

**Member Interest:**

**Delegated Report**

Application Number: V/2025/0530

Address: Land to the West of 82A, Lower Bagthorpe, Bagthorpe, Underwood, Nottinghamshire, NG16 5HF

Description of Works: Self Build Dwelling

The Application	Self-Build Dwelling
Policy Considerations	<p><b>Ashfield Local Plan Review (ALPR) (2002)</b></p> <p>ST1 – Development</p> <p>ST4 – Remainder of the District</p> <p>HG5 – New residential development</p> <p>EV1 – Green Belt</p> <p>EV10 – Conservation area</p> <p>EV4 – Mature landscape area</p> <p>EV6 – Nature conservation site</p> <p><b>National Planning Policy Framework (NPPF) (2024)</b></p> <p>Part 2 – Achieving sustainable development</p> <p>Part 5 – Delivering a sufficient supply of homes</p> <p>Part 9 – Promoting sustainable transport</p> <p>Part 12 – Achieving well designed places</p> <p>Part 13 – Protecting green belt land</p> <p>Part 15 – Conserving and enhancing the natural environment</p> <p>Part 16 – Conserving and enhancing the historic environment</p> <p><b>JUS-t Neighbourhood Plan 2017 - 2032</b></p> <p>NP1 – sustainable development</p> <p>NP2 – Design principles</p> <p>NP3 – protecting the landscape character</p> <p>NP4 – Housing types</p> <p><b>Supplementary Planning Documents (SPD)</b></p> <p>Residential design guide</p> <p>Residential extensions design guide</p> <p>Residential car parking standards</p>

	<b>Nottinghamshire Highway Design Guide</b>
Relevant Planning History	<p>V/2003/1080 – Equine menage, additional stabling and entrance – Conditional</p> <p>V/2004/1147 – Change of use from stables to residential use – Refusal</p> <p>V/2010/0160 – Change of use of stables (sg) to residential dwelling (C3) – Refusal, Allowed at Appeal</p> <p>V/2012/0501 – Amendment to planning permission V/2010/0160 to add dormer window to rear roof plane, alterations to internal layout and double French doors to side – Conditional</p> <p>V/2014/0440 – Conversion of existing stable into a two bedroom dwelling with dormer windows, erection of detached garage – Conditional</p> <p>V/2019/0175 – Single storey rear extension – Conditional</p> <p>V/2020/0619 – Dwelling – Withdrawn</p> <p>V/2022/0086 – Single storey rear extension – Conditional</p> <p>V/2025/0101 – Single storey rear extension – Conditional</p>
Summary of comments received	<p><b>Residents</b></p> <p>1 comments has been received raising queries in respect of consultation.</p> <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>- Not offering advice in this case</li> </ul> <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>- Development falls within flood zone 1 therefore no fluvial flood risk concerns associated.</li> </ul> <p><b>ADC Ecology</b></p> <ul style="list-style-type: none"> <li>- No ecological information has been provided. A preliminary ecological appraisal and protected species assessment is required before determination.</li> <li>- Should the application not be classed as self-build then a biodiversity net gain assessment will be required.</li> </ul> <p><b>The Coal Authority</b></p> <ul style="list-style-type: none"> <li>- Object</li> </ul> <p>Following the submission of further information the following comments were received:</p> <ul style="list-style-type: none"> <li>- No objection, conclusions of report are sufficient</li> </ul> <p><b>Local Lead Flood Authority</b></p> <ul style="list-style-type: none"> <li>- Considering scale of development LLFA believes it is not required to respond, no bespoke comments made.</li> <li>- General guide given.</li> </ul> <p><b>NCC Highways</b></p> <ul style="list-style-type: none"> <li>- Site plan raises a number of concerns. Gates are shown at the edge of Lower Bagthorpe Road along the boundary of the site and adopted</li> </ul>

