not object to the development, they do object to a window on the north wall of the elevation.

Members discussed the distance from the adjacent property of the proposed window and felt there were no significant impacts arising

No further objections were received.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No. Description

23/00331/HSE 20 Thornhill Road, Harworth

Erect Porch to Front Elevation, Convert Garage into Rooms Install Bow Window and Construct Canopy Roof Over

Members were advised that the application sought permission for a proposed pitched roof entrance porch and to convert the garage into a dining room and utility room with a bay window.

Plans were circulated to Members prior to the meeting.

An objection was received from a member of the public citing the following:

- 2 vehicles would be unable to park on the driveway
- Vehicles would overhang the driveway
- On street parking would result in reduced visibility from adjoining driveways

No objections were received from Harworth and Bircotes Town Council.

Members discussed these were minor extensions and the decision should be left to officers

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision

Ref. No.	Description
23/00084/HSE	21 Knaton Road, Carlton in Lindrick Demolish Rear Porch and Erect Single Storey Rear Orangery Extension and Two Storey Side Extension and Single Storey Front Extension

Members were advised that the application sought permission to demolish a rear porch and erect a single storey rear extension, a two storey side extension and a single storey front extension.

Plans were circulated to Members prior to the meeting.

An objection was received from a member of the public citing that the proposed rear extension will result in a loss of light to an adjoining kitchen area.

No objections were received from NCC or the Parish Council.

Offices discussed the orientation of the property and the path of the sun, details of the existing elevations of the adjacent property was discussed along with the impact of that proposed

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision

Ref. No. Description

23/00479/HSE 12 Robert Drive, Retford, Notts

Two Storey Rear Extension (Resubmission 23/00085/HSE)

Members were advised that the application sought permission to erect a two storey rear extension, this application is a resubmission.

Plans were circulated to Members prior to the meeting.

An objection was received citing loss of light and privacy and overbearing to the rear garden.

A discussion ensued about the differences between this application and the previous refusal. Members were content to leave to officer delegation

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision

Ref. No. Description

23/00313/FUL Land at High Marnham Power Station Power Station Access Fledborough Road High Marnham

The Erection of a 1.8 High Palisade Fence with Vehicular Gate and 2 no. Bollards (Retain).

Plans were circulated to Members prior to the meeting.

Members were advised the application is for a proposal to retain the security fencing, gates and 2 bollards.

There have been objections from residents citing the fencing is prominent at the entrance to the village giving a feeling of an industrial site rather than a village. Residents feel that if the fence was painted or planting carried out it would blend into the site.

There were no further objections from Highways of the Parish Council.

A discussion ensued about the starkness of the fencing in its current form in a rural locality. It was considered that mitigation in the form of green powder coated spray-paint would help to assimilate into the locality and create a less incongruous feature.

Officer recommendation – Grant planning permission with a condition that the fence is painted a suitable colour

Outcome following PCG – Refer for Officer Decision

4. Any Other Business which the Chair considers to be urgent

As there was no other business, the Chair closed the meeting.

(Meeting ended at 4.50pm).

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Planning Consultation Group

Minutes of the meeting held on Tuesday 12th June 2023 via MS Teams

Present Councillors: S.J. Fielding, F. McFarland, D.G. Pidwell and N.J. Sanders.

Officers in attendance: S. Johnson and J. Krawczyk.

(Meeting opened at 4.00pm).

5. Apologies

Apologies for absence were received from Councillor J.P. Bowker.

Councillor D.G. Pidwell attended as substitute member.

6. Declarations of Interest

Councillor S.J. Fielding declared a Non-Pecuniary Interest (pre-determination) in application 23/00410/CDM

Councillor Fielding left the meeting during the determination of this item and for the rest of the meeting.

Councillor F. McFarland declared a Non-Pecuniary Interest (pre-determination) in application 23/00410/CDM

Councillor McFarland left the meeting during the determination of this item and for the rest of the meeting.

7. Planning Applications

Ref. No.	Description
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23/00340/COU	Convert Existing Garage to Pet Parlour. 16 Ghest Villas, Doncaster Road, Costhorpe.
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Members were advised of an application to convert an existing garage to a 'Pet Parlour.'

Plans were circulated to Members prior to the meeting.

No comments or objections were received. One condition that appointments are required to visit the premises will limit the parking of vehicles.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
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23/00508/HSE	Erection of detached outbuilding/garage. 10 Manor Close, Misson.
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Members were advised that the application sought permission for the erection of detached outbuilding/garage.

Plans were circulated to Members prior to the meeting.

No comments or objections were received. The application is conditional on the use of specified brick and facia materials.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00196/HSE	Single Storey Rear Extension. 7 Somerton Road, Worksop.

Members were advised of an application for a single storey rear extension.

Plans were circulated to Members prior to the meeting.

An objection was received from a neighbouring property on the grounds of over-shadow but Officers were satisfied that the extension complied with the 45 degree test for over-shadow. A further object from the same property was on the right of access but this is a non-material consideration.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00091/FUL	Proposed Canopy Extension. Unit C7 Glassworks Way Harworth South Yorkshire DN11 8SR.

Members were advised of an application for an extension of the canopy overhanging an existing commercial unit.

Plans were circulated to Members prior to the meeting.

No objections or comments have been received.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00296/FUL	Change of Use of Existing Agricultural and Equestrian Land, for Extension of Existing Traveller Site, to Provide 2 Additional Pitches, Each Pitch Accommodating 1 Static and 1 Touring Caravan.

The Paddock, Long Lane, East Drayton.

Members were advised of an application to convert the existing agricultural and equestrian land adjoining a traveller site to accommodate additional pitches for both static and touring caravans.

Plans were circulated to Members prior to the meeting.

No objections or comments have been received.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00291/VOC	Variation of Condition 2, on P.A 19/00433/FUL to Replace Site Layout Drawing No 19/025/SL/G To Site Layout Drawing No. 10/025/SL/Rev P. Land South West Of Beverley Road, Harworth.

Members were advised of a Variation of Condition 2 and submission of amended site layout drawing.

Plans were circulated to Members prior to the meeting.

No objections or comments have been received.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00592/HSE	Erection of side extension. Fernleigh, Limes Avenue, Nether Langwith .

Members were advised of an application the erection of a side extension.

Plans were circulated to Members prior to the meeting.

One objection has been received from a neighbouring property; no comment/response has been received from the Parish Council.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
22/01675/RES	Reserved Matters Application for the Approval of Appearance, Landscaping, Layout and Scale for 28 Dwellings Following Outline Permission 14/00213/OUT - Outline Planning Application for Mixed Use

Development Comprising of Residential (up to 380 units) and Commercial (up to 19,000 sq m) of B1 (a) Office. Provision of Open Space and Improved Site Landscaping. Vehicular Access from Gateford Road, Gateford Toll Bar & Claylands Avenue.

Land South of Gateford Road, Worksop.

Members were advised that a Reserved Matters application for the appearance, landscaping, layout and scale for 28 dwellings.

Plans were circulated to Members prior to the meeting.

No objections or comments have been received.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00067/VOC	Variation of Conditions 7 and 8 to P.A 12/01317/OUT to allow Open and Outside Storage on Site. Ballards Removals Holdings Limited, Land South off Meadow View, Old London Road, West Drayton.

Members were advised of an application to vary conditions.

Plans were circulated to Members prior to the meeting.

No objections or comments have been received.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00069/VOC	Variation of Conditions 1 4 6 7 and 9 of PA 16/00467/RES Condition 1 Amend Block Plan Site Layout Drawing from 16/1714REV 1E to UKSD-SA-08-0001 A00, Condition 4 Parking Spaces, Condition 6 Pedestrian Route, Condition 7 Cycle Facilities, and Condition 9 Landscaping. Ballards Removals Holdings Limited, Land South off Meadow View, Old London Road, West Drayton.

Members were advised of an application to vary conditions.

Plans were circulated to Members prior to the meeting.

No objections or comments have been received.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
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23/00410/CDM	Reasons for Objection following Committee.
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Former Ash Disposal Lagoons, South of Lound,
Retford.

Members considered the wording, for reason in raising objection and response, to be sent on behalf the District Council as a statutory consultee.

The grounds for objection are as follows:

“The Council has concerns regarding the potential impact that the development will have on the health of nearby residents, particularly due to the generation of dust that may contain asbestos particulates. The District Council would wish to see a detailed Health Impact Assessment in order to ascertain the impact of the development on public health. The District Council also recommends that Nottinghamshire County Council seek specialist advice in respect of the potential impact upon human health.”

Outcome following PCG – The wording is approved and sent as reasons for objection.

8. Any other business which the Chairman considers to be urgent

As there was no other business, the Chairman closed the meeting.

(Meeting ended at 4:46pm).

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Planning Consultation Group

Minutes of the meeting held on Monday 26th June 2023 via MS Teams

Present: Councillors H Brand, S Fielding, F McFarland and N Sanders

Officers in attendance: A Broadhead, R Colebourne, J Krawczyk

(Meeting opened at 4.00pm).

8. Apologies

There were no apologies for absence received.

9. Declarations of Interest

There were no declarations of interest.

10. Planning Applications

Ref. No.	Description
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23/00339/FUL	High View and land to East, Clarborough Hill, Clarborough
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	Change of use of land for a Dog Kennel Business with Dog Exercise Area and Kennels
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Members were advised of an amended planning application for a change of use of the land for a dog kennel business, with an exercise area. The 2 existing buildings would be used as an office for drop off and registrations and the storage for cleaning equipment. The paddock area would be for exercising up to 15 dogs.

Plans were circulated to Members prior to the meeting.

An objection was received from a neighbouring property on the grounds that access to the business was dangerous and that the business was not appropriate.

The Parish Council raised objections on the site being outside the development boundary as set out in the Neighbourhood Plan and the access to the business is on the brow of Clarborough Hill and is also visible across the village.

Environmental Health suggested that application is accepted with a noise management plan.

No objections received from NCC Highways.

The applicant is willing to screen the kennels from the village.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
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23/00440/HSE	5 Ribblesdale, Worksop
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Erect front porch and single storey rear extension

Members were advised of an amended planning application for a front porch and single storey rear extension. The porch is under construction and the bricks do not match existing, it was therefore agreed on rendering to the porch.

Plans were circulated to Members prior to the meeting.

An objection was received from a neighbouring property on the grounds that the rendering is out of keeping and the proximity of the extension to the boundary and would reduce light in to their property.

A document from another neighbouring property was received in support of the application.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
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23/00386/HSE	127a Bawtry Road, Harworth
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Erect brick wall and Piers with Composite Coloured Fence Panels, including new driveway gate and pedestrian gate to replace existing boundary fence

Members were advised that this application was originally an enforcement case and the applicant sought permission to erect brick wall and piers with composite coloured fence panels, including new driveway gate and pedestrian gate to replace existing boundary fence.

Plans were circulated to Members prior to the meeting.

An objection was received from the Parish Council on the grounds that the fencing is not in keeping and has taken over some of the highway.

The Highways Authority objected to the application due to the highway verge being fenced in.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
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22/00940/FUL	31 Market Place, Retford
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Change of use from commercial to 7 residential properties

Members were advised that the application sought permission for a change of use from commercial to 7 residential properties

Plans were circulated to Members prior to the meeting.

The application is in a Conservation Area and is a Listed Building, the Conservation Team have no objections.

A Ward Member raised an objection citing the number of refuse bins required for each property and the storage of these refuse bins within the town centre.

A further objection was received from a neighbouring property stating that these properties would require access through the land which they own.

Another objection was received from a member of the public on the grounds that there are enough 1 bedroom apartments in Retford.

There were no objections from Environmental Health, the Highways Authority or the Environment Agency.

There was concern raised by a Member of the PCG in regards to the parking situation for the residents of the apartments.

Officer recommendation – Grant planning permission.

Outcome following PCG – 3 Members of PCG agreed - Refer for Officer Decision

Ref. No.	Description
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23/00335/FUL	Metcalfe Trust Community Hub, High Street, Everton
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	Demolition of Cricket Pavillion/Tea Room and Changing Rooms/Shower/ Toilet Block and Construct New Community Hub
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Members were advised that there is already an existing sports facility on this site, however the buildings are falling into disrepair. The application seeks permission to demolish the Cricket Pavillion/Tea Room and Changing Rooms/Shower/Toilet Block and Construct New Community Hub.

Plans were circulated to Members prior to the meeting.

The Conservation Team have no objections and are satisfied with the design.

The Parish Council strongly support the application and there have been 5 letters of support from local residents.

An objection has been received from a neighbouring property on the grounds that the car park will be close to their dwelling and feel that this would invade their privacy.

The Highways Authority have raised concerns over insufficient car parking but have not stated how many spaces they think would be adequate.

The Planning Development Manager will seek clarification from Highways in terms of their objection.

Officer recommendation – Grant planning permission.

Outcome following PCG – Defer to a further PCG

Ref. No.	Description
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22/01559/COU	Units 8 and 14 Spinella Road, Worksop
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Retain change of use of Units 8 and 14 (Units 5 and 11 as approved under P.A. 19/01316RES) from Classes B1/B2/B8 to Classes E(d)/E(g)/B2/B8 (Indoor Sport and Recreation)

Members were advised that the application sought permission to retain change of use of Units 8 and 14 for use as crossfit and dance studio.

Plans were circulated to Members prior to the meeting.

The Highway Authority objected to the application on the grounds that the units may increase traffic flow and parking problems to the site.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision

Ref. No.	Description
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22/01499/COU	Unit 9 Spinella Road, Worksop
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Change of Use of Unit from employment use to Leisure Facility/Gym (Class E)

Members were advised the application is for a Change of Use of Unit from employment use to Leisure Facility/Gym.

Plans were circulated to Members prior to the meeting.

The Highways Authority raised objections on the grounds that site was originally built for standard employment use and a leisure facility would increase traffic and parking to the site.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision

Ref. No.	Description
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23/00425/HSE	104 North Road, Retford
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Construct a Two Storey Side and Rear Extension with Single Storey Rear and Front Porch Extensions

Members were advised that this application was to Construct a Two Storey Side and Rear Extension with Single Storey Rear and Front Porch Extensions.

Plans were circulated to Members prior to the meeting.

An objection was received from a neighbouring property citing this application would have a detrimental impact on light to the living room window.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision

11. Any Other Business which the Chair considers to be urgent

As there was no other business, the Chair closed the meeting.

(Meeting ended at 5.04pm).

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Planning Consultation Group

Minutes of the meeting held on Monday 10th July 2023 via MS Teams

Present: Councillors D Challinor, S Fielding, F McFarland and N Sanders

Officers in attendance: C Hopkinson and J Krawczyk

(Meeting opened at 4.00pm).

12. Apologies

There were no apologies for absence received.

13. Declarations of Interest

There were no declarations of interest.

14. Planning Applications

Ref. No.	Description
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22/01642/VOC	Land Off North Road Retford Nottinghamshire
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Variation of Condition 1 on P.A 20/01477/RES for the Rising Main Running Across the Development Requires 6.0m Easement - plots 147-161 Adjusted to Accommodate. Total plot Numbers Kept the Same; 1no. Ivystone 4 Bed Type Swapped for 1no. Greystone 3 Bed Type. Additional Shared Drive Introduced to Serve Plots. Replacement of following approved layouts:

Planning Layout - Drawing no. n1452 008 E, Enclosures Plan - Drawing no. n1452 101 Rev B

Materials Plan - Drawing no. 1452 103 Rev B- Replaced with following updated layouts:

Site Layout Plan (6130-201_F), Boundary Treatment Plan (6130-208_F), Materials Plan (6130-230_G)

Members were advised that outline planning permission and reserved matters for the residential development had previously been granted. This application proposes the rearrangement of plots to accommodate rising main running across the development.

Plans were circulated to Members prior to the meeting.

No objections have been raised from statutory consultees or local residents apart from a local resident on writing on behalf of Sustrans who have commented that the proposed footpath/cycle links to Randall Way should be widened to 3m in order to accommodate, cycles and pedestrians. Members were advised that these access ways are not located within the area currently being re-planned. As such these pedestrian/cycle links permitted as part of the approved Reserved Matters are not currently under consideration or open for review.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No. Description

23/00360/FUL Queens Buildings Potter Street Worksop

Installation of Railings around Perimeter of Roof at 1.1m Height and
Installation of Air Source Heat Pumps Plant on Roof

Members were advised that application has been presented to Planning Consultation Group as it is a Bassetlaw District Council is the applicant.

