

PLANNING COMMITTEE – 5 JUNE 2018

Application No:	18/00669/FUL	
Proposal:	Householder application for a single storey pitched roof extension to the north of Bechers Cottage, conservation roof lights to new and existing roof slopes. (Resubmission of 17/01787/FUL)	
Location:	Bechers Cottage, Bechers Walk, Burgage Lane, Southwell, NG25 0ER	
Applicant:	Mr & Mrs Illesley	
Registered:	6 April 2018	Target Date: 1 June 2018 Extension: 8 June 2018

This application is presented to the Planning Committee for determination as it has been referred by Cllr P Rainbow on behalf of Southwell Town Council.

The Site

The site is located within the defined built up urban area of Southwell and within Southwell Conservation Area. The application relates to a dwelling which is a single storey converted building in the grounds of the large Grade II listed Hill House. The building is considered to be curtilage listed. The proposal is for a single storey garden room extension to the existing dwelling.

Becher's Cottage is located off Becker's Walk in Southwell and Hill House is accessed from Burgage Lane to the east of the town centre. The east and west boundaries are formed by public footpaths, Shady Lane and Becher's Walk respectively. The character in this area of Southwell is typically private residential and the site lies within the Southwell conservation area. The site is within Flood Zone 1 and at low risk of flooding. The site is adjacent to but not within the Historic Town Centre boundary, as defined by the Southwell Neighbourhood Plan.

Relevant Planning History

17/01787/FUL – Householder application for single Storey pitched roof extension to the north of Bechers Cottage with flat roof and glazed link. – Refused by Planning Committee 18.01.2018 for the following reasons:

01 - In the opinion of the Local Planning Authority, the proposed extension by virtue of its siting, orientation, scale and design would result in harm to the setting of the Grade II Listed Building, Hill House and the character and appearance of the wider Southwell Conservation Area. There is no identified public benefit resulting from the proposed development which would outweigh the perceived harm of the proposal. The proposed development therefore fails to accord with Core Policy 14 of the Core Strategy, Policy DM9 of the DPD, sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') and paragraph 134 of the NPPF, a material consideration.

02 - In the opinion of the Local Planning Authority, by virtue of its scale, orientation and siting in close proximity to the shared boundary with the adjacent dwelling to the north, Garden Lodge, the proposed extension would be detrimental to the residential amenity of occupiers of this property by reason of overshadowing and overbearing impact to the small private amenity area and south facing windows.

As such the proposal is contrary to the aims of policies DM5 and DM6 of the Newark and Sherwood Allocations and Development Plan Development Plan Document, which are compliant with the intentions of the NPPF, and which seek to ensure development is not harmful to the amenity of neighbouring properties. (FUL)

17/02137/LBC - Single Storey pitched roof extension to the north of Bechers Cottage with flat roof and glazed link. – Refused by Planning Committee 18.01.2018 for the following reason:

In the opinion of the Local Planning Authority, the proposed extension by virtue of its siting, orientation, scale and design would result in harm to the setting of the Grade II Listed Building, Hill House and the character and appearance of the wider Southwell Conservation Area. There is no identified public benefit resulting from the proposed development which would outweigh the perceived harm of the proposal. The proposed development therefore fails to accord with Core Policy 14 of the Core Strategy, Policy DM9 of the DPD, sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') and paragraph 134 of the NPPF, a material consideration.

10/00281/FUL - Erection of single storey extension, internal and external alterations to outbuilding to form dwelling – Refused April 2010 (Appeal Dismissed)

10/00282/LBC – Erection of single storey extension, boundary wall and alterations to fenestration and internal layout – Refused April 2010 (Appeal Dismissed)

10/01048/FUL – Conversion and extension of redundant implement store and workshop outbuildings to form single dwelling and erection of boundary wall – Permitted September 2010

10/01049/LBC - Internal and external alterations, erection of single storey extension and boundary wall – Permitted September 2010

18/00670/LBC - Erection of single storey pitched roof extension to the north of Bechers Cottage, conservation roof lights to new and existing roof slopes (Resubmission of 17/02137/LBC) – pending consideration.

The Proposal

The proposal seeks full planning permission for the erection of an extension at the northern end of the property set back approx. 2.3 m from the unmarked ownership boundary with the dwelling, Garden Lodge, to the north.