	<p>highway</p> <ul style="list-style-type: none"> <li>- Drawings shows a verge crossing at the vehicular access to the property. Drawing should show that this crossing should comply with access geometry guidance for private driveways as set out in the Nottinghamshire Highway Design Guide. If there is a level difference between the carriageway of Lower Bagthorpe and the site therefore the gradient should preferably be 1:20 with details shown to demonstrate that surface water will not discharge onto the public highway.</li> </ul> <p><b>Severn Trent Water</b></p> <ul style="list-style-type: none"> <li>- Condition recommended for drainage plans to be submitted prior to commencement.</li> <li>- Informative suggested</li> </ul>
Comments on above	-
Summary	<p><b>The Site and Application</b></p> <p>The application site comprises an area of grassland which from planning history appears to have previously been used for an equestrian use until more recently when the adjacent stables was converted into a dwelling.</p> <p>The site is located off Lower Bagthorpe within the Green belt and Conservation Area of Bagthorpe, Underwood. In addition, the site is also identified as a nature conservation site and mature landscape area within the Ashfield Local Plan Review (2002).</p> <p>The application seeks consent to erect a self-build dwelling.</p> <p>A dwelling has previously been applied for at the site but was subsequently withdrawn as concerns were raised with the scheme at the time.</p> <p><b>Principle of Development</b></p> <p>The application site is located within the Green Belt of Bagthorpe as identified under policy EV1 of the Ashfield Local Plan Review (2002). Policy EV1 sets out that permission will not be granted for development in the Green Belt except in very special circumstances. It then goes on to list appropriate forms of development of which point b) iv) sets out appropriate development to comprise limited infilling within the village of Bagthorpe amongst others as long as there is no adverse effect on the character of the village. The submitted planning statement appears to be claiming that the proposal will constitute infill development.</p> <p>The supporting text for the policy states 'It is not always desirable to preclude the implementation of certain infill proposals within villages in the Green Belt.'. It then goes on to state 'In cases where infill development in villages may be acceptable, infill will normally comprise one or two dwellings in a small gap in existing development. Not all</p>

small gaps are appropriate for infilling. Part of the character of Bagthorpe is made up of gardens, paddocks and other breaks between buildings, which is reflected in the Conservation Area designation’.

Part 13 of the National Planning Policy Framework (2024) also sets out that development in the Green Belt is inappropriate unless it meets an exception listed of which point e) states limited infilling of villages. However, this should be weighed against the purposes of the Green Belt and whether any harm outweighs the benefits.

The site also falls within the Conservation Area of Lower Bagthorpe as identified under policy EV10 of the ALPR (2002). Policy EV10 of the ALPR (2002) sets out that development in Conservation Areas will only be permitted where it preserves or enhances the character or appearance of the area or its setting. Within the Conservation Area Appraisal Bagthorpe is described as a linear settlement within an undulating landscape and surrounded by historic field patterns. It is an ancient farming settlement and most of the farms, smallholdings and individual dwellings are separated by open fields that create a distinctive rural character which is reinforced by the streetscape which retains grass verges and original farm driveways but has a lack of kerbs and pavements. Traditional hedgerows are noted to border the highway and screen most properties which are mostly set back from the road in an elevated position.

Having regard to all of the above it is considered that whilst the submission argues that the proposal constitutes infill development it should be noted that it does not fill the gap between No.92 and No.82A as there is land in between the site and No.92. In addition to this Bagthorpe is characterised by buildings often in large spacious plots with large gaps in between clusters of development mostly comprising open fields. The proposal will close part of one of those gaps which in turn will impact the openness of the Green Belt and character of the Conservation Area. No very special circumstances have been demonstrated. As such it is considered that a dwelling in this location would have a detrimental impact on the character and openness of the Green Belt constituting inappropriate development which is by definition harmful to the Green Belt and no very special circumstances have been demonstrated. In addition it would also have a detrimental impact on the character and appearance of the Conservation Area.

### **Visual Amenity and Impact on Heritage Assets**

The importance of good design is stressed in the NPPF, with the creation of high-quality designs and spaces being a fundamental element of the planning process. Paragraph 135 sets out that planning decision should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. In respect of heritage assets Paragraph 219 sets out that Local Planning Authorities should look for opportunities for new development within Conservations Areas and within the setting of heritage assets, to enhance or better reveal their significance.

Proposals that preserve those elements of the setting that make a positive contribution to the asset should be treated favourably.

The proposed dwelling is 1 and a half storeys with 2 dormer windows on the front roof slope. The materials proposed are detailed in the application form as antique red brick and blue clay tiles to match neighbouring properties. However, on the plans themselves the materials are detailed as Birkdale Blend (Beige multi) and clay or natural slate roof tiles along with green windows and doors which differs to what it in the application form. The dwelling has been designed to include several architectural features including brick sills, dentil course, brick soldiers, contrasting brick panel and chimneys.

Buildings within the vicinity of the site are mainly farm houses and associated buildings which may or may not have been converted over time. The buildings are mainly characterised by small groups of farm buildings or dwellings in large plots set back from the road with big visual gaps within the street scene.

It is acknowledged that the applicant has included a number of architectural features within their design however it feels like they have been included but not fully considered how they work together or fit in with the buildings within the vicinity of the site. There are very few examples of buildings with dormer windows within the vicinity and where there are examples the dormer windows sit much lower within the roof. The dwelling itself also feels disjointed to some extent as the design of the rear elevation is much more modern in appearance than the front elevation with the extent of windows proposed in the gable end.

