

## **ITEM SUBJECT OF A SITE VISIT**

Item No: a5

<b>Application Ref.</b>	18/00342/OUT
<b>Application Type</b>	Outline Planning Application
<b>Site Address</b>	Woodlea, 55 Bawtry Road, Blyth.
<b>Proposal</b>	Outline Planning Application with Some Matters Reserved (Approval Being Sought for Layout and Scale) for Residential Development of 10 Dwellings
<b>Case Officer</b>	Mandy Freeman
<b>Recommendation</b>	GTD – Grant subject to conditions and S106 agreement.
<b>Web Link:</b>	<a href="#">Link to Planning Documents</a>

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### **THE APPLICATION**

#### Site Context

The site is part of the settlement of Blyth, north of the A1 roundabout. Blyth North is identified in Appendix 4 of the Bassetlaw Local Development Framework as one of 'All Other Settlements' where Policies CS1 and CS9 apply. The site is currently the garden area to Woodlea, the most northerly property of a series of residential properties that front onto Bawtry Road. To the north are mature trees providing along the neighbouring property providing a distinct divide from land to the north.

#### Proposal

The application is for outline planning permission for 10 dwellings, and the demolition of the existing dwelling, including the scale and layout.

The layout has been amended during the course of the application process to address highway concerns. Amended plan layout plan PC262/01 Rev.C is drawing on which the application is to be determined.

The scale of the development, including height width and length of the proposed buildings includes two bungalows to the front of the site, with 4/5 bedroom houses further into the site as the land falls away up to a maximum height to ridge of 9m.

### **DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS**

Having regard to Section 54A of the Town and Country Planning Act 1990, the main policy considerations are as follows:

#### **Environmental Impact Assessment Regulations 2011**

The proposal does not fall into any of the categories of development contained in Schedule 1 or 2 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 defined as requiring EIA Screening.

### **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 7 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 14 explains that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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 or specific policies in this Framework indicate development should be restricted.

Paragraph 17 sets out the core land-use planning principles which should underpin both plan-making and decision-taking. These principles require that planning should be inter alia genuinely plan-led, proactively drive and support sustainable economic development, always seek to secure high quality design and a good standard of amenity for all, take account of the different roles and character of different areas, encourage the effective use of land by reusing land that has been previously developed, conserve heritage assets in a manner appropriate to their significance and take account of and support local strategies to improve health, social and cultural wellbeing for all

### **Bassetlaw District Council – Local Development Framework**

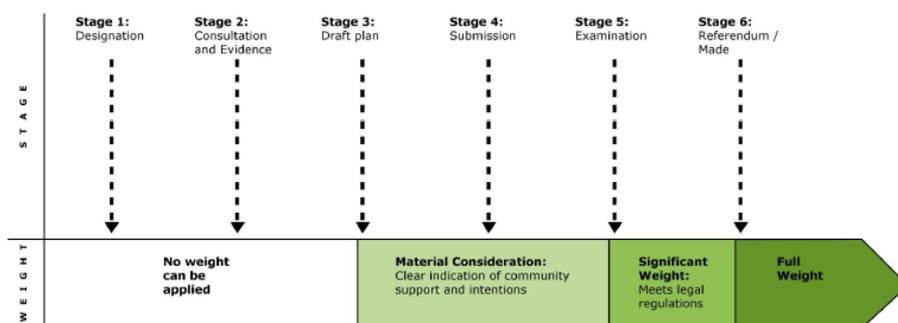
#### **Core Strategy & Development Management Policies Development Plan Document (Adopted December 2011):**

- Policy/Policies CS1, CS9.
- Policy/Policies DM4, DM5, DM9, DM12, DM13.

### **Neighbourhood Plan (including status and relevant policies)**

Blyth Parish Area was designated as Blyth Neighbourhood Plan Area on 28 September 2017.

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 no weight.



Bassetlaw Landscape Character Assessment Idle Lowlands Policy Zone 11 - Harworth.

## RELEVANT PLANNING HISTORY

There is no relevant history on this site.

There are several residential planning permissions that have been granted recently within the area of Blyth North.