The application seek permission for the installation of air source heat pumps on the roof of Queen's Buildings. In addition permission is sought for the erection of 1.1m high railings around the perimeter of the roof.

Plans were circulated to Members prior to the meeting.

Queens Buildings is within the Worksop Conservation Area and is in the setting of a range of Listed Buildings. The heat pumps would not be visible from ground level. It is considered that the character and appearance of the Conservation Area and setting of nearby Listed Buildings would be preserved.

Members were advised that no objections have been received.

In response to a question asked about noise generation Members were advised the noise is lower than general background noise.

One Member felt that the application should be presented to Planning Committee in the interest of transparency as the Council is the applicant.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No. Description

23/00605/COU Annexe At Harworth Post Office Main Street Harworth Doncaster

Change of Use of Residential Annexe (Class C3) to Cafe (Class E)

Members were advised that the application was presented to grant on the documents circulated to Members however after discussions with the officer the Planning Development Manager recommended that the application be refused on the grounds of the strong Highways objection.

Plans were circulated to Members prior to the meeting.

The building is classed as a residential annex in a mixed use area. The building at front site was previously a post office. There is a Hairdressers and other businesses along the frontage of the street along with a number of residential accesses. There are a number of dwellings without off street parking and limited visibility for egressing.

The application is seeking permission for change of use to a café. The application shows space for around 4 tables inside and 7 outside each for 4 people. There is no off street parking.

Highways have raised concerns regarding the existing on street parking in the area. They have stated that there is limited survey data for cafes however, a survey in Worthing of a 32 cover café generated parking demand of 10 vehicles on a Wednesday. They have concerns that there are already a number of businesses on the street with no parking. This application would disrupt traffic flow, further reduce visibility for egress and increase danger for highway safety.

Harworth Town Council have raised concerns on the grounds of highway safety.

Whilst the change of use of buildings to bring them back into use is supported and the benefits to the local economy in this instance the impact on the busy B classified road outweighs the benefits.

A member agreed with comments and noted the limited access and parking in a busy area.

(The Council Solicitor joined the meeting to offer advice and answer questions regarding the recommendation)

Councillor F McFarland noted that he felt the application should be presented to Committee for avoidance of doubt.

Officer recommendation – Refuse planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00515/HSE	18B Cornwall Road Retford Erect Front Porch Extension and Single Storey Rear Extension

Members were advised that the application sought permission to erect front porch extension and single storey rear extension.

Plans were circulated to Members prior to the meeting.

The property is a in a pair of modern bungalows with fairly large plots off Tiln Lane. The street is traditional with a mix of dwelling types.

Members were advised that the neighbour has raised some concerns, several are not material, the main concern is overshadowing and loss of light.

The Planning Manager advised that the proposal is fairly modest in scale with a lean to roof with limited height. There is an existing fence between the properties. It is considered that subject to conditions and on balance the proposal will be of no demonstrable detriment to the amenities of nearby residents.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision

Ref. No. Description

23/00335/FUL Metcalf Trust Community Hub, High Street, Everton

Demolition of Cricket Pavillion/Tea Room and Changing Rooms/Shower/
Toilet Block and Construct New Community Hub

Members were advised that there is already an existing sports facility on this site, however the buildings are falling into disrepair. The application seeks permission to demolish the Cricket Pavillion/Tea Room and Changing Rooms/Shower/Toilet Block and Construct New Community Hub.

Plans were circulated to Members prior to the meeting.

The Conservation Team have no objections and are satisfied with the design.

The Parish Council strongly support the application and there have been 5 letters of support from local residents.

The application was presented to the previous meeting where members deferred the application for the Planning Development Manager to seek clarification from Highways in terms of their objection.

Highways have raised concerns that the number of spaces provided should be justified by parking surveys. Highways have stuck to their original position that they would like a parking assessment on site. They feel that local planning authority should be satisfied with the parking provision.

The application agent has commented that the existing facility is well used locally and this application will create additional parking.

On balance officers feel that the application is not detrimental to highway safety.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision

15. Any Other Business which the Chair considers to be urgent

As there was no other business, the Chair closed the meeting.

(Meeting ended at 5.03pm).

Planning Consultation Group

Minutes of the meeting held on Monday 24th July 2023 via MS Teams

Present Councillors: N.J. Sanders, S. Fielding and F. McFarland.

Officers in attendance: S. Johnson and J. Krawczyk.

(Meeting opened at 4.00pm).

16. Apologies

There were no apologies for absence received.

Councillor M. Charlesworth was absent from the meeting.

17. Declarations of Interest

There were no declarations of interest by Members.

18. Planning Applications

Ref. No.	Description
23/00591/HSE	Erect Two Storey Rear Extension (Resubmission of P.A. 23/00077/HSE). 10 Knott End, Langold.

Members were advised of the re-submission of an application for the erection of a two storey rear extension.

Plans were circulated to Members prior to the meeting.

An objection was received from a neighbouring property, on the grounds of overlook and loss of privacy but there are existing facing windows so would not change the overlook aspect.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

Ref. No.	Description
23/00329/FUL	Erect 9 Dwellings and Construct New Access, Landscaping, Infrastructure and Associated Works. Land Next To Lound Low Road, Sutton-cum-Lound.

Members were advised of an application for the erect 9 dwellings, with the construct of a new access, landscaping, infrastructure and associated works.

Plans were circulated to Members prior to the meeting.

A total of 25 objections have been received from assorted neighbouring properties and from the Parish Council as a statutory consultee.

Officer recommendation – Grant planning permission.

Outcome following PCG – Referral to Committee for determination.

Ref. No.	Description
23/00318/VOC	Vary Condition 2 of P.A. 18/01051/FUL to Retain Amendments to the Design of the Dwelling (Revised Drawing for Approval UKSD-SA-08-0001 A00). Land At Ordsall House (Adjacent To 7 All Hallows Close) Ordsall, Retford DN22 7TJ.

Members were advised of an application for a variation of condition to retain existing amendments to the design of a dwelling.

Plans were circulated to Members prior to the meeting.

No objections have been received.

Officer recommendation – Grant planning permission.

Outcome following PCG – Refer for Officer Decision.

19. Any other business which the Chairman considers to be urgent

As there was no other business, the Chairman closed the meeting.

(Meeting ended at 4:21pm).

Planning Committee**16th August 2023****Outstanding Minutes List**

Members please note that the updated positions are shown in bold type following each item.

(PDM = Planning Development Manager)

Min. No.	Date	Subject	Decision	Officer Responsible
28(f)	15.09.21	Planning Services; Establishment of a viability Protocol.	The process to be reviewed and reported back to Planning Committee in 18 months' time.	PDM

Report to be presented at a future meeting.

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PLANNING COMMITTEE

16th August 2023

INFORMATION REPORT

APPEAL DECISION RECEIVED

21/01872/OUT Mr Brocklebank. Appeal against the refusal of outlined planning permission for the erection of 5 dwellings, Blanefield, Blyth Road, Oldcotes

DECISION: Appeal DISMISSED by the Inspector.

The application was refused by Planning Committee on 31st August 2022, contrary to Officer recommendation. The application was refused on 3 grounds which are detailed below.

1) Policy DM4 of the Bassetlaw Local Development Framework states that permission will only be granted for residential development that is of no detriment to highway safety. Similar advice is contained in paragraph 110 of Part 9 of the National Planning Policy Framework, which states that development proposals should ensure that safe and suitable access can be achieved for all users.

The access to the proposed development would be achieved from a single drive that currently serves the existing dwelling, 'Blanefield' and which is of limited width. Increase in use of this sub-standard access by 5 dwellings would be detrimental to highway safety and conflict with the aims of the policies outlined above.

The increase in use of the substandard access drive by vehicles and deliveries during demolition and construction activities, would be likely to lead to the obstruction and damage of the highway and footways to the detriment of existing road users and pedestrians, conflicting with the aims of the policies outlined above.

2) The Bassetlaw Local Development Framework contains policy DM9, which states that new development proposals will be expected to take opportunities to restore or enhance habitats and species populations. It also states that development that will result in the loss of such features may be supported where replacement provision is made that is considered to be of equal or greater value than that which will be lost and which is likely to result in a net gain in biodiversity. Similar advice is contained in paragraph 174 of the NPPF which states that development should contribute to and enhance the natural environment.

The current proposal would result in the loss of a number of trees within the site. Due to the intensive nature of the proposed development, there would be limited opportunity for replacement planting or landscape proposals within the site, that would be of equal or greater value to that lost.

If permitted, the development would result in a net loss of biodiversity thereby conflicting with the aims of the policies and guidance outlined above.

3) Policy DM4 of the Bassetlaw Local Development Framework states that permission will only be granted for residential development that is of a high quality design, respects the character of the area and historic development patterns. Similar advice is contained in

paragraph 130 of the NPPF, which states that development should be sympathetic to local character including the surrounding built environment and landscape setting.

The character of this part of Oldcotes is largely derived from linear development fronting directly onto Blyth Road and Main Street.

The proposal would introduce a cul-de-sac development of 5 dwellings behind existing dwellings and over 40m from the developed road frontage.

As such the development would be out of character with the historic development pattern of the village and if permitted, would conflict with the policies and guidance outlined above and would result in an unacceptable level of harm to the character of the surrounding area.

The inspector considered that the main issues were:

- i.) The character and appearance of the area, having particular regard to the setting of the adjacent Oldcotes Conservation Area;
- ii.) highway safety; and
- iii.) trees and biodiversity

The Inspector concluded the following:

i.) Taking all of this together, as well as finding that the proposal to develop five bungalows on the appeal site would not be in keeping with the prevailing pattern of development in the area, I also find that it would be likely to mean that the setting of the Oldcotes Conservation Area, would not be preserved or enhanced.

ii.) The existing driveway from Blyth Road would continue to be used to provide access to the five proposed bungalows. With some modifications to the existing gateway, the drive would have a minimum width of 4.8m, and so would comply with the requirements of Nottinghamshire County Council's Highway Design Guide for shared private drives. I saw on my site visit that the driveway emerges onto Blyth Road from the appeal site across a wide grass verge and, while I have not been provided with visibility splay diagrams, there does not appear to be any serious doubt that there would be a good standard of intervisibility between drivers of vehicles leaving the appeal site and those heading along Blyth Road in either direction.....I am satisfied that the proposed development would be unlikely to be significantly harmful to highway safety.

iii.) I understand that none of the trees is covered by a Tree Preservation Order; nevertheless, they not only make a positive contribution to the green and pleasant character and appearance of the area as I have described, but are also likely to provide nesting sites for birds and habitats for other wildlife.

I conclude that the development would be likely to result in a harmful loss of mature trees and biodiversity on the site. The proposal therefore conflicts with Policy DM9 of the BCS, which seeks to restore or enhance habitats and species' populations, and with the provisions of Paragraph 174 of the Framework which seek to ensure that planning policies and decisions contribute to and enhance the natural and local environment.

A copy of the Inspector's decision letter follow this report.

OFFICER RECOMMENDATION: GRANT
FINALISED DECISION LEVEL: Planning Committee



Appeal Decision

Site visit made on 3 April 2023

by **M Cryan BA(Hons) DipTP MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 JUNE 2023

Appeal Ref: APP/A3010/W/22/3308856

Blanfield, Blyth Road, Oldcotes, Worksop S81 8JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Nick Brocklebank against the decision of Bassetlaw District Council.
 - The application Ref 21/01872/OUT, dated 29 December 2021, was refused by notice dated 6 September 2022.
 - The development proposed is the demolition of the existing dwelling and its replacement with 5 bungalows.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of the proposed development in the banner heading above from the appeal form. The scheme was described on the planning application form as the "demolition of existing dwelling and replacement with 5 new dwellings", but while the planning application was being determined it was amended to refer specifically to five bungalows. I have therefore used the revised description above for consistency with the proposal as it was considered by the Council.
3. The planning application was submitted in outline form with all matters reserved for subsequent consideration, though it was stated that the development would be accessed by the existing driveway from Blyth Road. Plans showing a site layout and some further details of the access arrangement were submitted while the planning application was being determined. However, the appellant's evidence was clear that these plans were purely illustrative, and I have treated them as such in reaching my decision.
4. Planning permission was refused by the Council's Planning Committee against the recommendation of its officers. This is something which the committee is of course quite entitled to do, and it is not a matter which weighs on my determination of this appeal one way or the other. I have reached my decision based purely on the planning merits of the appeal proposal as they have been presented to me.

Preliminary Matter – Development Plan Policies

5. The Council is currently preparing a new Local Plan to replace the Bassetlaw Core Strategy ("the BCS"), which was adopted in 2011 and therefore pre-dates the publication of the first National Planning Policy Framework ("the

Framework”) in 2012. The Council’s officer report referred to Paragraph 33 of the Framework which sets out the requirement to review policies in local plans at least once every five years, and to update them as and when necessary; on this basis, the Council has suggested that the policies of the BCS should be considered out of date. However, Paragraph 219 of the Framework states that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of [the] Framework”. The decision notice referred to two specific policies of the BCS, DM4 and DM9.

6. Among other things, in respect of non-major development Policy DM4 requires proposals to be of high-quality design, and respectful of their wider surroundings and context (including development patterns, building and plot sizes and forms, and density). It also requires development not to have a detrimental effect on highway safety. The policy’s requirements in respect of design are consistent with the provisions of the Framework which seek to achieve well-designed places, notably the requirements of Paragraph 130, while its approach to highway safety is consistent with Paragraph 111 of the Framework which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
7. Policy DM9 addresses matters relating to Green Infrastructure, biodiversity and geodiversity, landscape, open space and sports facilities; of particular relevance to this appeal it states that “development proposals will be expected to restore or enhance habitats and species’ populations”. This is consistent with the Framework’s requirements on this matter, and in particular the provisions of Paragraph 174 which seek to ensure that planning policies and decisions contribute to and enhance the natural and local environment.
8. Notwithstanding the Council’s stance therefore, there is no substantive evidence before me to demonstrate that either policies DM4 or DM9 of the BCS are inconsistent with the Framework or otherwise out-of-date. I therefore give both policies full weight in determining this appeal. I return to this matter in more detail in the final planning balance.

Main Issues

9. The main issues are the effect of the proposed development on:
 - The character and appearance of the area, having particular regard to the setting of the adjacent Oldcotes Conservation Area;
 - Highway safety; and
 - Trees and biodiversity

Reasons

Character and appearance

10. The appeal property Blanefield is a large detached bungalow at the centre of a block bounded by the A634 Blyth Road, the A60, and Main Street, within the village of Oldcotes. The rest of the block is almost entirely residential and comprises dwellings of a range of ages and styles which are predominantly arranged in linear form along or close to the block’s perimeter roads. Most of

the neighbouring properties are within generous plots, and many have long front and rear gardens (though there are some exceptions, of course). Even within this context, the plot on which Blanefield stands is particularly large, and the existing dwelling and detached garage, as well as a separate outbuilding towards the north west corner of the site, occupy a small proportion of the site. The plot contains hedges, shrubs and numerous mature trees but is mainly given over to grass; along with the rear gardens of the surrounding dwellings it makes a significant contribution to the pleasant sense of spaciousness, greenness and openness at the heart of the residential block which, I saw on my site visit, is a strong positive characteristic of the area.

11. The proposal is the demolition of the existing dwelling on the site, and the construction of five new bungalows in its place. The submitted Design and Access Statement indicates that they would be sited around a central access driveway and turning head, and each would have front and rear gardens and a patio area. As the planning application has been made in outline only with all matters reserved, the information which has been put before me in respect of the layout and scale of the development is indicative only, and I recognise that the scheme could be carried out in a different manner. However the illustrative layout, which the appellant suggests demonstrates the "best way of developing the site", shows that introducing five very substantial bungalows, as well as the shared driveway and turning head, large private driveways for each dwelling, and garden paths and patios, would transform the site from being spacious, green and open at present to being dominated by the bungalows and their surrounding hard surfaces. This would be harmful to the character and appearance of the area.
12. The appeal site is outside, but immediately adjacent to, the Oldcotes Conservation Area ("the OCA"), and I therefore also have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. As heritage assets are irreplaceable, the Framework states that they should be conserved in a manner appropriate to their significance (paragraph 189). It goes on to advise that any harm or loss requires clear and convincing justification (paragraph 200) and that any harm that is less than substantial must be weighed against the public benefit of the proposal (paragraph 202).
13. I have not been provided with an appraisal or other management document for the OCA, but I saw during my site visit that the historic core of the village remains apparent along and around much of Main Street, where there are several well-preserved houses and cottages. The spaciousness and openness of the appeal site, which is in an elevated position above its nearest neighbours on Main Street, makes an attractive backdrop and setting for that part of the OCA. I note that the appellant considers that the change in the proposal from houses to bungalows (described in paragraph 2 above) would be sufficient to ensure that the OCA was not harmed. However, in my view the likely scale and siting of the dwellings which is suggested by the submitted illustrative plans means that there is a significant risk that they would be dominant and intrusive when seen from within the OCA (such as through gaps between South Royds and Riverview Cottage and between Woodlands View and Woodstock Cottage on Main Street to the south of the appeal site).
14. The appellant drew my attention to other cul-de-sac developments of varying ages and styles in the village at Weirside, Wynlea Drive and Elmsmere Drive.