It is considered that the proposal will reduce the visual gap which forms part of the character of the Conservation Area. In addition to this it is considered that the design of the dwelling does not take into consideration the character of the Conservation Area and the surrounding properties. As such it does not preserve or enhance the character or appearance of the area or provide a positive visual contribution.

### **Residential Amenity**

Only one resident comment has been received, and this raised concerns with the consultation process.

Whilst no other resident's comments were received on this application a number were received on the previously withdrawn application V/2020/0619 raising various concerns which are considered to be of relevance to this application too. The comments raised concerns in respect of and impact on the Conservation Area, impact on Green Belt, loss of privacy, overshadowing and noise impact amongst other things.

Impacts in respect of Conservation Area and Green Belt have been discussed earlier in this report. It is considered unlikely that the proposal would amount to any noise impacts that would go above and

beyond what could reasonably be expected.

The Councils adopted supplementary planning document 'Residential Design Guide' sets out minimum standards in respect of internal room sizes, separation distances and private outdoor amenity space.

The proposed dwelling appears to be provided an acceptable level of internal space and private outdoor amenity space.

In terms of separation distances there are no properties to the rear of the site and properties across the road to the front of the site are sited a distance away as such no concerns are raised in respect of these properties.

The dwelling will be in proximity to No.82A. There doesn't appear to be any windows in the side elevation of No.82A facing the application site however it is noted that a single storey rear extension has recently been granted consent at the property and will have 2 windows overlooking the site if erected. There are windows proposed in the side elevation facing No.82A however they are high level windows. In addition to this it would appear that they will overlook the blank part of the adjacent properties side elevation as such no significant concerns are raised in respect of No.82A.

Adjacent property No.92 will sit approximately 17m away from the side elevation of the proposed dwelling however there doesn't appear to be any windows in the side elevation of No.92. There are windows in the side elevation of the proposed dwelling however considering the separation distance and siting of the dwelling it is considered unlikely that there would be any significant impacts that would warrant a refusal for this reason.

### **Highway Safety**

Nottinghamshire County Council Highways were consulted on the application and raised a number of concerns with the submitted plan in respect of gates being proposed on the boundary with the adopted highway and the verge crossing proposed for vehicular access. They went on to advise that the drawing should show that the crossing complies with access geometry guidance for private driveways set out in the Nottinghamshire Highway Design Guide including a suitable gradient as there is a level difference between the carriageway and site. The scheme should also show details of provision for surface water to ensure it does not discharge onto the public highway.

In accordance with the Councils adopted supplementary planning document 'Residential Car Parking Standards' a 3 bedroomed property should provide 2no. off road parking spaces. The submitted site plan shows 2no. spaces although they do not meet the geometry set out within the Nottinghamshire Highway Design Guide. However, it is considered likely that adequate spaces could be provided on the block paved frontage.

An amended plan was submitted showing an amended layout, site sections and land levels. The site section details that the drive will be a 1:12 gradient but no details in respect of surface water have been included and the gate has been retained.

### **Ecology and Trees**

Trees line either side of Lower Bagthorpe as you travel down the road including to the front boundary of the application site. The application proposes a new access in between the trees in addition to block paving within close proximity. The agent was made aware that an arboricultural assessment should have been submitted as works are proposed in proximity to existing trees and was given the opportunity to submit such information as they requested. A tree survey and arboricultural Impact Assessment has been submitted along with amended plans which demonstrate land levels at the site on the site section. The submitted tree report sets out that trees at the site will be retained and where construction is proposed within root protection area special techniques should be employed. It also sets out that some works are required including ivy removal and raising of the canopy of some trees to provide clearance for construction works. The report goes on to provide a method statement.

The plan shown on page 18 of the report indicates that the area of block paving within the root protection area will be a no dig method of construction and indicates that the block paving will be laid on top of the existing soil level using a geotextile layer with the block paving on top and then topsoil will be feathered into the existing levels. However this appears to conflict with the site section which shows the existing land levels indicated by a green dashed line and shows the drive sitting below this to achieve a 1:12 gradient for the drive. As such this suggests that a no dig method will not be adopted and raises concerns in respect of how the proposed access and drive will be carried out and how this will impact the trees if the land levels are to be altered.