*15/00668/FUL Planning permission was refused on 10 July 2015 for the construction of a one and a half storey dwelling and detached garage on land adjacent to Nawoc, Bawtry Road, Blyth. A subsequent APPEAL was allowed on 16 March 2016.*

*16/01125/FUL Planning permission was granted on 27 October 2016 to erect three detached dormer dwellings with attached double garage and associated works on land north of Nawoc, Bawtry Road, Blyth.*

*17/00435/OUT Outline Planning Application with All Matters Reserved for the Erection of Ten Dwellings on land off Bawtry Road, Blyth was granted on 14 December 2017.*

*17/00505/OUT Outline Planning Application for Five Residential Dwellings (All Matters Reserved) on Land West Of Bawtry Road Blyth Worksop Nottinghamshire on 9 August 2017.*

## RESPONSE OF STATUTORY BODIES

### Bassetlaw District Council Operational Services Manager

Access would need to be provided to the site for refuse collection vehicles up to 32 tonnes GVW, with sufficient room to turn around and exit the site. Any roads would need to be built up to adoptable highways standards, with each resident able to place bins for collection at the boundary of their property, otherwise a communal collection point would need to be provided.

### Bassetlaw District Council Tree Officer

The tree officer agrees with the classification identified in the submitted tree submitted. Numerous trees would need to be removed to facilitate the development. The majority of these are lower quality. The site plan has retained the majority of the better quality trees which will benefit from more space and light as they age, provided tree protection measures are implemented at all stages of construction.

The site is bordered to the north and east by two strips of maturing beech trees. These make an attractive feature in the landscape, visible from Bawtry Rd, A614. These may benefit from selective thinning in the short to medium term. Mention is made of protecting the RPA (Root Protection Area) of these. Due to age and stem diameter, the RPA is less than canopy spread for some of these which could make the proposal possible without being too

invasive to the rooting environment – providing adequate protection is in places throughout the construction process.

#### Nottinghamshire County Council Highways

It is noted that access is a reserved matter but layout is not. Details of the latter will include buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development. It is hard to see how layout can therefore be considered without taking into account access.

The Highway Authority initially objected to the proposal due to lack of details that the layout could accommodate refuse vehicles and due to the layout not including a footway around all the turning head. The proposed road layout fails to demonstrate sufficient space to accommodate the swept path of the largest vehicle likely to regularly visit, would afford restricted visibility for drivers emerging from accesses, and makes inadequate provision for pedestrians with a consequential risk to road safety.

Following further discussions and the submission of amended drawings PC262/01 Rev.C that largely addresses the Highway Authority's concerns. The Highway Authority has requested conditions in order to ensure that the development is carried out in a satisfactory manner, in relation to arrangements for future maintenance of the access road; extension of the 30mph speed limit in a northerly direction along A614; and surfacing and drainage of driveways.

#### Nottinghamshire County Council Planning Policy

##### *Minerals & Waste*

In relation to minerals safeguarding and consultation areas, there are no current or permitted minerals sites close to the application site. The County Council does not wish to raise any objections to the proposal from a minerals perspective.

In terms of the Waste Core Strategy there are no existing waste site within the vicinity of the site whereby the proposed development would cause an issue in terms of safeguarding existing waste management facilities.

##### *Rights of Way*

No public rights of way are recorded adjacent to or over the proposed development site. This does not preclude unrecorded rights of way being proved at a later date.

##### *Travel and Transport*

Local public transport network has frequent services, being predominantly commercial, but do receive some Local Authority funding to increase the frequency of services, providing links to Doncaster, Worksop and Retford. It is not envisaged that contributions towards local bus services will be sought.

A contribution is requested via a S106 agreement for bus stop improvements to the value of £5,000 to promote sustainable travel at the nearest bus stops to the site. These are BA1007 The Woodlands and BA0585 The Woodlands, which are close to the site, so directly related to the development.

#### Nottinghamshire County Council Education

A proposed development of 10 dwellings would yield an additional 2 primary and 2 secondary places. An education contribution is therefore sought of £22,910 (2 x £11,455) to provide primary provision to accommodate the additional pupils projected arising from the proposed development.

Lead Local Flood Authority has no objection to the proposal subject to

1. The surface water drainage is dealt with in line with the Drainage Assessment submitted.

2. Details of how the SuDS features within the proposal will be managed and maintained for the lifetime of the development. This is to ensure the drainage system remains effective for the lifetime of the development.