However, none of these appears to have the same backland characteristics as the appeal site nor, from what I saw on my site visit, are any of those developments in positions where their topography dominates parts of the OCA. None therefore appears directly comparable to the appeal site or scheme.

15. Taking all of this together, as well as finding that the proposal to develop five bungalows on the appeal site would not be in keeping with the prevailing pattern of development in the area, I also find that it would be likely to mean that the setting of the OCA would not be preserved or enhanced. In the Framework's terms, the harm to the significance of the OCA would be less than substantial. The provision of five new dwellings would help to meet local need for housing; this would be a public benefit but, as the number of additional dwellings would be small, and the Council has stated that it can demonstrate a housing land supply of more than 13 years (a position which the appellant has not challenged) it is not an overwhelming one. There would also be some employment created locally during construction of the development, although the scheme is small in scale and consequently would support relatively few jobs for only a limited period. On this basis, I consider that these public benefits carry only moderate weight in favour of the proposal; they would not outweigh the harm to the heritage asset, to which I must attribute great weight.
16. The proposed development conflicts with Policy DM4 of the 2011 Bassetlaw Core Strategy ("the BCS"), which among other things seeks to ensure that development demonstrates high-quality design, and is respectful of its wider surroundings and context (including development patterns, building and plot sizes and forms, and density). For the same reasons, I find conflict with the provisions of Paragraph 130 of the Framework, which seek to achieve well-designed places, as well as with the provisions of Chapter 16 of the Framework which seek to conserve and enhance the historic environment.

Highway safety

17. The existing driveway from Blyth Road would continue to be used to provide access to the five proposed bungalows. With some modifications to the existing gateway, the drive would have a minimum width of 4.8m, and so would comply with the requirements of Nottinghamshire County Council's Highway Design Guide for shared private drives. I saw on my site visit that the driveway emerges onto Blyth Road from the appeal site across a wide grass verge and, while I have not been provided with visibility splay diagrams, there does not appear to be any serious doubt that there would be a good standard of intervisibility between drivers of vehicles leaving the appeal site and those heading along Blyth Road in either direction. While I understand from third parties' representations that traffic queuing from the traffic lights at the A634/A60 junction a short distance west of the appeal site may sometimes block the appeal site driveway, this is not an unusual situation and not in itself indicative of there being a risk of unacceptable harm to highway safety.
18. Concerns about the impact of the use of the driveway during the demolition and construction phase of the development are also not out of the ordinary. However, while it is important that such activity can be carried out with as little unnecessary disturbance to neighbours (including through dust, noise and other nuisance) or risk to safety (such as might arise from mud, or the manoeuvring of construction vehicles) as is reasonably achievable, this is a matter which, were the proposal acceptable in all other respects, could be

addressed by conditions securing a construction method statement and dealing with related operational matters.

19. Subject to the imposition of such conditions, I am satisfied that the proposed development would be unlikely to be significantly harmful to highway safety. I conclude that the proposal would not therefore conflict with the requirements of Policy DM4 of the BCS which seek to ensure that development is not detrimental to highway safety. For the same reason I also find that there would be no conflict with the provisions of Paragraph 110 of the Framework.

Trees and biodiversity

20. As I have explained under the first main issue, although the majority of the appeal site is grassland it also contains numerous hedges, shrubs and mature trees. Most of this planting is around the edges of the site, but there is also a line of mature trees running approximately north-south through the centre of the site. I understand that none of the trees is covered by a Tree Preservation Order; nevertheless, they not only make a positive contribution to the green and pleasant character and appearance of the area as I have described, but are also likely to provide nesting sites for birds and habitats for other wildlife.
21. While the appellant suggests that "the majority of the trees and hedges on the site boundaries can be retained", the implication (reinforced by the submitted illustrative layout) is that the mature trees in the centre of the site would be lost to accommodate the proposed development. The appellant comments that "the site is large enough to ensure that some replacement tree planting can be provided in the individual garden areas". However, and again as I have already described above, the submitted evidence indicates to me that the scheme would be likely to result in the site being dominated by the dwellings and their associated shared and private hard surfaces. Any condition requiring tree planting to be dealt with as part of the landscaping "reserved matters" would therefore in my view be unlikely to result in an adequate replacement for the existing mature trees on the site, and the contribution they make both to the character and appearance of the site and to biodiversity in the area.
22. Other features such as bird and bat boxes, as suggested by the appellant, would be positive additions to the site. However, these would be unlikely to compensate for the loss of mature trees given the proposed intensification of development on the site.
23. I conclude that the development would be likely to result in a harmful loss of mature trees and biodiversity on the site. The proposal therefore conflicts with Policy DM9 of the BCS, which seeks to restore or enhance habitats and species' populations, and with the provisions of Paragraph 174 of the Framework which seek to ensure that planning policies and decisions contribute to and enhance the natural and local environment. There would also be conflict with the provisions of Paragraph 131 of the Framework, which seeks to ensure that existing trees are retained wherever possible.

Planning Balance and Conclusion

24. I have found that the proposed development would not have a significant harmful effect on highway safety. However, it would be harmful to the character and appearance of the area (including the OCA, though the appeal

- site is just outside its boundary), and to trees and biodiversity. It would therefore conflict with the development plan taken as a whole.
25. Paragraph 11(d) of the Framework states that “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date”, planning permission should be granted “unless (i) “the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”, or (ii) “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.
26. The Council considers that because of the age of the BCS its policies are out of date. In fact, as I have set out in paragraphs 6 to 8 above, those BCS policies which are most important in determining this appeal appear to me to be consistent with the Framework. However, even if I accept entirely that the most relevant policies are out of date, footnote 7 of the Framework states that designated heritage assets are one of the “protected assets” described in paragraph 11(d)(i). In this case, the harm to the OCA provides a clear reason for refusing the proposed development, and the “tilted balance” is not engaged¹.
27. The Government’s objective is to significantly boost the supply of housing. The development would provide five new dwellings, which would help to meet local housing need, and which would have a reasonable degree of access to some services within Langold some 1km or so away to the south. Given the scale of the proposed development, the extent of any economic, social and environmental benefits arising from the scheme would be correspondingly modest; they would not outweigh the other harm I have found.
28. The proposal would conflict with the development plan taken as a whole. There are no material considerations, including those of the Framework, which indicate that the decision should be made other than in accordance with the development plan.
29. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector

¹ Had I found no harm in respect of the OCA, I would still be of the view that the other harm which would be caused to the character and appearance of the area, and to trees and to biodiversity, would conflict with the specific requirements of Paragraphs 130, 131 and 174 of the Framework. The harm which would arise from the development would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole. The proposal would not therefore amount to sustainable development in the terms set out in the Framework, and in any event my overall conclusion would be the same.

Item No: 6c

Application Ref.	22/01714/OUT
Application Type	Outline Planning Application
Site Address	Land To The North Of Gateford Toll Bar, Worksop.
Proposal	Outline Application with Some Matters Reserved (Approval Sought for Access) for the Erection of a Care Home and up to 10 Residential Dwellings.
Case Officer	Jamie Elliott
Recommendation	Grant
Web Link:	Link to Planning Documents

THE APPLICATION**SITE CONTEXT**

The site currently consists of undeveloped agricultural land; however, the predominant character of the surrounding area is residential.

The site lies outside the Worksop development Boundary as defined in the Bassetlaw Local Development Framework; the A57 Worksop by pass lies to the east.

The site is within the immediate setting of the Old Gateford Conservation Area and is within the close setting of the grade II* listed Gateford Hall, and a number of positive buildings in the Conservation Area and non-designated heritage assets.

Whilst located on the edge of Worksop, the site is located within the parish of Shireoaks and lies within the Shireoaks Neighbourhood Plan boundary.

PROPOSAL

The application seeks outline planning permission, with all matters reserved save for the means of access, for the erection of a care home and up to 10 dwellings.

Access to the site would be achieved from Gateford Toll Bar.

In order to demonstrate one way in which the site could accommodate a care home facility and up to 10 residential dwellings, an illustrative framework plan has been prepared by the applicants.

The applicant has held a number of discussions with a care home operator who has confirmed that the subject site would meet their operational requirements and would allow for the provision of a modern care facility to fill the gap resulting from limited recent provision of such facilities.

It is proposed to retain a 6m buffer around the north-eastern and western boundaries of the subject site. This buffer would act to reduce potential noise or light pollution arising from the sites proximity to the A57 and Gateford Road.

The applicant's agents have submitted a number of supporting documents which include:

Design and Access Statement
Planning Statement
Transport Statement
Historic Environment Desk Bases Assessment
Phase 1 Geotechnical Site Investigation
Statement of Community Involvement
Landscape and Visual Appraisal
Noise Assessment
Heritage Statement
Flood Risk Assessment
Preliminary Ecological Appraisal and Baseline BNG
Report on the need for Care Beds for Older Persons in Bassetlaw

All these documents are available for inspection on-line or within the Council's offices.

DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town & Country Planning Act 1990 provides that the local planning authority shall have regard to the provision of the development plan, as far as material to the application, and to any other material considerations.

Other material planning considerations include the National Planning Policy Framework and guidance within the National Planning Policy Guidance.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) sets out the Government's approach for the planning system and how these are expected to be applied.

Paragraph 8 explains that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform an economic, social and environmental role.

Paragraph 11 explains that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up to date development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission shall be granted unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The following parts of the framework are applicable to this development:

- Part 4. Decision-making
- Part 5. Delivering a sufficient supply of homes
- Part 8. Promoting healthy and safe communities
- Part 9. Promoting sustainable transport.
- Part 12. Achieving well-designed places
- Part 14. Meeting the challenge of climate change, flooding and coastal change.
- Part 15. Conserving and enhancing the natural environment.
- Part 16. Conserving and enhancing the historic environment.

National Planning Policy Guidance

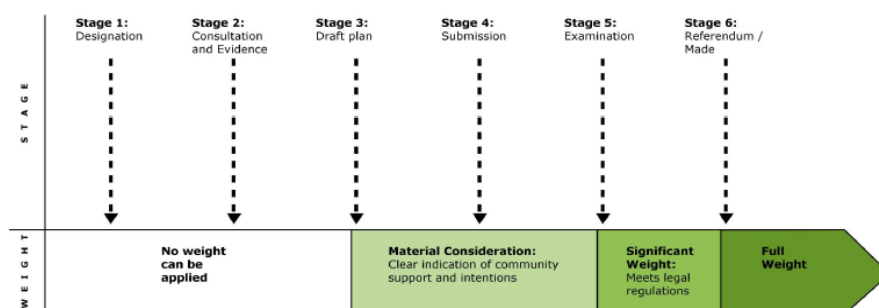
BASSETLAW DISTRICT COUNCIL – LOCAL DEVELOPMENT FRAMEWORK

Core Strategy & Development Management Policies Development Plan Document (Adopted December 2011):

- CS1 - Settlement hierarchy
- CS2 - Worksop
- DM4 - Design & character
- DM8 – The Historic Environment
- DM9 - Delivering open space and sports facilities
- DM11 - Developer contributions and infrastructure provision
- DM12 - Flood risk, sewage and drainage
- DM13 - Sustainable transport

THE SHIREOAKS NEIGHBOURHOOD PLAN.

The Shireoaks Neighbourhood Plan was formally 'made' by Bassetlaw District Council following the Referendum held on 17 November 2016. The Neighbourhood Plan forms part of the statutory Local Development Plan for Bassetlaw and should be used when either applying for planning permission or determining planning applications within the Neighbourhood Plan Area. Work to review the Neighbourhood Plan commenced in early 2021.



The relevant policies are as follows:

- Policy 1: Sustainable development principles
- Policy 2: Conservation and Enhancement of Existing Natural Features
- Policy 3: Green Space, Landscaping and Major development
- Policy 4: Design Principles
- Policy 5: Reducing the risk of flooding
- Policy 8: Promote sustainable movement and connections

RELEVANT PLANNING HISTORY

2/89/00089 - Planning permission refused for the erection of a hotel and eating facility. May 1990.

14/00213/OUT - Outline Planning Application for Mixed Use Development Comprising of Residential (up to 380 units) and Commercial (up to 19,000 sq m) of B1 (a) Office. Provision of Open Space and Improved Site Landscaping. Vehicular Access from Gateford Road, Gateford Toll Bar & Claylands Avenue. Granted 08.09.2016

SUMMARY OF CONSULTATION RESPONSES

NCC Policy No objections subject to conditions securing bus stop enhancements and a scheme for free bus passes.

NCC Highways. No objections subject to conditions securing the following:

1. Details to be submitted with reserved matters application;
2. Construction Management Statement;
3. Management and maintenance of streets;
4. Provision of footways;
5. Parking;
6. Management Plan for Highway boundaries;
7. Wheel washing facilities;
8. Parking and servicing facilities for Care Home.

NCC Lead Local Flood Authority. No objection.

BDC Conservation. No objection.

The District Archaeological Consultant. No objection subject to conditions securing archaeological investigation and mitigation.

BDC Environmental Health. No objections subject to conditions securing:

1. Details of external lighting;
2. Electric Vehicle (EV) charging points;
3. Investigation into site contamination;
4. Provision of acoustic bund;
5. Acoustic Glazing.

BDC Strategic Housing Taking in to account the council and registered provider stock data alongside the demand on social housing and council / registered provider waiting lists, there is immediate need for affordable housing in this area.

The demand also shows the greatest need is for 2/3 bed accommodation, 2 bed bungalows

Waiting lists show a vast increase in applicants wanting 1 bedroom accommodation.

We would be reluctant to support an application that did not deliver the 15% affordable housing.

BDC Parks and Open Space.

Since December 2016 our policy on adopting open space on new developments has changed. The Council will no longer adopt or take on the maintenance of new public open space, play or sports facilities that form part of a new development unless a lifetime 60 year (commuted sum) obligation is entered into and this would only be considered by the Council in exceptional circumstances ie when no other reasonable alternative option is available. Therefore, it is recommended in this case that the developer should seek other alternative options for the long term management and maintenance of the open space provision on the site.

A financial contribution of £6040.00 towards the provision of play equipment/improvements to local play facilities should therefore be secured.

Highways England. No objections.

Parish Council. The Shireoaks Parish Council has no objections subject to the neighbours being informed of the development.

SUMMARY OF PUBLICITY

This application was advertised by neighbour letter, site notice and press notice and **3 Letters** have been received from **Local Residents** making the following comments:

1. Gateford Toll Bar has no surface water drains, foul water drains, or mains gas supply;
2. Should this proposal get the go ahead then as a condition of the development a foul water connection should be taken to the boundaries at the rear of each of the five properties. The owners of said properties would then have the advantage of connecting to this foul water drainage system;
3. It is assumed that a natural gas supply will be supply to the development as there is no mention of ground source heat pumps or air pumps for the heating of these properties;
4. If this is the case, then it would be an ideal opportunity to run a supply of natural gas up to the boundaries of the adjacent properties;
5. If these opportunities where to be address as a condition of the development at the conception stage then the cost would be negligible as well as meeting two of Stancliff homes values that of Reciprocity and integrity. It would also go a long way towards offsetting the disruption this and other development are having on the local community and show goodwill on that of the developer;
6. The development should not result in the flooding or flood risk for adjacent properties,
7. Together with the Gateford Park development, the current scheme, if permitted would lead to significant movements of construction vehicles to congestion, noise, disturbance, and mud on the road;
8. House building is slowing down;
9. The field is prone to flooding;
10. How will noise and dust be mitigated during construction;
11. New dwellings should not be built close to the oil and gas tanks in the adjacent gardens;
12. What compensation will be provided for the devaluation of house prices;
13. Will the carriageway be resurfaced;
14. Will conditions be applied restricting hours of construction;
15. Development may create structural problems for existing dwellings;
16. Will the footpaths be upgraded to Gateford Road;
17. Is there brownfield land available for development ahead of this site;
18. How will cars be stopped from crashing down the embankment;
19. How will speeding cars be stopped from using the road network;
20. How will the noise from service vehicles be mitigated;
21. Are the dwellings to be single or two storey, as two storey may overlook adjacent properties;
22. The aerial view is inaccurate.