The extension will enlarge the northern half of the property projecting towards the east off the existing bedroom. The gabled projection will be set in approx. 5.4 m from the northern side elevation and project out 7.8 m in length, 4.5 m wide. The western side of the extension will form a garden room and walk in wardrobe for the master bedroom, this will have a ridge height of c.4 m (eaves 2.8m) and the eastern portion of the extension will house a study and a bathroom, this is proposed to have a ridge of 2.8 m (eaves 2.2m) the differing levels are reflective in the change of topographic slope on the site. The two roofs are proposed to be hipped and the store roof to the north is proposed to continue down to 1.5 m eaves height.

2. no conservation style rooflights are proposed to be inserted into the western facing sloop of the existing dwelling. 1 no. conservation style rooflights are proposed to be inserted in the east facing roof slope of the existing bedroom along with a double paned full height window. A small window is also proposed to serve the bathroom on the east facing side elevation of the extension.

Folding doors are proposed on the south elevation along with 2 conservation style rooflights in the southern facing roof slope. One window is proposed to serve the study on the south elevation. There are no windows to the north elevation or roof lights to the north facing roof slope. A set of timber doors are proposed on the north elevation to serve the external store.

The extension is to be constructed in matching clay facing brick and bond and the pitched roofs to be covered with Welsh slate incorporating conservation style rooflights. The windows are proposed to be painted softwood apart from the aluminium sliding door to the garden room and the conservation style rooflights to the slopes.

Floor levels decrease to the east of the site.

Externally a new paved area is to be provided to the south of the extension with level access to the new door openings. To the north a timber post and trellis is proposed to be erected with a section of wall c. 1.62 m high separating the neighbour's store and the application host building.

Amendments from the 2017 application: The form of the building has been altered to reflect the historic character of the outbuildings on the site. The roof forms have been simplified and hipped to reflect the dominant hipped roofs within the surrounding area, conveying the character of Hill House and the outbuildings within the site. The extension has been pulled further south (by c.1.6 m) to separate it from Garden Lodge to the north – the extension is now 2.3 m away from the common boundary at its farthest point and 1.3 m at its closest. The northern boundary is now proposed to be defined with a low dwarf wall as other areas of the Hill House site with trellis fencing and soft landscaping proposed to provide more privacy.

Public Advertisement Procedure

14 neighbours have been notified, a site notice has been displayed near to the site and an advert has been placed in the local press.

Planning Policy Framework

The Development Plan

Southwell Neighbourhood Plan (made 11 October 2016)

Policy SD1 - Delivering Sustainable Development

Policy DH1 – Sense of Place

Newark and Sherwood Core Strategy DPD (adopted March 2011)

Core Policy 9: Sustainable Design

Core Policy 13: Landscape Character

Core Policy 14: Historic Environment

Allocations & Development Management DPD

Policy So/PV – Southwell Protected Views

Policy DM5 – Design

Policy DM9 – Protecting and Enhancing the Historic Environment

Policy DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014
- Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- Southwell Conservation Area Appraisal 2005

Consultations

Southwell Town Council – “Southwell Town Council considered application 18/00669/FUL Bechers Cottage, Bechers Walk Southwell and agreed unanimously to object to the application and asked that Cllr Penny Rainbow call in this application for the following reasons:

The committee noted that the potential extension had been moved slightly further south and the roofline dropped in certain places. They agreed that the development will still negatively impact on the spaces and relationship between listed buildings, eg: Hill House and the other properties within the area. NP Policy DH3 Historic Environment pg 48

It will have an overbearing and adverse effect on the area within the conservation area.

Previous planning history- similar applications have been through an appeal and objections upheld. Massing has a detrimental effect on this sensitive area.”

Southwell Civic Society – “We have examined the new proposals and wish to continue our objection to this application and concur with the comments made by Rachael Skillen Planning.

It’s an inappropriate development in a very sensitive heritage setting of immense historic significance for Southwell. Visitors to the NT Workhouse are likely to be following the trail to the Rev Becher’s house. Nothing should detract from its setting.

The revised proposed extension, from scaling the drawings, is longer and higher than the previous scheme. If constructed it will make the impact even more severe than application 17/01787 on the residents of Garden Lodge.