The application site, as discussed, falls within a designated mature landscape and nature conservation area. The Council's Ecology Officer has commented that a preliminary ecological appraisal and protected species assessment is required before determination and as part of the consultation. The agent was made aware of these comments and was given opportunity to submit the information at their request. A habitat and protected species report has been submitted. The report concluded that the site contains habitats which have the potential to support small mammals therefore precautionary measures must be in place prior to and throughout the construction phase and recommended a condition for the implementation of a Construction Ecological Management Plan and Reasonable Avoidance Measures Statement. In addition, retained habitats and trees shall be protected and works covered up overnight etc.

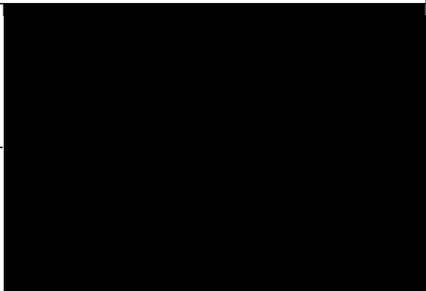
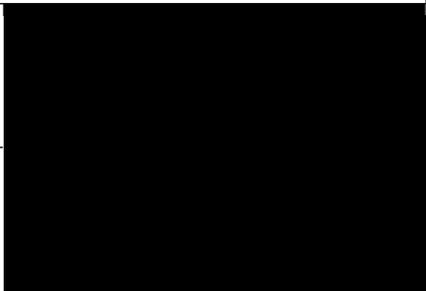
### **Self-Build**

Within the submission the applicant is claiming that the property is self-build so meets the exemption for Biodiversity Net Gain. A statement

	<p>has been provided outlining how the applicant has been involved in the design of the dwelling and the intention for them to reside in the property once it is built. It is considered that it would be most appropriate for a legal agreement to be entered into to control the occupation of the dwelling to be the applicant to ensure it meets the definition of self-build.</p> <p><b>Coal Mining</b> The site is located within the Coal Authority's designated Development High Risk Area, as such they initially raised concerns with the proposal and advised a Coal Mining Risk Assessment was required. A Coal Mining Risk Assessment was submitted which the Coal Authority raised no objection to and commented that the conclusions of the report are sufficient.</p> <p><b>Other</b> It is noted that there appears to be an existing propane tank within the application site which likely serves the adjacent property as it is existing. No details have been submitted as to how this will be effected, whether it needs to be moved, if it is to be moved where it will be moved too etc.</p> <p><b>Conclusion</b> Having assessed the submitted information and relevant comments received against all relevant policies and material planning considerations there are significant concerns in respect of an impact on the Green Belt, character and appearance of the Conservation Area. As such the application is recommended for refusal for the reasons outlined below.</p>		
Recommendation	FULRE		
	Reason Code	Text	Monitor
	1.	1. The proposed dwelling represents an inappropriate form of development within the Green Belt and is therefore considered harmful by definition and no very special circumstances have been demonstrated to outweigh the harm that would arise. It would result in a detrimental impact on the openness of the Green Belt due to the siting of the dwelling within a large visual gap which is a prominent characteristic of the area. As such the application is contrary to policy ST1 (a and b), EV1 and ST4 of the Ashfield Local Plan Review (2002) and Part 13 of the National Planning	

Policy Framework (2024).

2. The proposed dwelling would have a detrimental impact on the character and appearance of the Conservation Area by reducing the visual gap between properties which forms part of the areas distinctive rural character which in turn does not preserve or enhance the character and appearance of the Conservation Area. As such the application is contrary to policy ST1 (a and b) and EV10 of the Ashfield Local Plan Review (2002) and Part 16 of the National Planning Policy Framework (2024).
3. Due to the design, size and siting of the proposed dwelling there would be a detrimental impact on the Conservation Area as the design is not characteristic of the buildings within the vicinity and introduces architectural features which are not in keeping with the character of the area and do not preserve or enhance the character and appearance of the area or provide a positive visual contribution. As such the application is contrary to policy ST1 (a and b) and EV10 of the Ashfield Local Plan Review (2002) and Part 16 of the National Planning Policy Framework (2024).
4. It has not been demonstrated how the proposed access and drive will be carried out without having an impact on the existing trees. In addition to this it has not been demonstrated that a suitable access with provision for surface water will be made available. The application is contrary ST1 (a, b and c) and HG5 (e) of the Ashfield Local Plan Review (2002) and parts 12 and 9 of the National Planning Policy Framework (2024).

Informative	Informative	Informative Text
Proactive Working	The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason(s) for refusal. However the Local Planning Authority has positively and proactively worked with the applicant to make some revisions to the proposal. Whilst not all problems arising can be overcome, several potential reasons for refusal have been negated.	
	Signed	Dated
Case Officer		06/02/2026
Development Team Manager		06/02/2026
Determined by Service Director Or on their behalf		06/02/2026