2 Letters have been received from **Local Residents Objecting** to the development on the following grounds:

1. All the new dwellings should be bungalows to be avoid issues of overshadowing and loss of privacy;
2. The care home should be limited to 2 storeys in height to again avoid issues of overshadowing and loss of privacy;
3. Gateford Toll Bar is not suitable to accommodate the increase in vehicular traffic from the proposed development on the Gateford Park Development;
4. The surface of the road is already showing signs of cracking and disintegration;
5. The existing road does not have mains or surface water drainage;
6. The footpath is very narrow and should be widened;
7. The development and particularly the care home would result in staff movements 24/7;
8. Would result in a loss of fauna and flora;
9. Boundary hedgerows should be maintained;
10. The field has flooded in the past, so subsequent development may result in flooding elsewhere;
11. The design of the dwellings should be in keeping with the existing dwellings in the vicinity, high class and low density;
12. More resident should have been notified directly of the application;
13. The access onto Gateford Road is dangerous;
14. The construction vehicles associated with the Gateford Park site and the proposed scheme would lead to unacceptable levels of noise, disturbance, congestion, pollution and damage to the footpaths;
15. The council has failed to listen to the views of local residents;
16. Belway Homes have been carrying out construction activities outside to the condition construction times;
17. None of the local residents would be appear to be in favour of the development.

CONSIDERATION OF PLANNING ISSUES

PRINCIPLE OF THE DEVELOPMENT

Paragraph 12 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision making.

Policy CS1 of the Core Strategy states that until the adoption of the site allocations DPD, development in the settlements identified in the hierarchy will be restricted to the area inside defined settlement boundaries. However, additional permission may be granted where the development proposal would address a shortfall in the District's five-year housing supply or its employment land supply.

Policy CS2 of the council's Core Strategy identifies Worksop as a Sub-Regional Centre. Whilst outside of the Worksop Development boundary as defined in the Bassetlaw Local Development Framework, the application site forms an undeveloped area between the A57 to the west and Gateford Road to the north, on the very western edge of built form of the settlement.

The Shireoaks Neighbourhood Plan was made in 2016; however it does not contain any allocations and on this basis the weight attributed to this plan is reduced.

The National Planning Practice Guidance states that due to the fact that people are living longer lives and the proportion of older people in the population is increasing, there is a critical need for housing for older people.

Paragraph 33 of the NPPF states that policies in development plans should be reviewed and where necessary updated every 5 years. The Bassetlaw Core Strategy dates from 2011 and its policies have not been reviewed in the last 5 years as the Council is working on a new local plan to replace it. In this situation, paragraph 213 of the NPPF states that policies in an adopted development plan do not become automatically out of date because they were published before the framework; policies must be considered having regards to their consistency with the framework. The Core Strategy was prepared using a settlement hierarchy which included development limits to control development and it does not have any new site allocations in it and as such it restricts the delivery of new development which is out of step with the growth that is expected to be delivered as identified in the NPPF. As such, the weight given to policy CS1 has to be reduced.

Whilst this scheme is contrary to the requirements of policy CS1 of the Core Strategy, part d) of paragraph 11 of the NPPF is engaged as policy CS1 is considered to carry limited weight in the decision making process and this scheme must be considered under the planning balance test where planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF when taken as a whole.

In such circumstances the presumption is in favour of sustainable development means that development should be granted unless consequent adverse impacts of the scheme significantly and demonstrably outweigh the benefits.

In relation to the supply of housing, the NPPF requires Councils to identify and update, on an annual basis, a supply of specific deliverable sites sufficient to provide for five years' worth of housing provision against identified requirements (paragraphs 74 & 75). For sites to be considered deliverable: they have to be available; suitable; achievable and viable. Under the requirements of the NPPF, the Council can demonstrate 13.5 years' worth of housing and as such, a deliverable 5 years supply of housing can be achieved. The fact that the Council has a 5 year supply will be given weight and considered as part of all of the relevant material considerations in the tilted balance test assessment to this scheme.

Having regards to the overall policy position as outlined above and the fact that the tilted balance test in paragraph 11 of the NPPF applies, consideration of whether this proposal constitutes sustainable development will be assessed in relation to the matters outlined below and a balanced decision will be reached in the conclusion to the report.

SUSTAINABILITY OF THE DEVELOPMENT

Paragraph 8 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:

“an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

In reaching a decision on this case, the NPPF at paragraph 9 makes it clear that the objectives referred to above should play an active role in guiding development towards sustainable solutions and are not criteria against which every planning application should be judged against.

The settlement of Worksop is defined as a Sub-Regional Centre in the Core Strategy where the settlement is expected to be a focus for major housing, employment and town centre retail growth which is commensurate with its status as the primary town in the district. The erection of up to 10 new dwellings and a care home on this site would make a significant and positive contribution to building a strong, responsive and competitive economy through the creation of temporary construction related jobs on site and the on-going contribution to the local economy both in terms of employment, spending and service usage from the creation of 10 additional households in the area.

VISUAL AMENITY and LANDSCAPE SETTING

Section 12 of the NPPF refers to achieving well designed places. Specifically, paragraph 126 states that good design is a key aspect of sustainable development; it creates better places in which to live and work in and helps make development acceptable to local communities. Paragraph 130 states that decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state that permission should be refused for development of poor design (para 134).

Policy DM4 of the Bassetlaw Core Strategy provides general design principles which should be applied to all schemes. The policy states that all development proposals will need to be in keeping with the character and appearance of the wider area and when they are in historic locations, they should respect existing development patterns. All schemes must respect their context and not create a pastiche development which would be incorrect in their context.

Policy 1 of the Neighbourhood Plan states that all development shall be designed and located having regard to the principles and advice set out in the development plan and shall be located to ensure that it does not cause material harm to the character and appearance of the Neighbourhood in which it is located.

The application site is currently an undeveloped agricultural field, located to the rear of existing dwellings on Gateford Toll Bar. The site is largely contained by the A57 to the west and Gateford Road to the north.

Land to the east of Gateford Toll Bar is currently under development, following the granting of planning permission ref: 14/00213/OUT for mixed use development, comprising of residential (up to 380 units) and commercial (up to 19,000 sq m) of B1 (a) Office.

On the west side of the A57, outline planning permission has been granted for the erection of 175 dwellings and 15.4ha of employment land. (14/00213/OUT).

The western boundary (A57) is currently screened by a relatively dense belt of trees and hedgerows. Whilst there is an existing hedgerow on the northern boundary, the Gateford Road carriageway is somewhat elevated above the application site, providing relatively open views over the site.

Whilst the development will have some impact on the character of the area it is considered that the proposed development would be viewed in the context of the existing residential development on the edge of Worksop. The site relates well to the existing settlement edge and would not therefore appear unduly discordant in terms of landscape character.

In addition, it is considered that the imposition of conditions requiring the retention of trees and hedgerows and implementation of additional landscaping and planting on the site boundaries would help assimilate the new development into its surroundings and maintain the rural character of this entrance into the town.

Policy DM9 also states that that new development proposals in and adjoining the countryside will be expected to be designed so as to be sensitive to their landscape setting and expected to enhance the distinctive qualities of the landscape character policy zone in which they would be situated.

The site in question is identified in the Bassetlaw Landscape Character Assessment as Magnesium Limestone Ridge Policy Zone 08: Shireoaks, which seeks to conserve historic field patterns by containing new development within historic enclosed boundaries. As the proposal would be wholly contained within an enclosed parcel of agricultural land it is considered that the development would comply with the recommendations of the Landscape Character Assessment.

Whilst the application is in outline with all matters reserved, except the means of access, it is considered that the proposed dwellings and care home could be designed to ensure that the scheme would be in-keeping with and sympathetic to character of their surroundings.

It is considered that for the reasons outlined above the development would not therefore appear unduly discordant in terms of landscape character and on balance if permitted, the development would accord with the aims of policies DM4 and DM9 above and paragraph 130 of the NPPF.

RESIDENTIAL AMENITY

Policy DM4 of the Core Strategy requires that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. This requirement also forms part of paragraph 130 of the NPPF.

The District Council's 'Successful Places' Supplementary Planning Document also states that new dwellings should normally have a minimum single area of private amenity space of; 50m² for 2 bed dwellings, 70m² for 3 bed dwellings and 90m² for 4 bed dwellings.

It has to be accepted that there will be a degree of impact on existing residential amenity due to the fact that the site is currently open. It also should be remembered that the application is in outline form with all matters relating to layout, landscaping, appearance and scale being reserved for future consideration.

However it is considered that a scheme could be designed to ensure that the occupiers of the dwellings would have adequate private rear gardens and that the subsequent dwellings would be sited and designed to ensure that they would not result in undue overshadowing or overlooking for existing or new residents.

With regard to the potential impacts of the care home on the amenity of existing and future residents. It is considered that a scheme could be designed to ensure that the home would have no adverse impacts in terms of overlooking, domination or loss of privacy.

An illustrative masterplan has been submitted with the application which demonstrates how the development could come forward.

In respect of the potential noise and disturbance from vehicular movements on the A57, and the recently permitted commercial development permitted to the west of the site, the submitted 'Acoustic Report' recommends mitigation in the form of a 6m earth bunds on the boundaries together with acoustic insulation and glazing. These mitigation measures would be secured by condition.

A number of objectors have raised concerns over the impact of the development on residential amenity. These are discussed below:

Objection	Assessment
The development and construction works would result in noise and disturbance.	Hours of construction works would be controlled by condition, thereby safeguarding amenities of existing residents.
Construction works would generate dust and pollution.	The construction works would be carried out in accordance with a previously agreed Construction Environmental Management Plan which addresses the control of these issues.
The development would result in overlooking and loss of privacy	As the application is in outline, currently no details have been provided in respect to the appearance and layout of the proposals. These matters will be considered at the reserved matters stage.
The new dwellings and care home should be restricted to single storey in height to avoid overlooking.	It is considered that imposing such a condition would be unduly restrictive, as it is considered that two storey dwellings could be sited and orientated on site to ensure that there would be no significant overshadowing or overlooking of existing properties. This will be controlled by any reserved matters applications if permission is granted.

Accordingly, it is considered that the proposed development would comply with the policies and guidance outlined above.

HIGHWAYS MATTERS

Paragraph 110 of the NPPF states that schemes can be supported where they provide safe and suitable access for all. This requirement is also contained in policy DM4 of the Council's Core Strategy. Paragraph 111 of the NPPF makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 92 of the NPPF states that all development should aim to achieve healthy, inclusive and safe places which encourage social interaction, are safe and accessible and enable and support healthy lifestyles. Paragraph 110 of the NPPF requires schemes to provide safe and suitable access for all users as well as looking at appropriate opportunities to promote sustainable transport modes.

Paragraph 112b of the NPPF requires schemes to address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

Paragraph 112e of the NPPF requires schemes to be designed to enable charging of plug-in electric vehicles (EV) and other ultra-low emission vehicles (ULEV) in safe, accessible and convenient locations. As with mobility vehicles, there are currently no County standards on what provision developers must provide as part of their schemes, but this is to change soon as the County is working on such a policy and has considered it to be appropriate to request provision here in line with the requirements of paragraph 112e of the NPPF.

The local highway authority has indicated that the development would have no objections to the development subject to the following conditions:

1. Details required to be submitted with the application for reserved matters;
2. A Construction Method Statement. (CMS);
3. Details of future management and maintenance of the streets;
4. Surfacing of streets and footways;
5. Vehicular parking;
6. Surfacing and drainage of parking areas;
7. Management plan for highway boundary hedges;
8. Wheel washing;
9. Provision and surfacing of care home parking and servicing areas.

As part of the requirements for the subsequent reserved matter application/s, the local highway authority has requested that a footway and cycle track be provided on the southern side of Gateford Road between the A57 and Fennec Drive including appropriate crossing facilities at the Gateford Toll Bar / Gateford Road junction.

However as this requirement was included as a condition on the adjacent mixed use development, comprising of residential (up to 380 units) and commercial (up to 19,000 sq m) of B1 (a) Office (planning permission ref: 14/00213/OUT), it is considered that it would be unreasonable to reapply such a condition in this instance, particularly when considering smaller nature of the current proposal.

A number of objectors have raised concerns over the impact of the development on highway safety. These are discussed below:

Objection	Assessment
The development would have a negative impact on highway safety and accident rates.	The County Highway Authority has assessed the scheme and has not raised any concerns in relation to highway safety in connection with this scheme.
The access onto Gateford Road is dangerous.	The County Highway Authority has assessed the scheme and has not raised any concerns in relation to highway safety in connection with this scheme.
The development would increase the wear and tear on Gateford Toll Bar.	The County Highway Authority has assessed the scheme and has not raised any concerns in relation to highway safety in connection with this scheme. Ultimately as an adopted highway, NCC is responsible for its upkeep and maintenance
Construction vehicles would deposit mud on the adjacent highways.	This matter would be addressed by securing a condition requiring wheel washing with the site.

The existing footway is very narrow.	It is recommended that a condition be imposed requiring the widening of the footway on Gateford Toll Bar.
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On balance therefore, it is considered that subject to the securing the outlined conditions, the development would have no adverse impacts on highways safety and would comply with the provisions of the policies and guidance outlined above.

OPEN SPACE

The Bassetlaw Local Development Framework contains policy DM9, which states that new development proposals will be expected to provide functional on-site open space and/or sports facilities, or to provide contributions towards new or improved facilities elsewhere locally, as well as contributions for on-going maintenance, to meet any deficiencies in local provision that will be caused by the development. Similar advice is contained in paragraph 92 of the NPPF which states that planning decisions should enable and support healthy lifestyles, through the provision of safe and accessible green infrastructure and sports facilities.

The monies to upgrade existing play infrastructure would be secured by S106 agreement, in accordance with the policies outlined above.

FLOODING/DRAINAGE

The NPPF at paragraph 159 and policy DM12 of the Core Strategy makes it clear that development in areas at risk of flooding should be avoided by directing development away from the areas at the highest risk.

Paragraph 167 of the NPPF requires that proposals do not increase flood risk elsewhere and should be developed in line with a site specific flood risk assessment which incorporates a Sustainable Urban Drainage solution.

In addition Policy 5 of the Neighbourhood plan states that the drainage infrastructure for all new developments in Shireoaks will be designed and constructed such that it does not increase the level of flood risk and, wherever possible, reduces flood risk in the area.

The Lead Local Flood Authority has confirmed that the subject to the development being carried out in accordance with the submitted Drainage Strategy, the proposed development would have no adverse impact on flood risk. The management and maintenance of a Sustainable Urban Drainage System (SuDs) would be secured through conditions and a S106 Legal Agreement.

Accordingly, it is considered that the proposed development would comply with the provisions of the policies outlined above.

CONTAMINATED LAND

Paragraph 183 of the NPPF requires that in making decisions on schemes consideration is taken account of the ground conditions and any risks arising from contamination.

An investigation into site contamination together with any necessary mitigation would be secured by condition on any subsequent permission, therefore ensuring compliance with the above guidance.

ECOLOGY

The Environment Act 2021 has introduced a requirement for development to deliver a 10% net gain to biodiversity. Opportunities to achieve 10% net gain in planning decisions are welcomed, however this will not become mandatory until November 2023 for large sites and April 2024 in the case of small sites. In the interim, with the absence of an up-to-date Local Plan, the Authority will approach biodiversity in accordance with paragraph 180 of the NPPF which makes clear that there should be no net loss to biodiversity as a result of development.

The content of paragraph 180 of the NPPF states that in dealing with planning applications, councils must consider the harm of a scheme on biodiversity. It states that the following principles should be applied (in summary):

- If significant harm cannot be avoided adequately mitigated or compensated for permission should be refused.
- Development within or outside a SSSI which is likely to have an adverse impact on it should not normally be permitted. The only exception is where the benefits of location outweigh its impact.
- Development resulting in the loss or deterioration of irreplaceable habitats should be refused, unless there are exceptional reasons or compensation.
- Development whose primary objective is to conserve or enhance biodiversity should be supported. Opportunities to improve biodiversity in and around developments should be integrated as part of their design especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Policy DM9 of the Core Strategy is consistent with the above and adds that development proposals will be expected to take opportunities to restore or enhance habitats and species' populations and to demonstrate that they will not adversely affect or result in the loss of features of recognised importance.