#### Historic Environment Officer

This site does not require any archaeological input.

Natural England – has no comments to make on this application.

#### Residents

Letter of objection from neighbouring property on the grounds:

1. The proposal is out of character for the area, which is single storey or dormer bungalows.
2. Impact of nearby mature trees on the development, due to potential storm damage and trees falling and impact on property due to root growth.
3. Impact on highway safety, as the roadway appears too narrow to allow vehicles in and out at the same time. This would result in cars stood on the brow of the hill with vehicles approaching at 60mph.

Letter of support from local resident that along with other recently granted planning permissions, the village has a requirement for family homes. This will keep the local school active and help boost local businesses and services. It will also provide homes near to the recent and planned commercial developments in the area.

The growth in the number of children in this part of Blyth will result in more travelling by public transport to Worksop and Retford schools. There are bus stops on either side of the road. The 30mph speed limit is ignored by the majority of road users. A safe location for a pedestrian crossing should be secured. The area has a high density of elderly population, some of whom have difficulty in crossing the A614 at peak traffic times.

Copies of all the responses and comments are available for inspection either on the Council's web page or in the Council's offices.

### **CONSIDERATION OF PLANNING ISSUES**

#### Principle- Principle of Sustainable Development

The site is outside any development boundary and Blyth North is identified as a settlement where Policy CS9 is applicable. New housing, except conversions and replacements, in such locations is not usually supported. However the Council currently does not have a 5-year residential land supply. As such, both NPPF paragraph 14 and Policy CS1 allow for additional permissions outside development boundaries where the proposed development is sustainable.

An appeal decision on 16 March 2016 in relation to planning application 15/00668/FUL referred to NPPF Paragraph 55 further indicating that housing should be located where it will enhance or maintain the vitality of rural communities, particularly where development in one location would support nearby services. Although, Blyth North has been identified as having limited facilities, the Planning Inspector noted that the Blyth A1 services are close at hand, and that buses are available from Bawtry Road to larger service centres, thus providing an alternative method of transport to the motor car. The Inspector considered that there were modest benefits in terms of the social and economic dimensions of sustainable development. No harm was perceived to the character of the area and the proposal would contribute to the shortfall of housing. As such the Planning Inspector concluded in the absence of any significant harm, the conflict with the policies does not justify the withholding of planning permission, as the development would represent a sustainable form of development, as sought by the NPPF.

As such the proposal is considered acceptable in principle, subject to the proposal being in line with other material considerations and planning policy requirements.

#### Impact on the Character and Appearance

The site is currently a large garden area to the existing property. The site is on the edge of a grouping of other residential properties along Bawtry Road. The northern boundary is screened by fairly mature trees on the neighbouring property, with a low hedge defining the boundary. To the east is also a mature wooded area. The access onto Bawtry Road is to the west, with existing residential property to the south. The site also drops down from the road towards the east, and therefore the proposed dwellings will be less prominent into the site. It is not considered that the proposal will have a detrimental impact on the overall character and appearance of the area, particularly in view of the recent developments for employment development in the area.

#### Residential Amenity

The proposal includes the layout and scale of the proposed development. The proposed plots provide adequate parking and private amenity space in accordance with Bassetlaw's SPD requirements.

Plot 10 is in close proximity to the boundary with the neighbouring property with the potential for overlooking their private amenity space. As there are no details submitted as to the internal layout of the properties or any elevational details relating to appearance, any potential overlooking and privacy issues will need to be addressed at reserved matters stage.

#### Highways Impact

The proposed access would be one roadway off the A614 Bawtry Road. The Highway Authority has requested slight changes to the layout during the application process. The Highway Authority have no objection to the amended layout PC262/01 Rev.C subject to conditions in relation to future maintenance of the access road, extension of the 30 mph speed limit in a northerly direction along the A614, and surfacing and drainage of driveways.

#### Drainage

The underlying materials are sand gravels and clays. Infiltration testing has been undertaken on the site and determined that the underlying materials are suitable for soakaway drainage to be used for the access road and plot drainage.