The Government's Consultation response on Biodiversity Net Gain has been published in February 2023 and makes clear that exemptions for the assessment and delivery of Biodiversity Net Gain will be made in the following instances:

- Development impacting habitat of an area below a 'de minimis' threshold of 25 metres squared, or 5m for linear habitats such as hedgerows
- Householder applications
- Biodiversity gain sites (where habitats are being enhanced for wildlife)
- Small scale self-build and custom housing

This is subject to change should any secondary legislation or further supplementary guidance be published by the Government.

The applicant's agents have submitted a Preliminary Ecological Appraisal, in support of the application.

As Woodsetts Pond Local Nature Reserve (LNR) lies 135m to the north of the site, and 300m to the northwest is Fox Covert Local Wildlife Site (LWS) the appraisal concludes that it would be unlikely that the proposed development would have significant direct or indirect impacts on the nearby LNR or LWS.

In respect to the application site itself, the appraisal concludes that the site is an area of modified grassland, which has limited ecological value.

In addition the appraisal identifies that that the majority of the hedgerows on the site boundaries are not within the application site. However, due to the nature of the development and position of the hedgerows it is possible they may be impacted during the development. The appraisal therefore recommends that the protective fencing is provided to the safeguard the existing hedges during the construction phase of development.

In respect to the species fauna within the site, the appraisal concludes that the habitat has negligible value for reptiles, low potential for amphibians, and limited opportunity for nesting birds. Notwithstanding the above, during site clearance, and construction activities, measures should be in place to ensure that no protected species are adversely impacted. This would be secured by a condition requiring the prior approval and implementation of an Ecological Method Statement.

The current application would require the demolition and removal of an existing stable block. Whilst the appraisal concludes that the stable has low potential for roosting bats, it does recommend that a nocturnal survey be undertaken in accordance with the Bat Conservation Trust's guidelines, in order to inform any necessary mitigation measures. This would be secured by condition.

With regard to the creation of new habitats, the appraisal proposes the following enhancement measures:

- i.) Enhancement of retained grassland and the creation of flowering lawns;
- ii.) Provision of habitat piles/refugia for amphibians
- iii.) Hedgerow on southern boundary enhanced by additional planting;
- iv.) Provision of integral bird and bat boxes;
- v.) Hedgehog accessible boundary treatments;

The requirement to deliver 10% biodiversity net gain is not mandatory until November and therefore cannot be insisted upon within applications being determined prior to this date. However, it is considered that Biodiversity Net Gain can be achieved on in the development, this being secured by condition.

Therefore subject to securing the outlined ecological mitigation and enhancements measures it is considered that the development would comply with the policies outlined above.

HERITAGE MATTERS

The Council has a duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving their setting, character and appearance. The House of Lords in the South Lakeland DC vs the SOS case in 1992 decided that a Conservation Area would be preserved, even if it was altered by development, if the character or appearance (its significance in other words) was not harmed. 'Conservation' is defined in the NPPF as the process of maintaining and managing change to a heritage asset in a way that sustains and where appropriate enhances its significance.

Therefore case law has ascertained that both 'conservation' and 'preservation' are concerned with the management of change in a way that sustains the interest or values in a place – its special interest or significance. However, 'conservation' has the added dimension of taking opportunities to enhance significance where opportunities arise and where appropriate.

Para 190 of the NPPF requires Councils to identify the significance of any heritage asset that may be affected by a proposal to ensure that harm to the asset is avoided or is minimised. Policy DM8 of the Council's Core Strategy requires schemes that affect heritage assets to be of a scale, design, materials and siting and not have a negative effect on views towards the heritage asset. Paragraph 193 of the NPPF states that in considering the impact of development on the significance of heritage assets, great weight should be given to the assets conservation. Policy DM8 of the Council's Core Strategy requires schemes that affect heritage assets to be of a scale, design, materials and siting and not have a negative effect on views towards the heritage asset.

Heritage assets affected

The site is within the immediate setting of:

- i.) The Old Gateford Conservation Area
- ii.) The site is within the immediate setting of the Gateford Hall and Gateford Hill Unregistered Park & Garden.
- iii.) The site is within the close setting of the grade II* listed Gateford Hall, and a number of positive buildings in the Conservation Area and non- designated heritage assets.
- iv.) The site is within the wider setting of the grade II listed Gateford Hill and other heritage assets.

Assessment of proposal

As the site is in the setting of the Conservation Area and of two Listed Buildings, any proposal should have regard to the preservation of this setting. At present, the site comprises open space with hedge boundaries, typical of the rural edge of the town. In the majority of views, the site is screened by the hedges around the boundary, with the open space largely hidden from view.

The hedges and trees around the boundary of the site make the greatest contribution in terms of the setting of the Conservation Area and nearby Listed Buildings. On the adjacent site, to the east, outline planning permission was granted in 2014 (by way of 14/00213/OUT) for mixed use development including 380 dwellings. The character of that site, therefore, would be primarily residential (although it is acknowledged that scheme was outline with approval for principle and access only). Nevertheless, it is appropriate to take that approval into account when assessing the impact of development on this site. The scale of the A57 (to the west) and Gateford Road (to the north) means that both highways provide a visual buffer separating the Conservation Area from the surrounding landscape.

The application indicates that the proposed development would be up to two storeys in height and provides an indicative layout, indicative examples of potential housing types and seeks approval for access. With regards to the latter, this is proposed to the southern corner of the site close to where Gateford Toll Bar meets the A57. It is considered that the formation of an access in this location would have minimal impact on the setting of any heritage assets, so there are no Conservation concerns with regards to the proposed access.

With regards to the indicative layout, it is suggested that the entirety of the hedgerow along Gateford Toll Bar would be removed. As previously stated, it is considered that the hedges and trees around the boundary of the site make the greatest contribution in terms of the setting of the Conservation Area and nearby Listed Buildings. Furthermore, the loss of this hedgerow would result in any new dwellings situated along Gateford Toll Bar appearing highly prominent. As such, it is considered that the hedgerows should be retained.

On the basis of the above, there are no Conservation concerns in relation to the principle of the proposed development or the proposed access. This would be subject to buildings which

are of a design, scale, layout and materials that are appropriate to their setting. A landscaping scheme should also be provided that retains (and reinforces) hedge/tree boundaries around the site.

Therefore subject to the recommended conditions, it is considered that the development would accord with the policies and guidance outlined above.

ARCHAEOLOGY

Paragraph 205 of the NPPF is applicable where archaeology has been identified as a potential issue on site. This paragraph requires that applicants record to provide documentary evidence to advance the understanding of the significance of the heritage asset. Policy DM8 of the Bassetlaw Core Strategy states that there will be a presumption against development that detrimentally affects the significance of a heritage asset.

The site lies in an area of high archaeological potential associated with pre-historic and Roman settlement and funerary activity. A previously unknown late Iron Age and Roman settlement was recorded during archaeological evaluation on the adjacent site to the west. Recent excavation to the north-east of the site recorded extensive Roman settlement activity as well as pre-historic double ditched enclosure.

The council’s archaeological consultant has indicated that as a consequence of the above, a programme of phased archaeological works, should be secured by a condition of consent (if granted) and to include the trenching evaluation followed by any mitigation work required.

Therefore subject to securing the required archaeological investigation and mitigation, the development would safeguard and identified assets and would comply with the requirements of the policies outlined above.

OTHER MATTERS

A number of objectors have raised concerns relating to a range of other issues. These are discussed below.

Objection	Assessment
Gateford Toll Bar has no mains gas supply. Therefore if the development intends to obtain mains gas, provision should be made for pipelined running up to the boundaries of adjacent dwellings.	It is considered that it would be unreasonable to request the additional infrastructure costs are met by the developers. It would not meet the relevant obligation tests
The development would devalue the houses on Gateford Toll Bar.	Devaluation of house prices is not a matter that can be considered by the planning process.
The development may lead to structural problems.	Any damage to adjacent properties by construction activities would largely be a separate legal matter, between the home owner and the developer.

INFRASTRUCTURE/CONTRIBUTIONS

The NPPF makes it clear that the planning system must contribute towards the achievement of sustainable development and that it has three objectives: economic, social and

environmental. In terms of infrastructure, the economic and social objectives of planning in the decision making are considered to apply. The economic objective requires councils when considering planning applications to consider the impact of the scheme on infrastructure and identifying and coordinating the provision of it. The social role requires schemes to support the needs of the community in terms of health, social and cultural well-being. Paragraph 34 of the NPPF is also applicable as it relates to developer contributions and states that the following should be identified in development plans: the level and type of affordable housing, the need for education, health transport, flood and water management and the green and digital infrastructure requirements.

Policy DM11 of the Core Strategy Bassetlaw Development Framework also states that all applications will be expected to demonstrate that the necessary infrastructure (social, physical and green) will be in place in advance of, or can be provided in tandem with, new development and, where appropriate, that arrangements are in place for its subsequent maintenance. Arrangements for the provision or improvement of infrastructure required by the proposed development and/or to mitigate the impact of that development will, in line with national guidance and legislation, be secured by Community Infrastructure Levy (CIL) charge, planning obligation or, where appropriate, via conditions attached to a planning permission.

In addition, policy CS2 of the Bassetlaw Local Plan state that housing development within Worksop will be required to contribute towards the achievement of an affordable housing target of at least 15%.

The development would require the following contributions and obligations:

- 15% Affordable Housing
- £6040.00 in lieu of public open space;
- Suds Management and Maintenance.

The above obligations would need to be secured via a legal agreement.

CONCLUSION/PLANNING BALANCE

Whilst the Council can now demonstrate a 5 year supply of housing, case law has determined that strategic policies such as that contained in the Council’s Core Strategies that have not been reviewed within 5 years of their adoption are now out of date, so therefore the weight to be apportioned to the Core Strategy policies is considered to be limited in decision making.

As the Core Strategy is deemed to be out of date having regards to the contents of paragraph 33 of the NPPF, paragraph 11 of the NPPF makes it clear that the scheme should be considered under the planning balance test where planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole.

An assessment of the benefits and negatives provided by the scheme is given below with the weight apportioned to this in making a recommendation on this scheme:

Benefit/Negative of the scheme	Weight given to the benefit/negative in decision making
Up to 10 new houses	The Council has 13.5 years’ worth of housing supply and therefore the houses are not needed for the Council to meet its 5 year housing supply requirements; however it is acknowledged that the 5 year supply is a minimum figure not a maximum. The benefit

	of delivering an additional 10 dwellings is considered to carry reduced positive weight in the decision making for this scheme
15 % of the 10 dwellings to be affordable	There is a requirement for affordable housing in the district and the applicant has agreed to a policy compliant amount. This therefore carries significant positive weight in the determination of this case.
New residents into the area who will use and help to sustain existing local services and facilitate potential future growth opportunities due to their spending power	This meets the requirements of the economic and social objectives outlined in paragraph 8 of the NPPF and as such it carries significant positive weight in the determination of this case.
The provision of a much-needed care home facility, providing accommodation and long term job opportunities.	This meets the requirements of the economic and social objectives outlined in paragraph 8 of the NPPF and as such it carries significant positive weight in the determination of this case.
Meeting the needs of an aging population.	This would address the National Planning Practice Guidance identified critical need for housing for older people; this carries significant positive weight.
Construction related jobs	Whilst this may only be a transient part of this scheme, it meets the requirements of the economic objectives outlined in paragraph 8 of the NPPF and as such it carries a medium level of positive weight in the determination of this case.
Infrastructure contributions (public transport/education/local play space)	This meets the requirements of the social objectives as outlined in paragraph 8 of the NPPF and meets the needs of this development and hangs neutral in the balance
CIL/Council Tax/New Homes bonus payments	The scheme brings with it payments to Bassetlaw Council that can be reinvested back into the local economy. This is considered to carry significant positive weight in the determination of this case.
Visual Amenity	The scheme would have no significant adverse impacts on visual amenity or landscape character. It is accepted that this is currently an open site and therefore any development will alter the character and appearance of the area, however a well designed scheme is unlikely to have an adverse impact; this therefore hangs neutral in the balance
Heritage	The scheme would result in no significant harm to identified heritage assets. This hangs neutral in the balance
Ecology	Subject to conditions securing appropriate ecological enhancements and mitigation measures it is considered that the scheme would have no significant adverse impacts on protected species and ensure that the

	development would result in a Biological Net Gain. This hangs neutral in the balance
Contamination	Subject to appropriated investigation and mitigation, the scheme would have no adverse implications for contamination and health. This hangs neutral in the balance
Flood Risk	Subject to the implementation of an appropriate SuDs scheme, the development would have no adverse implications for flood risk. This hangs neutral in the balance
Residential Amenity	As the site is currently open the development will have a degree of impact on neighbouring residents; however some of this impact can be controlled via planning conditions. This is given slight negative weight in the balance.
Consultee responses to the case	No objections have been received from any of the Council's consultees to this scheme on any material planning grounds. As such, this support counts positively towards this scheme and great weight in the decision making process should be apportioned to it.

Having regards to benefits outlined above, and the scale and form of the development, it is considered that these when considered cumulatively outweigh any identified harm and as such, the proposal would constitute sustainable development as defined in paragraph 11 of the NPPF and accordingly the scheme should be granted planning permission.

RECOMMENDATION: Grant Subject to Conditions and a S106 Agreement.

CONDITIONS:

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - a) the expiration of three years from the date of this permission: or
 - b) the expiration of two years from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.

Reason: To comply with section 92 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning & Compulsory Purchase Act 2004.

2. The scale and appearance of the building(s), the layout and the landscaping of the site shall be only as may be approved in writing by the Local Planning Authority before any development commences.

Reason: This permission is granted in respect of an outline application which did not contain details of the matters hereby reserved for approval.

3. The hereby approved development shall be undertaken in accordance with the following plans and documents:

- Site Location Plan GATE-0001
- Illustrative Masterplan Rev A – principal point of access only

Reason: For the avoidance of doubt.

4. The reserved matters for the development hereby permitted shall include detailed plans and particulars that include:
- i.) a footpath and cycle track link between the east side of the development in an easterly direction to Gateford Road,
 - ii.) a 2.0m minimum width footway to the full extent of the Gateford Toll Bar site frontage,
 - iii) visibility splays from the site access junction with Gateford Toll Bar in both directions to be incorporated into the footway,
 - iv.) east and west bound bus stops on Gateford Road east of Gateford Toll Bar including electrical connections, appropriate footway connections and hard standings, polycarbonate bus shelters, solar or electrical lighting, raised boarding kerbs, lowered access kerbs, and enforceable bus stop clearways,
 - v.) a pedestrian and cycle refuge on Gateford Road between Gateford Toll Bar and the bus stops,
 - vi) a vehicle tracking exercise of a 11.5m refuse vehicle,
 - vii.) the location of a minimum of one EV fast charging point per dwelling, and 1 per 10 care home parking spaces plus a further 10% fitted with the necessary infrastructure (cabling) (minimum specification - 7w Mode 3 with Type 2 connector, 230v AC 32 Amp single phase dedicated supply),
 - viii.) secure and undercover cycle parking for the care home.

The Gateford Road footpath and cycle track link, the Gateford Road bus stops and infrastructure, and the Gateford Road refuge shall be in place prior to the final occupation of the dwellings or first occupation of the care home whichever is the sooner. The Gateford Toll Bar footway shall be widened prior to occupation of any dwelling fronting Gateford Toll Bar or final occupation of the remaining dwellings or first occupation of the care home whichever is the sooner. The EV charging points shall be provided prior to occupation of the respective dwellings and prior to occupation of the care home respectively.

Reason: In the interest of highway safety and sustainable travel.

5. No development shall take place until a Construction Method Statement (CMS) has been submitted to and has been approved in writing by the Local Planning Authority including a works programme. For each part of the works programme (i.e., site clearance, foundations, structures, roofing, plumbing, electrics, carpentry, plastering, etc.) the CMS shall include:
- i.) a quantitative assessment of site operatives and visitors,
 - ii.) a quantitative assessment of the size and number of daily deliveries,
 - iii.) a quantitative assessment of the size, number, and type of plant,
 - iv.) a plan identifying any temporary access arrangements,
 - v.) a plan of parking for site operatives and visitors,
 - vi.) a plan of loading and unloading areas for vans, lorries and plant,
 - vii.) a plan of areas for the siting and storage of plant, materials, and waste, and
 - viii.) the surface treatment of temporary access, parking and loading and unloading areas.

The first action on commencement of development, and prior to any further action (including site clearance, site stripping or site establishment) shall be the formation of; any temporary access arrangements; parking areas; and loading, unloading, and storage areas in accordance with the approved CMS and thereafter any temporary access, parking, load and unloading, and storage areas shall be set out and utilised in

accordance with the approved CMS and programme. The designated parking, loading, and unloading, and storage areas shall be used for no other purpose during the respective part of the programme.

Reason: To minimise the impact of the development on the public highway during construction in the interest of highway safety.

6. The development shall not commence until details of the proposed arrangements for the management and maintenance of the streets (prior to an agreement being entered into under Section 38 of the Highways Act 1980) including associated streetlight and drainage have been submitted to and approved by the Local Planning Authority. The streets including streetlighting and drainage shall for the lifetime of the development be maintained in accordance with the approved private management and maintenance details unless an agreement has been entered into under Section 38 of the Highways Act 1980 at which point those streets covered by the agreement will not be subject to the approved management and maintenance details.

Reason: To ensure that the street infrastructure is maintained to an appropriate standard.

7. No dwelling within the development or the care home shall be occupied until the streets and footways affording access to those dwellings and the care home have been completed up to binder course level and are street lit and which shall be surface coursed prior to the last occupation.

Reasons: To ensure that the streets serving the development are sufficiently completed and are available for use by the occupants and other users of the development in the interest of highway safety.

8. No dwelling shall be occupied until such time as the access and parking area to that dwelling has been provided in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.

Reason: To ensure appropriate access and parking arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc), to minimise the chance of highway flooding and severe icing, and in the interest of highway safety.

9. Prior to the commencement of development, a management plan for the highway boundary hedgerows and the proposed mix of any additional landscaping for the boundary shall be submitted to an approved in writing by the Local Planning Authority. The boundary shall be maintained in accordance with the approved management plan for the lifetime of the development.

Reason: To ensure that the boundary hedgerow is appropriately maintained in the interest of highway safety and in the interests of biodiversity.

10. All vehicles preparing to leave the site during the construction period shall have their wheels thoroughly washed should they be displaying signs of mud or debris and a mechanically propelled road sweeper shall be employed should mud or debris be transported onto the public highway immediately following each occurrence until such time as all mud and debris has been removed.

Reason: To minimise the exportation of mud and debris onto the public highway and to ensure that this is appropriately dealt with in the interest of highway safety.

11. The care home hereby permitted shall not be brought into use until the access/parking/turning/servicing areas are provided in hard bound materials (not loose gravel) and are marked out. The access/parking/turning/servicing areas shall be drained to prevent the unregulated discharge of surface water on to adjacent streets and shall not be used for any purpose other than access/parking/turning/loading and unloading of vehicles.

Reason: To ensure adequate parking and servicing arrangements are available.

12. Prior to the commencement of development, an Ecological Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Method Statement shall include;

i.) A working methodology to be followed by site contractors.

ii.) Supervision of all site clearance and removal of vegetated habitats by a qualified ecologist.

iii.) Mitigation for, bats, birds newts, badgers and hedgehogs;

iv.) The implementation of suitable stand-offs with appropriate protection measures for all retained hedgerows.

v.) Details to minimize the creation and impact of noise, dust and artificial lighting.

Once approved, the Ecological Method Statement shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is carried out in a way which safeguards protected species, hedgerows and trees.

13. Before development commences a Nocturnal Bat Survey shall be undertaken in accordance with paragraph 133 of the Wildscapes Preliminary Ecological Appraisal and Baseline BNG (No. P1745) and an updated report shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the recommendations and conclusions of the agreed report.

Reason: To ensure that the optimal benefits of biodiversity are achieved

14. All site clearance work shall be undertaken outside the bird-breeding season (March - September inclusive). If clearance works are to be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds in such manner and to such specification as may have been previously agreed in writing by the Local Planning Authority.

Reason: To ensure that bird's nests are protected from disturbance and destruction.

15. No development or demolition shall take place until an archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The Mitigation Strategy will include appropriate Written

Schemes of Investigation for trial trench evaluation and provision for further mitigation work as necessary. These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.

16. The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework.

17. A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the archaeological works hereby approved being commenced, unless otherwise agreed in writing by the Local Planning Authority. The post investigation assessment must be completed in accordance with the programme set out in the approved Written Scheme of Investigation and shall include provision for analysis, publication and dissemination of results and deposition of the archive being secured.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.

18. Development shall not commence until a LCRM Stage 1 Risk Assessment has taken place and, if required a Stage 2 options appraisal has been carried out to identify the nature and extent of any contamination at the site. The site investigation report shall include a risk assessment to assess the risks to the environment and to human health resulting from any contamination present at the site. Stage 3 remediation and verification measures identified by the investigation shall be carried out before the use of the site / the occupation of the buildings(s), hereby permitted, commences. The report shall be agreed in writing by the Local Planning Authority. In order to comply with the above condition, the proposal should comply with Land Contamination: risk management guidance found at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> and "BS 10175:2011+A2:2017 Investigation of potentially Contaminated sites - Code of practice".

Reason: To ensure that the site, when developed, is free from contamination, in the interests of safety.

19. All hedgerows on the application site shall be retained. No part of the hedges shall be removed unless that removal is authorised as part of this grant of planning permission or is the subject of written agreement by the Local Planning Authority.

Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.

20. The reserved matters shall include details of the noise mitigation measures as outlined in Noise Assessment dated 8th February 2023 including full details of the earth bunds to be provided on the site boundaries and acoustic glazing to be installed within the dwellings and care home hereby permitted.

Reason: In the interest of the amenities of occupiers of the permitted scheme.

21. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy 47567 Issue 3, Eastwood, 06/04/2023, and Technical Note 47567- ECE-XX-XX-L-C-0005, Eastwood 26th July 2023, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- i.) Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169.
- ii.) Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
- iii.) Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
 - No surcharge shown in a 1 in 1 year.
 - No flooding shown in a 1 in 30 year.
 - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- iv.) Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- v.) Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- vi.) Evidence of approval for drainage infrastructure crossing third party land where applicable.
- vii.) Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- viii.) Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

22. No construction works shall take place outside 8:00am - 6:00pm Monday to Friday, 9:00am - 1:00pm on Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of dwellings located in the vicinity of the application site.

23. No development shall commence unless and until a Biodiversity Management Plan to ensure that there is no net loss in biodiversity as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as applied in the area in which the site is situated at the relevant time and the Biodiversity Management Plan shall include a management and monitoring plan for a period of 30 years.

Reason: To ensure that the optimal benefits of biodiversity are achieved.

24. No part of the development hereby permitted shall be brought into use unless or until the relocation (if necessary) and enhancements to the two bus stops on Gateford Road namely BA0320 Gateford Road and BA0034 Gateford Road have been made to the satisfaction of the Local Planning Authority, and shall include: Demolition of existing brick shelter at BA0320; real time bus stop poles & displays including electrical connections; extended hardstands/footways; polycarbonate bus shelter; solar or electrical lighting; raised boarding kerbs; lowered access kerbs; enforceable bus stop clearways and the installation of a safe refuge crossing point on Gateford Road to serve both bus stops.

Reason: In the interests of promoting sustainable transport.

25. No part of the development hereby permitted shall be brought into use unless or until the details of a scheme for provision of free bus passes to employees and residents of the development upon occupation, are submitted and approved by the Local Planning Authority. The scheme shall include details of the bus pass(es) including period of validity or equivalent, the area of coverage, arrangements for promoting the passes, application and monitoring arrangements.

Reason: In the interests of promoting sustainable transport.

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Item No: 6d

Application Ref.	23/00329/FUL
Application Type	Full Planning Permission
Site Address	Land Next To Lound Low Road, Sutton Cum Lound, Retford.
Proposal	Erect 9 Dwellings and Construct New Access, Landscaping, Infrastructure and Associated Works
Case Officer	Jamie Elliott
Recommendation	GTD - Grant
Web Link:	Link to Planning Documents

THE APPLICATION**SITE CONTEXT**

The site is located outside of the development boundary as defined in the Bassetlaw Local Development Framework, but within the development boundary shown in the Neighbourhood Plan.

The site currently forms part of a larger agricultural field located on the north eastern edge of Sutton cum Lound and lies to the south of Lound Low Road; it covers an area of approximately 0.5 hectares.

The northern boundary of the site largely comprises a mature hedgerow and a public footpath runs along the western boundary.

The site is identified in Policy 4 of the Sutton-cum-Lound Neighbourhood Plan as a housing allocation.

PROPOSAL

The application seeks full planning permission for the erection of 9 dwellings, consisting of 1 two bedroom bungalow, 2 three bedroom bungalows, 3 four bedroom dwellings and 3 five bedroom dwellings.

The dwellings would be laid out in a linear manner to front Lound Low Road and would be of a traditional design and would feature detailing such as chimneys, brick arches, dentil courses to eaves and gables and stone cills.

It is proposed to access the site from a single priority access on to Lound Low Road with a private drive extending along the front of the dwellings. The access would also provide access to the remaining field to the rear of the proposed dwellings. The public footpath to the west remains unaffected.

The application has been amended from its originally submitted form, re-siting the access, adding chimney stacks to the proposed dwellings and re-locating roof lights from the road frontage elevations onto the rear.

DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town & Country Planning Act 1990 provides that the local planning authority shall have regard to the provision of the development plan, as far as material to the application, and to any other material considerations.

Other material planning considerations include the National Planning Policy Framework and guidance within the National Planning Policy Guidance.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) sets out the Government's approach for the planning system and how these are expected to be applied.

Paragraph 8 explains that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform an economic, social and environmental role.

Paragraph 11 explains that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up to date development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission shall be granted unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The following parts of the framework are applicable to this development:

- Part 4. Decision-making
- Part 5. Delivering a sufficient supply of homes
- Part 8. Promoting healthy and safe communities
- Part 9. Promoting sustainable transport.
- Part 12. Achieving well-designed places
- Part 14. Meeting the challenge of climate change, flooding and coastal change.
- Part 15. Conserving and enhancing the natural environment.
- Part 16. Conserving and enhancing the historic environment.

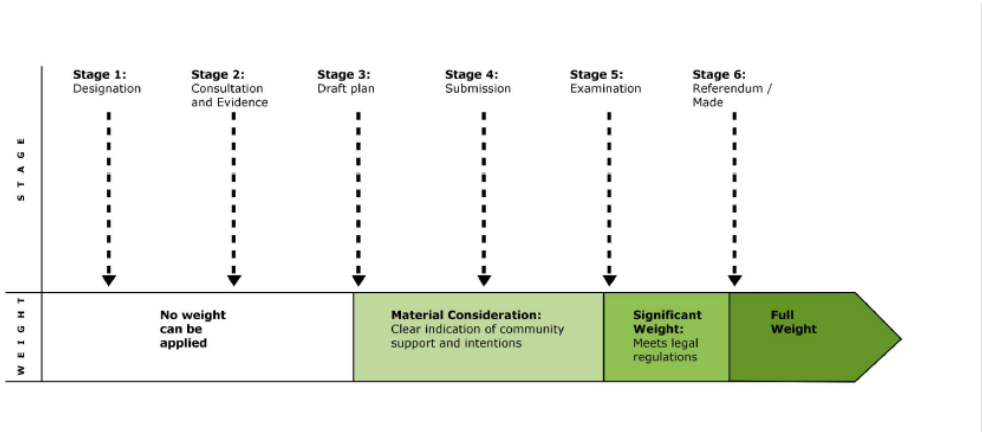
BASSETLAW DISTRICT COUNCIL – LOCAL DEVELOPMENT FRAMEWORK

Core Strategy & Development Management Policies Development Plan Document (Adopted December 2011):

- CS1 - Settlement hierarchy
- CS8 - Rural Service Centres
- DM4 - Design & character
- DM5 – Housing Mix and Density
- DM8 – The Historic Environment
- DM9 - Delivering open space and sports facilities
- DM12 - Flood risk, sewage and drainage

Sutton cum Lound Neighbourhood Plan

The Sutton cum Lound Neighbourhood Plan was made in March 2021. The chart below shows the weight to be given to the Neighbourhood Plan set against the stage of the plan-making process. It can therefore be accorded full weight.



The relevant polices are as follows:
 Policy 1 - Design of residential development
 Policy 2 – A mix of housing types
 Policy 4 – Land south of Lound Low Road.
 Policy 6 - Infill and redevelopment in Sutton–cum-Lound village
 Policy 8 – Improving green infrastructure
 Policy 9 – Highway safety

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SUMMARY OF CONSULTATION RESPONSES

Nottinghamshire County Council Highways

No objections.

Bassetlaw District Council Environmental Health

No objections.

Bassetlaw District Council Conservation

No objections.

Isle of Axholme Internal Drainage Board

Surface water run-off rates should not be increased as a result of the development.

Sutton cum Lound Parish Council

Object to the development on the following grounds:

Whilst the Parish Council and community would normally favourably consider development within the location, given the current rate of development within the village and lack of supporting infrastructure whether that be local hospitals, transport or amenities, and the design of the application in relation to the road layout which suggests that the site would be further targeted for future development outside of the NHP, and current speeding issues prevalent within the village, and possible development of the area in relation to planning application ES/4518 The extraction, processing and export of pulverised fuel ash from former ash disposal lagoons and their progressive restoration, and associated development including earthworks, dewatering and soil storage, ponds and excavations, hard and soft surfacing and landscaping and boundary treatment, buildings and structures, plant, conveyors, utility connections, roadways, parking, drainage, and ancillary development the Parish Council cannot support this application.

The SHMA identifies a likely need 'to support demand for bungalows based on the evidence we would expect the focus of new market housing provision to be on 2 or 3 bedroom properties.' Future development should reflect this local and district requirement for some smaller dwellings.

Statement 58 of the Neighbourhood Plan details the key concerns of the village. It is expected that any planning applications proposed meet some of these requirements in order to enhance the local environment. This application does not demonstrate any contribution towards these requirements.

As per the latest iteration of the Draft Bassetlaw Plan, Sutton cum Lound has exceeded its quota of new builds and it is not perceived that this application would enhance the local environment or provide any other benefits to the area.

The Parish Council express concern over the current drainage system /sewer connection in place which is not sufficient and likely at current capacity and ask that as condition of full approval of the application that sewer modelling study be required to determine the impact this development will have on the existing system and as to whether flows can be accommodated.

Furthermore as the application lays within close proximity to SSSI careful consideration should be given to the damage that the application could cause to biodiversity and ask that Natural England are consulted for permission prior to planning authority consideration.

SUMMARY OF PUBLICITY

This application was advertised by neighbour letter and site notice and **25 letters** have been received from **Local Residents** objecting to the development on the following grounds:

1. 2.5 storey dwellings would be out of character with the area;
2. The access onto Lound Low Rd, would be dangerous;
3. The development would create an access to serve further development to the south;
4. The development would be outside the development boundary;
5. The village already has a considerable number of new dwellings (56 already built);
6. It would only benefit the landowner and the developer;
7. The increase in vehicular movements would be detrimental to pedestrian safety;
8. The village is already over developed;
9. Too much development is taking place on the village edge;
10. The village has already exceeded the number of new dwellings required by BDC;
11. No further new houses are required in the village;
12. The development would extend the village boundary into the countryside;
13. A significant number of new houses with the village, remain unsold;
14. The development does not reflect the housing mix requirements of the village;
15. The speed limit should be extend to limit to 30mph;
16. Bungalows located on the village edge, would not be suitable for older people as they would be located furthest from village amenities;
17. The village already has sufficient numbers of 4 and 5 bed properties;
18. The village is without services and amenities;
19. All the open green space is being built upon;
20. Just because the site is identified in the Neighbourhood Plan (NP) as a site for housing, does not mean that it should be allowed;
21. The developer has failed to engage with the community;
22. As BDC can demonstrate that is no shortage of housing land supply, this application should be refused;
23. Would set a precedent for housing on the northern side of Lound Low Road;
24. Access to the site should be achieved from the western edge of the site;
25. The development is clearly maintaining access for further development to the south;
26. The turning head is poorly designed;
27. There are insufficient places in local schools;
28. Insufficient off street parking would lead to road side parking and congestion;
29. May adversely impact on the village sewage and drainage systems;
30. Adverse impacts on wildlife;
31. The field has previously been utilised by dog walkers;
32. The large monolithic houses would be an eyesore;
33. Would increase light pollution;
34. The number of dwellings allowed on Nights Gate site, should cancel out the need for other residential allocations in the village;
35. The NP requires that dwellings should front onto Lound Low Road.