Foul drainage would fall through the site using a conventional piped system before being collected in a small package pumping station and then pumped into Severn Trent Water foul sewer infrastructure that exists in the western (higher) part of the site.

#### Impact on Trees

A tree survey has been submitted as part of the planning application. The proposal includes the removal of a large number of trees within the rear garden area. Many of these are poor quality, with some of the better specimens being retained. All those being retained will need to be adequately protected during development.

#### Affordable Housing

Policy CS9 requires net gains of new housing to contribute to affordable housing targets. This will be either through on-site provision or through financial contribution to the delivery of affordable housing elsewhere. Policy CS8 contains a 25% target for affordable housing within the development boundary of Blyth. As this site is also within Blyth Parish also, affordable housing requirement on this site should reflect this need.

### Application Summary- The Planning Balance

The proposed development would contribute towards the shortfall in the District's residential land supply. In terms of the social and economic role it would also contribute to maintaining the vitality of rural communities and support rural services.

In terms of the impact on the character and amenity of the area, it is not considered to harm the overall character or environment of the area and would not be detrimental to highway safety, subject to conditions.

In the absence of any significant harm, the conflict with the policies does not justify the withholding of planning permission, as the development would represent a sustainable form of development

### **S106 OBLIGATIONS**

Following the Court of Appeal decision in 2016, which give legal effect to the policy set out in the written ministerial statement of 28 November 2014 contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1,000 square metres (gross internal area). No specific layout has been submitted showing the gross internal areas, however from the layout being considered, it is clear this will exceed 1,000 sqm overall.

25% affordable housing provision either through on site provision or financial contribution to affordable housing elsewhere in the District.

Nottinghamshire County Council Transport & Travel Services has requested a contribution towards the improvement of bus stops close to the site to the value of £5,000.

Nottinghamshire Education has requested a contribution of £22,910 towards primary school places.

### **CIL CALCULATION**

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

Any CIL Charge quoted above is based on the application submission at the time of issuing this report. The final charge will include indexation figures for Permission Year Index and Charge Year Index.

### **RECOMMENDATION:**

- 1) Grant to subject to conditions and the execution of a S106 agreement/unilateral undertaking within 6 months of the date of this resolution, after which time the application will be re-presented to Planning Committee for determination

### **CONDITIONS:**

- 1 Application for approval of reserved matters must be made not later than the expiration of two 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 two years from the date of this permission: or

b) the expiration of one year 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 and to limit the implementation time so that the development can contribute to Council's five-year housing land supply.

- 2 The appearance of the building(s), the means of access thereto, 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 No development shall take place until such time as arrangements and plans, which are binding on the owners(s), for the future management and maintenance of the proposed access road and road drainage have been submitted to and approved by the LPA. The access road shall thereafter be maintained in accordance with the approved management and maintenance arrangements unless or until a Section 38 agreement has been entered into Highways Act 1980.

Reason: To ensure that the road will be maintained to an appropriate standard and so future residents are aware of their maintenance liabilities.

- 4 No dwelling shall be occupied until such time as the 30mph speed-limit and associated road marks, coloured surfacing and traffic signing have been relocated in northerly direction including the extension of the street lighting, in accordance with the Highway Authority's requirements.

Reason: In the interest of highway safety

- 5 Prior to the occupation of any dwelling the associated driveway shall be surface in a bound material (not loose gravel) for a minimum distance of 5.0m from the back of footway and the dwellings shall be drained to prevent the unregulated discharge of surface water onto the adjacent road.

Reason: To ensure satisfactory access arrangements are provided from the outset.

- 6 No development shall commence until such time as the tree(s) on the application site have been protected, in a manner to be agreed in writing with the Local Planning Authority. The trees shall be protected in the agreed manner for the duration of building operations.

Reason: The tree(s) in question are considered to be features of significance. This condition is imposed to ensure that they are satisfactorily protected during the period when construction works take place on the site.

- 7 The development hereby permitted shall be carried out only in accordance with the details and specifications shown on the originally submitted drawings, as amended by the drawing received on 25 June 2018 ref PC262/01 Rev.C

Reason: To ensure the development takes the agreed form and thus results in a satisfactory form of development.

- 8 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 birds nests are protected from disturbance and destruction.