Following re-consultations on the amended scheme a further **5 Letters of objection** have been received re-iteration the comments above:

1. The amended scheme would not overcome the previous objections outlined above;
2. The development fails to address the need for affordable starter homes;
3. Bassetlaw planning dept. must respect the process the community have engaged in, and responsibly work with the community to ensure the collaborative work and results are honoured if it wishes to continue to engage the community on future and maintain any credibility going forward;
4. Access to the land to the south should be precluded;
5. Increase in traffic would be detrimental to highway safety;
6. The service has insufficient services and facilities to accommodate the new dwellings;
7. Bassetlaw DC must have exceeded its quota for new housing;
8. Just because the site is allocated, the land owner should not take advantage of this;
9. Sutton has received its fair share of new housing;
10. The developer has not engaged with the local community;
11. The question should be asked, does the village need more housing?;
12. The gap between plots 4 and 5 is unacceptable;
13. Consideration should be given to providing a park or allotments behind the application site;
14. No details of swept path analysis have been provided to show how refuse vehicles will service the site;
15. The bungalows should be sited on the other end of the site to enable the retention of view across the site by existing residents;
16. The development fails to address the need for affordable starter homes;
17. Loss of green space and wildlife.

CONSIDERATION OF PLANNING ISSUES

PRINCIPLE OF THE DEVELOPMENT

Paragraph 12 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision making.

Policy CS1 of the Core Strategy states that until the adoption of the site allocations DPD, development in the settlements identified in the hierarchy will be restricted to the area inside defined settlement boundaries. However, additional permission may be granted where the development proposal would address a shortfall in the District's five-year housing supply.

Policy CS8 of the council's Core Strategy identifies Sutton-cum-Lound as a Rural Service Centre, a settlement that offers a range of services and facilities, and access to public transport, that makes it a suitable location for limited rural growth.

Paragraph 33 of the NPPF states that policies in development plans should be reviewed and where necessary updated every 5 years. The Bassetlaw Core Strategy dates from 2011 and its policies have not been reviewed in the last 5 years as the Council is working on a new local plan to replace it. In this situation, paragraph 219 of the NPPF states that policies in an adopted development plan do not become automatically out of date because they were published before the framework; policies must be considered having regards to their consistency with the framework.

The Core Strategy was prepared using a settlement hierarchy which included development limits to control development and does not have any new site allocations.

As such it restricts the delivery of new development which is out of step with the growth that is expected to be delivered as identified in the NPPF. As such, the weight given to policy CS1 has to be reduced.

In relation to the supply of housing, the NPPF requires Councils to identify and update, on an annual basis, a supply of specific deliverable sites sufficient to provide for five years' worth of housing provision against identified requirements (paragraphs 74 & 75). For sites to be considered deliverable: they have to be available; suitable; achievable and viable. Under the requirements of the NPPF, the Council can demonstrate 13.5 years' worth of housing (as published in November 2021 in the 5 year supply statement) and as such, a deliverable 5 years supply of housing can be achieved.

Sutton-cum-Lound Neighbourhood Plan is made and therefore forms the most up-to-date development plan for the settlement. Whilst the Core Strategy is considered to be out of date and carry limited weight it is considered the titled balance test is not engaged in this instance as full weight can be afforded to the Neighbourhood Plan.

The site lies within the Development Boundary identified within the Neighbourhood Plan and is allocated for residential development by Policy 4: Land South of Lound Low Road.

Policy 4 of the neighbourhood plan states:

1. Residential development on land south of Lound Low Road as allocated on the policies map will be supported where the applicant can demonstrate the following:

- a) the design and layout reflects its rural setting and is in accordance with Policy 1; and*
- b) the layout safeguards the public right of way on the western boundary.*

The Sutton-cum-Lound Neighbourhood Plan is considered to carry full weight in the determination of this application and is considered to have a positive approach to development, allocating sites for residential development and allowing infill development within the defined development subject to certain criteria being met.

Therefore subject to complying with the policies outlined above and other material considerations, residential development of this site is clearly acceptable in principle having regard to Policy 4 of the made Neighbourhood Plan.

SUSTAINABILITY OF THE DEVELOPMENT

Paragraph 8 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:

“an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land,

helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

In reaching a decision on this case, the NPPF at paragraph 9 makes it clear that the objectives referred to above should play an active role in guiding development towards sustainable solutions and are not criteria against which every planning application should be judged against.

In reaching a decision on this case, the NPPF at paragraph 9 makes it clear that the objectives referred to above should play an active role in guiding development towards sustainable solutions and are not criteria against which every planning application should be judged against.

Sutton-cum-Lound is defined as a Rural Service Centre, a settlement that offers a range of services and facilities, and access to public transport that makes it a suitable location for limited rural growth

The erection of 9 dwellings on this site will make a small but positive contribution to building a strong, responsive and competitive economy through the creation of temporary construction related jobs on site and the on-going contribution to the local economy both in terms of employment, spending and service usage from the creation of additional households in the area.

It is considered therefore that Sutton-cum-Lound is a sustainable location for housing growth and therefore, it is considered as outlined above that the scheme does meet the social objectives of the NPPF.

HERITAGE MATTERS

Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 state that special regard should be given to the desirability of preserving listed buildings or their settings.

Policy DM8 of the Bassetlaw Local Development Framework is generally consistent with the NPPF and states that the historic environment shall be protected and enhanced to secure its long term future and that any development that would be detrimental to the significance of the heritage asset or its setting, will not be supported. This is reiterated in paragraph 200 of Part 16 of the National Planning Policy Framework, which states that any harm to or loss of the significance of heritage assets should require clear and convincing justification.

Paragraph 203 of the National Planning Policy Framework, also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

The application site is on the edge of Sutton cum Lound and is within the setting of several non-designated heritage assets to the west. The site is also within the wider setting of St Bartholomew's Church (grade I listed). The site itself contains no heritage assets so this is, from a Conservation point of view, purely a matter of setting.

As there are no designated heritage assets on the site and immediate vicinity, the principle of development on the site is considered acceptable in Conservation terms, subject to an acceptable design, scale, layout and materials. With regard to the submitted details, these show standard suburban house types which are commonplace in this part of the village, including those recently built opposite. The scale of the buildings is limited to one and two storeys, limiting their impact on the wider setting.

The general design is considered to be acceptable, but the proposed roof materials (labelled as 'grey tiles' on the drawings) will not be acceptable. Clay pantiles are the predominant roofing material in the area so would be required here in order to help preserve the setting of nearby heritage assets.

Therefore subject to a suitably worded condition to secure appropriate facing and roofing materials, it is considered that the development would comply with the provisions of the policies and guidance outlined above.

VISUAL AMENITY

Section 12 of the NPPF refers to achieving well designed places. Specifically, paragraph 126 states that good design is a key aspect of sustainable development; it creates better places in which to live and work in and helps make development acceptable to local communities. Paragraph 130 states that decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state that permission should be refused for development of poor design (para 134).

Policy DM4 of the Bassetlaw Core Strategy is consistent with the NPPF and provides general design principles which should be applied to all schemes. The policy states that all development proposals will need to be in keeping with the character and appearance of the wider area and when they are in historic locations, they should respect existing development patterns. All schemes must respect their context and not create a pastiche development which would be incorrect in their context.

Policy 1 of the Neighbourhood Plan states that:

Proposals for residential development should demonstrate a high design quality that enhances the distinctiveness and quality of the village by contributing to its historic rural character. In order to achieve this development should;

- a) use a locally inspired range of materials to ensure a narrow colour palette is utilized in keeping with the character of the surrounding properties; and
- b) use low walls made from local materials and hedges as boundary treatments, to delineate public and private space; and
- c) Be of a scale and mass that retains openness in the built form and retains views out to surrounding countryside; and
- d) demonstrates a layout that maximises opportunities to integrate new development with the existing settlement pattern; and
- e) protects and where possible enhances heritage assets (including their setting).

Within the immediate setting of the application site, there are a range of older and very recently completed dwellings. Whilst the character of this part of the village is somewhat mixed, the new dwellings use of red facing bricks and clay pantiles has help assimilate the development into the village setting.

The dwellings would be laid out in a linear manner to front Lound Low Road. It is considered that the layout would respect the linear character of the roads at the edge of Sutton cum Lound and the development frontage would be softened by the retention of the existing mature hedgerow which forms the northern boundary to Lound Low Road.

The application has been amended from its originally submitted form, reducing the number of roof lights in the elevations facing the road and introducing chimney stacks into the design of the houses. The dwellings would be of a traditional design and would feature detailing such as chimneys, brick arches, dentil courses to eaves and gables and stone cills. The scale and design of the dwellings proposed is considered to respect the existing character of this area of the village.

Following the submission of the amended scheme, it is considered that the development would be in-keeping with the traditional form of building in the village.

It is considered therefore that subject to conditions securing the use of appropriate facing and roofing materials, the development would be sympathetic to and in keeping with the character and appearance of the village.

Accordingly it is considered that the development would comply with the aims and provisions of the policies outlined above.

RESIDENTIAL AMENITY

Policy DM4 of the Core Strategy is consistent with the NPPF and requires that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. This is also reflected in paragraph 130 criterion f) of the NPPF which states that development should create a high standard of amenity for existing and future users.

Paragraph 185 of the NPPF seeks to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes an assessment of noise and light impact.

The District Council's 'Successful Places' Supplementary Planning Document also states that new dwellings should normally have a minimum single area of private amenity space of; 50m² for 2 bed dwellings, 70m² for 3 bed dwellings and 90m² for 4 bed dwellings.

As the occupiers of the new dwellings would be provided with private garden areas in excess of this minimum requirement, the development would comply with the requirements of the SPD.

The proposed dwellings have been designed and orientated in order to ensure that the dwellings would not result in any undue overlooking, overshadowing or domination of neighbouring dwellings.

It is also considered that there is sufficient distance between the proposed dwellings and the existing dwellings to the north of Lound Low Road, to ensure that there would be no significant adverse impacts in terms of overlooking and loss of privacy.

The District Environmental Health Officer has recommended that a noise and odour survey be undertaken in respect to the existing pump house, in order to assess whether mitigation would be needed for occupiers of the dwellings on plots 1 and 2.

It is recommended therefore, that should permission be granted, a condition be imposed requiring that a noise and odour survey be undertaken in respect of plots 1 and 2, and the implementation of any necessary mitigation.

Accordingly it is considered that the development outlined above would comply with the provisions of the policies and guidance outlined above.

HOUSING MIX

Policy 2 of the Neighbourhood Plan states that:

1. Planning applications for housing schemes are required to deliver a housing mix that reflects the demonstrable need for smaller market dwellings.
2. Developers are required to demonstrate how this has been taken into account in the different house types and bedroom numbers proposed.

The Bassetlaw Housing and Economic Needs Assessment (HEDNA) published in November 2020 states "it is expected that the focus of new market housing provision will be on 2- and 3-bed properties". It is acknowledged that the study covers the whole District, rather than just Sutton-cum-Lound. However, the authors have clarified that although there were some differences noted between sub-areas, they are not substantial enough to suggest a need for a different mix.

It is clear that, whilst not specifying a particular proportion of smaller dwellings that should be delivered, Policy 2 does seek to ensure that the housing mix within residential does deliver a higher proportion of smaller dwellings. On balance it is considered that the application for the erection of, 1 two bed bungalow, 2 three bed bungalows, 3 four bed dwellings and 3 five bed dwellings is not fully in accordance with policy 2.

However there is to a degree a conflict in planning policy in regards to the issue of smaller dwellings for this site and density / character of the area policies. Furthermore the specific allocations policy 4 requires a design and a layout that reflects its rural setting. Policy 1 also requires new development to be consistent with the character of the area. The development as proposed does fulfil the policies relating to the character of the area and there are some smaller dwellings proposed.

On this basis it is considered that this would not form reasonable reason for refusal.

HIGHWAYS MATTERS

Paragraph 110 of the NPPF states that schemes can be supported where they provide safe and suitable access for all. This requirement is also contained in policy DM4 of the Council's Core Strategy. Paragraph 111 of the NPPF makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 92 of the NPPF states that all development should aim to achieve healthy, inclusive and safe places which encourage social interaction, are safe and accessible and enable and support healthy lifestyles. Paragraph 110 of the NPPF requires schemes to provide safe and suitable access for all users as well as looking at appropriate opportunities to promote sustainable transport modes.

Paragraph 112b of the NPPF requires schemes to address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

Paragraph 112e of the NPPF requires schemes to be designed to enable charging of plug-in electric vehicles (EV) and other ultra-low emission vehicles (ULEV) in safe, accessible and convenient locations. As with mobility vehicles, there are currently no County standards on what provision developers must provide as part of their schemes, but this is to change soon as the County is working on such a policy and has considered it to be appropriate to request provision here in line with the requirements of paragraph 112e of the NPPF.

The originally submitted scheme proposed two separate vehicular access points onto Lound Low Road. At the request of the highways authority the scheme has been reduce to a single point of access in the centre of the road frontage. The scheme has been amended in accordance with the recommendations of the Highways Authority with vehicular access to the site being from a single priority access on to Lound Low Road with a private drive extending along the front of the dwellings. The access would also provide access to the remaining field to the rear of the proposed dwellings. A pedestrian access is proposed to the west of the site and this would provide a link through to the footway on Lound Low Road.

The proposed access would be 5.5m in width with 2m footways either side and the width would allow a vehicle to enter the site whilst another is egressing. The applicant has provided a speed survey of vehicles travelling along Lound Low Road in both directions and it has been demonstrated that suitable visibility splays can be achieved to ensure vehicles can safely egress the site.

Consequently the Highways Authority have indicated that proposed layout as amended would have no adverse implications for highway safety either through vehicular movements or parking and would therefore provide a safe and suitable means of access to the development proposed. It is therefore considered that the proposal is compliant with the policies and guidance outlined above.

ECOLOGY/TREES

The Environment Act 2021 has introduced a requirement for development to deliver a 10% net gain to biodiversity. Opportunities to achieve 10% net gain in planning decisions are welcomed, however this will not become mandatory until November 2023 for large sites and April 2024 in the case of small sites. In the interim, with the absence of an up-to-date Local Plan, the Authority will approach biodiversity in accordance with paragraph 180 of the NPPF which makes clear that there should be no net loss to biodiversity as a result of development.

The content of paragraph 180 of the NPPF states that in dealing with planning applications, councils must consider the harm of a scheme on biodiversity. It states that the following principles should be applied (in summary):

- If significant harm cannot be avoided adequately mitigated or compensated for permission should be refused.
- Development within or outside a SSSI which is likely to have an adverse impact on it should not normally be permitted. The only exception is where the benefits of location outweigh its impact.
- Development resulting in the loss or deterioration of irreplaceable habitats should be refused, unless there are exceptional reasons or compensation.
- Development whose primary objective is to conserve or enhance biodiversity should be supported. Opportunities to improve biodiversity in and around developments should be integrated as part of their design especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Policy DM9 of the Core Strategy is consistent with the above and adds that development proposals will be expected to take opportunities to restore or enhance habitats and species'

populations and to demonstrate that they will not adversely affect or result in the loss of features of recognised importance.

The Government's Consultation response on Biodiversity Net Gain has been published in February 2023 and makes clear that exemptions for the assessment and delivery of Biodiversity Net Gain will be made in the following instances:

- Development impacting habitat of an area below a 'de minimis' threshold of 25 metres squared, or 5m for linear habitats such as hedgerows
- Householder applications
- Biodiversity gain sites (where habitats are being enhanced for wildlife)
- Small scale self-build and custom housing

This is subject to change should any secondary legislation or further supplementary guidance be published by the Government.

A preliminary Ecological Appraisal has been submitted in support of the application and concludes that the majority of the habitat within the site were species poor and of low quality. This is typical of land within agricultural use.

The hedges on the boundaries of the application site were however considered to be 'Habitats of Principal Importance'. As a result the appraisal therefore recommends that these hedges are retained and enhanced where possible.

The applicants have also submitted an Ecological Enhancement Strategy (EES), which seeks to maintain and protect existing conservation value of retained features and to create new habitats to enhance ecological connectivity across the site.

In terms of maintaining and protecting retained features of value it recommends that the hedge on the site frontage be retained and suitably protected throughout the construction phase of development.

With regard to the creation of new habitats, the EES proposes the following enhancement measures:

- i.) Flowering sward mix planted on open space on frontage;
- ii.) Tree planting on open space;
- iii.) Hedgerow on northern boundary enhanced by additional planting;
- iv.) Provision of integral bird and bat boxes;
- v.) Hedgehog accessible boundary treatments;
- vi. After care and maintenance carried out by Management Company.

The requirement to deliver 10% biodiversity net gain is not mandatory until November and therefore cannot be insisted upon within applications being determined prior to this date. However, the applicant has demonstrated that the Ecological Enhancement Strategy will provide biodiversity enhancement within the scheme and this is welcomed.

Concern has been raised that the development may result in harm to the Sutton and Lound Gravel Pits SSSI which lies around 900m to the south east of the site. Natural England is required to be consulted in respect of developments of certain scales within identified risk zones around the SSSI. This development does not trigger a consultation to Natural England who would not respond should a consultation be sent. It is considered that the evidence provided by the applicant demonstrates that the ecological impacts of the development would be acceptable.

Therefore subject to securing the outlined ecological mitigation and enhancements measures it is considered that the development would comply with the policies outlined above.

FLOODING/DRAINAGE

Policy DM12 states that all new development will be required to incorporate Sustainable Drainage Systems (SuDS) and provide details of ongoing and maintenance and management. Similar advice is contained in paragraph 167 of the NPPF.

The site lies within Flood Zone 1, land that has the lowest risk of flooding. It is therefore considered that the site can be developed in a way that ensures that flood risk won't be increased elsewhere and that the development is safe for its lifetime.

If permitted, the appropriate means of foul and surface water disposal from the site shall be secured by condition, ensuring compliance with the above policies.

CONTAMINATED LAND

Paragraph 183 of the NPPF requires that in making decisions on schemes consideration is taken account of the ground conditions and any risks arising from contamination.

As there may have been previously contaminative uses on the site, the district Environmental Health Officer has requested a condition be imposed on any subsequent permission requiring an investigation into site contamination.

Subject to securing the above investigation and mitigation measures it is considered that the development would comply with the provisions of the policies and guidance outlined above.

OTHER MATTERS

A number of objectors have raised concerns relating to a range of other issues. These are discussed below.

Over development within the village

A number of concerns have been expressed in relation to the number of new dwellings already being built in the village, arguing that the settlement of Sutton Cum Lound does not require any further increase in properties.

It is important to note that the site in question is allocated within the Neighbourhood Plan for residential development.

This Plan was prepared by Sutton cum Lound Neighbourhood Plan Steering Group on behalf of Sutton cum Lound Parish Council. It covers the whole of the Parish of Sutton cum Lound and sets out planning policies for the Neighbourhood Plan Area from 2016-2031.

The Neighbourhood Plan was formally 'made' by Bassetlaw District Council on 4 March 2021. The Neighbourhood Plan therefore forms part of the statutory Local Development Plan for Bassetlaw and should be used when either applying for planning permission or determining planning applications within the Neighbourhood Plan Area.

Therefore as the application site is allocated within the Neighbourhood Plan for residential development, the principal of the current development is clearly acceptable in principle.

Lack of facilities and services within the village.

Objections have been received on the basis that the village has insufficient services and facilities to accommodate any further increase in housing number. Sutton cum Lound is however identified in the Bassetlaw Local Plan as a Rural Service Centre, settlements that offer a range of services and facilities, and the access to public transport, that makes them suitable locations for limited rural growth.

Although Rural Service centres do not meet all of the day-to-day needs of their communities, they provide a level of service provision above that of other rural settlements. It is considered therefore that the creation of new households would help improve the viability of existing services and help sustain the local community.

Precedent for further development.

Concerns have been expressed with regard the precedent that the development would set for further residential development in the village. In addition objects have been raised in respect to the retained land in the middle of the site providing future access to the rear of the site.

In response to the above, any further development would be require the submission o further planning applications and would be determined under the current national and local planning policies, and policies contained in the neighbourhood plan. The granting of planning permission for residential development on a site allocated for housing within the Neighbourhood Plan would therefore not set an undesirable precedent for any further development within the village.

Community Benefits.

It has been argued that the allotments should be provided on the land to the rear of the site for the benefit of the local community. As there are no specific polices within the Local Development Framework or the Neighbourhood Plan in respect to providing allotments in this location, the would be no justification in planning terms to request such a community facility.

CONCLUSION

As indicated previously Sutton-cum-Lound Neighbourhood Plan is 'Made' and therefore forms the most up-to-date development plan for the settlement and can be afforded full weight.

The site lies within the Development Boundary identified within the Neighbourhood Plan and forms the area of land allocated for residential development by Policy 4: Land South of Lound Low Road.

The principle of residential development of this site has therefore clearly been accepted, subject to addressing other material considerations.

It is must be acknowledged that the housing mix proposed does not strictly comply with Policy 2 of the Neighbourhood Plan; however this also has to be considered alongside the other policies in the plan, particularly Policy 1 (Design of Residential Development) and Policy 4 (land South of Lound Low Road) and it also has to be considered against national and local design policies.

This application site is an edge of settlement site which lies adjacent to the open countryside. In this location a lower density of development would be expected to provide a transition in to the countryside, it should be well designed and prominent enough to form a gateway / entrance to the village without being over dominant. If a higher density development of smaller dwellings were to be provided, in accordance with Policy 2, it would not be in keeping with the character of this part of the village and would be unlikely to respect the semi-rural nature of the site. Therefore on balance assessing planning policy in the round it is considered that the proposed development is acceptable in terms of layout and appearance and housing mix.

The proposal by virtue of the scale, design and appearance, is considered to have an acceptable impact upon the amenity of the occupiers nearby dwellings and would provide a good standard of residential amenity for future occupiers. It is also considered that the proposal would not result in a detriment to highway safety and would also have a positive impact upon the natural environment through the delivery of ecological enhancements within the development.

It is considered therefore that the for the reasons discussed above, the development as amended would comply with policies DM4, DM8, DM9 and DM12 and parts 12, 14, 15 and 16 of the National Planning Policy Framework and the overall aims of the Sutton cum Lound Neighbourhood Plan.

RECOMMENDATION: Grant subject to conditions

CONDITIONS:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be in accordance with details and specifications included on the submitted application form and shown on the following approved plans:

- Planning Layout Drawing No. FO32-01-01 Rev. D, received 18 May 2023;
- Streetscene Drawing No. FO32-01-02 Rev. B, received 18 May 2023;
- Westbury Plot 5 Drawing No. 2215-P07 Rev. A, received 18 May 2023;
- Westbury Plot 4 and 6 Drawing No. 2215-P08 Rev. A, received 18 May 2023;
- Claydon Plot 7 Drawing No. 2215-P09, received 18 May 2023;
- Subury Plot 8 Drawing No. 2215-P10, received 18 May 2023;
- Salisbury Plot 9 Drawing No. 2215-P11, received 18 May 2023;
- Winster Plots 1 and 3 Drawing No. 2215-P12 Rev. A, received 18 May 2023;
- Winster Plots 1 and 3 Plans, Drawing No. 2215-P13 Rev. A, received 18 May 2023;
- Winster Plot 2 Drawing No. 2215-P14 Rev. A, received 18 May 2023;
- Winster Plot 2 Plans, Drawing No. 2215-P15 Rev. A, received 18 May 2023;
- Garages, Drawing No. 2215-P12, received 10 March 2023.
- Visibility Splays, Drawing No. 600735-HEX-00-00-DR-TP-0300 Rev. P02, received 9 May 2023
- Preliminary Ecological Appraisal by Brindle and Green, received 10 March 2023
- Ecological Enhancement Strategy by Brindle and Green Ref: BG22.216, received 24 July 2023

Reason: To ensure the development takes the agreed form envisaged by the Local Planning Authority when determining the application and for the avoidance of doubt.

3. Notwithstanding the submitted details, the roofs of the buildings hereby approved shall be covered only with clay pantiles, the specifications of which shall be submitted to and agreed in writing by the Local Planning Authority before the roofs are installed. The completed roofs shall only be in accordance with the agreed details.

Reason: To ensure the roofs of the new development preserve the setting of nearby heritage assets.

4. The facing materials to be used in the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority before any development occurs above damp proof course level (DPC).

Reason: To ensure the satisfactory appearance of the completed development.

5. Prior to plots 1 to 4 and 5 to 9 respectively being occupied the respective communal bin stores detailed on plan reference F032-01-01 Rev D shall be provided in a hard bound material.

Reason: To ensure bins do not obstruct the footway and visibility splays from accesses in the interest of highway safety.

6. Prior to the dwellings being occupied the footway on Lound Low Road shall be widened to 2.0m from a point east of the site access junction in a westerly direction to a point west of the site's western boundary and the Lound Low Road streetlighting and 30mph speed-limit shall be extended to a point east of the site access junction.

Reason: In the interest of highway safety and to promote sustainable travel.

7. Prior to the dwellings being occupied the visibility splays detailed on plan reference 600735-HEX-OO-OO-DR-TP-0300 Rev P02 shall be provided from the site access junction and, except for streetlighting and speed-limit signage, all street furniture shall be set back behind the visibility splays.

Reason: In the interest of highway safety.

8. No development shall take place until a Construction Method Statement (CMS) has been submitted to and has been approved in writing by the Local Planning Authority including a works programme. For each part of the works programme (i.e., site clearance, foundations, structures, roofing, plumbing, electrics, carpentry, plastering, etc.) the CMS shall include:

- a quantitative assessment of site operatives and visitors,
- a quantitative assessment of the size and number of daily deliveries,
- a quantitative assessment of the size, number, and type of plant,
- a plan identifying any temporary access arrangements,
- a plan of parking for site operatives and visitors,
- a plan of loading and unloading areas for vans, lorries, and plant,
- a plan of areas for the siting and storage of plant, materials, and waste, and
- the surface treatment of temporary access, parking and loading and unloading areas.

The first action on commencement of development, and prior to any further action (including site clearance, site stripping or site establishment) shall be the formation of; any temporary access arrangements; parking areas; and loading, unloading, and storage areas in accordance with the approved CMS and thereafter any temporary access, parking, load and unloading, and storage areas shall be set out and utilised in

accordance with the approved CMS and programme. The designated parking, loading, and unloading, and storage areas shall be used for no other purpose during the respective part of the programme.

Reason: To minimise the impact of the development on the public highway during construction in the interest of highway safety.

9. The development shall not commence until details of the proposed arrangements for the management and maintenance of the streets (prior to an agreement being entered into under Section 38 of the Highways Act 1980) including associated streetlighting and drainage have been submitted to and approved by the Local Planning Authority. The streets including streetlighting and drainage shall for the lifetime of the development be maintained in accordance with the approved private management and maintenance details unless an agreement has been entered into under Section 38 of the Highways Act 1980 at which point those streets covered by the agreement will not be subject to the approved management and maintenance details.

Reason: To ensure that the street infrastructure is maintained to an appropriate standard prior to being adopted as public highway.

10. No dwellings within the development shall be occupied until the streets and footways affording access to those dwellings have been completed up to binder course level and are street lit and which shall be surface coursed prior to the last occupation.

Reasons: To ensure that the streets serving the development are sufficiently completed and are available for use by the occupants and other users of the development in the interest of highway safety.

11. No dwelling shall be occupied until such time as the access and parking area to that dwelling has been provided in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.

Reason: To ensure appropriate access and parking arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc), to minimise the chance of highway flooding and severe icing, and in the interest of highway safety.

12. Prior to the commencement of development, a management plan for the highway boundary hedgerows and the proposed mix of any additional landscaping for the boundary and the flowering grassland identified in the Brindle & Green Ecological Consultants Ltd, Ecological Enhancement Strategy Ref: BG22.216, dated 21 July 2023, shall be submitted to an approved in writing by the Local Planning Authority. The boundary and flowering grassland shall be maintained in accordance with the approved management plan for the lifetime of the development.

Reason: To ensure that the boundary hedgerow is appropriately maintained in the interest of highway safety and in the interests of biodiversity.

13. All vehicles preparing to leave the site during the construction period shall have their wheels thoroughly washed should they be displaying signs of mud or debris and a mechanically propelled road sweeper shall be employed should mud or debris be transported onto the public highway immediately following each occurrence until such time as all mud and debris has been removed.

Reason: To minimise the exportation of mud and debris onto the public highway and to ensure that this is appropriately dealt with in the interest of highway safety.

14. No development shall take place until such time as it has been demonstrated that the size of the highway soakaway detailed on plan reference WHL-1642-01DR-OOI P3 is adequate, that an infiltration rate greater than 10mm/hr is achievable, and that the base of the soakaway will be located at least 1.0m above the highest recorded ground water level considering seasonal variances or until such time as alternative drainage strategy has been approved.

Reason: To ensure that the street layout can be appropriately drained.

15. No development shall commence above damp proof course level (DPC) on plots 1 and 2, until a noise and odour assessment has been submitted to and agreed in writing the Local Planning Authority. The assessment shall evaluate the impacts of the adjacent pump house on the occupiers of the new dwellings and shall include details of any necessary works or mitigation. The agreed scheme of mitigation shall be carried out prior to the occupation of the plots outlined above.

Reason: To safeguard the amenities of future residents

16. Development shall not commence until a L-CRM Stage 1 Risk Assessment has taken place and, if required a Stage 2 options appraisal has been carried out to identify the nature and extent of any contamination at the site. The site investigation report shall include a risk assessment to assess the risks to the environment and to human health resulting from any contamination present at the site.

Stage 3 remediation and verification measures identified by the investigation shall be carried out before the use of the site / the occupation of the buildings(s), hereby permitted, commences. The report shall be agreed in writing by the Local Planning Authority. In order to comply with the above condition, the proposal should comply with Land Contamination: risk management guidance found at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> and "BS 10175:2011+A2:2017 Investigation of potentially Contaminated sites - Code of practice".

Reason: To ensure that the site, when developed, is free from contamination, in the interests of safety.

17. No construction works shall take place outside 8:00am - 6:00pm Monday to Friday, 9:00am - 1:00pm on Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of dwellings located in the vicinity of the application site.

18. No development shall commence above damp proof course level (DPC) until a scheme for the provision of bird and bat boxes units within the development has been submitted to and agreed in writing with the Local Planning Authority. The approved bird and bat boxes shall be completed and available before the dwellings hereby permitted are first occupied.

Reason: To ensure that the optimal benefits of biodiversity are achieved.

19. A landscaping scheme In accordance with the Brindle & Green Ecological Consultants Ltd, Ecological Enhancement Strategy Ref: BG22.216, dated 21 July 2023, shall be submitted to and approved in writing by the Local Planning Authority before development commences above damp proof course level (DPC). The approved scheme shall be fully implemented within nine months of the date when the last dwelling on the site is first occupied. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced in the following planting season by trees or shrubs of a size and species similar to those originally required to be planted.

Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.

20. The existing hedges on the northern and eastern boundaries of the application site shall be retained. No part of the hedges shall be removed unless that removal is authorised as part of this grant of planning permission or is the subject of written agreement by the Local Planning Authority.

Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.

21. Prior to the commencement of development, all hedges on the boundaries of the application site shall be protected in a manner previously agreed in writing with the Local Planning Authority. The hedgerows shall be protected in accordance with the agreed scheme for the duration of the construction activities.

Reason: To ensure the development is carried out in a way which safeguards the boundary hedgerows.

22. Development shall not commence above Damp Proof Course Level, (DPC) until a scheme for all walls and fences within the site, including hedgehog access points, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be fully implemented before the occupation of the dwellings to which each relates.

Reason: To ensure the satisfactory, overall appearance of the completed development.

23. Foul sewage and surface water shall be disposed of from the site in accordance with the Drainage Strategy dated March 2023 and received on 10 March 2023, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the site is drained in a satisfactory manner.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or and order revoking or re-enacting that order), no dormer windows, roof lights (other than those approved as part of this development) or solar panels shall be placed on roofs of the buildings hereby permitted, without the prior approval of the Local Planning Authority.

Reason: The unsympathetic extension or alteration to the approved building(s) may cause harm to the character and appearance of the area.

25. All rooflights hereby permitted shall be conservation style rooflights set as flush as practicable within the roof slope.

Reason: To ensure the satisfactory appearance of the completed development