This property lies in the grounds of a Grade II listed building and as such any development has to respect that building. This has been clearly stated in the decision to refuse application 10/00281.

Policy C10 of the Newark and Sherwood Local Plan states that planning permission will not be granted for development that adversely affects the architectural or historical interest of listed buildings, Policy C11 states that permission will not be granted for development which adversely affects their setting and Policy C1 states that permission will not be granted for development which adversely affects the character or appearance of conservation areas.

Hill House is a Grade II Listed Building, the outbuilding subject of this application is located within its curtilage and is therefore considered as part of the listed building

The proposed development, by virtue of its size, scale and orientation, is not subordinate to or respectful of the grain of the existing outbuilding. The prominence of its south elevation detracts from its special architectural interest and it is therefore contrary to Policy C10 of the Local Plan.”

Trent Valley Internal Drainage Board – “The site is outside of the TVIDB district but within the Board’s catchment. There are no Board maintained watercourses in close proximity to the site. Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed with the LLFRA and the LPA”.

The Environment Agency – Do not wish to make any comments.

NCC Flood Risk – “No objections subject to the following:

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.”

NSDC Conservation Officer – 17.05.18 - “Introduction

The submitted scheme seeks to address reasons for refusal (ref 17/01787/FUL & 17/02137/LBC) for an extension to Bechers Cottage, a former implement/work store associated with Hill House, now converted to residential use (approval ref 10/01049/LBC).

We provided pre-application advice on this proposal (ref PREAPP/00269/16). The resubmitted scheme broadly complies with advice given during that process.

Heritage Asset(s) Affected

Bechers Cottage is situated within the setting and historic curtilage of Hill House, a fine Grade II listed building (designated Aug 1961). The associated boundary walls and gate piers to Hill House are Grade II listed (designated Feb 1973). The Council has previously considered the historic outbuildings in this part of the site to be curtilage listed in association with Hill House.

Burgage Court to the west is also Grade II listed (designated August 1952).

The building is within Southwell Conservation Area (CA). The CA was designated in 1970, and was last reviewed and amended in 2005. Conservation considers Hill House to be a positive building within the CA that has group value with the associated listed gates and boundary walls.

Legal and Policy Framework

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the ‘Act’) requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. Section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the special character and appearance of the CA. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. The courts have said that these statutory requirements operate as ‘the first consideration for a decision maker’. Planning decisions require balanced judgement, but in that exercise, significant weight must be given to the objective of heritage asset conservation.

Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. Key issues to consider in proposals for additions to heritage assets, including new development affecting the setting of designated heritage assets are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 12 of the National Planning Policy Framework (NPPF). Paragraph 132 of the NPPF, for example, advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 7).

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. Paragraph 13 also reminds us that the contribution made by setting does not necessarily rely on direct intervisibility or public access.

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3). In addition, 'Historic England Advice Note 2: making changes to heritage assets' advises that it would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of development that might be appropriate. The junction between new development and the historic environment needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting.

Southwell Conservation Area Appraisal (2005) advises that Hill House is an important polite Georgian property within the Burgage area.

Significance of Heritage Asset(s)

Hill House is a substantial property of three storeys dating from 1800 with mid-19th, late 19th and 20th century phases. The building is constructed in red brick with stone dressings and slate roofs, most of which are hipped. The windows are typically sashes, and the overall composition is cohesive despite modern sub-division into apartments. The building also has historic interest due to its original occupant being John Thomas Becher, an important proponent of Poor Law reform and an association with the House of Correction on the Burgage.

The Burgage together with the Prebendage has some of the most elegant Georgian buildings in Southwell. Burgage House, The Burgage, Elmfield House, Burgage Manor, Burgage Lodge and Hill House all occupy superb sites around Burgage Green or at the top of Burgage Lane.

Historic maps reveal an area of outbuildings and glass houses in this part of the site. The main original shed is that situated along the boundary, and has been extended/alterred as part of an approved scheme in 2010 (ref 10/01049/LBC). Although now converted, the character of this part of the property, comprising remnants of gardener bothy/implement shed can still be understood.

Assessment of Proposal

Conservation has no objection to the proposed development.

The applicant has sought to address Committee concerns regarding impact on the setting of the listed Hill House by simplifying the design, including the introduction of a hipped roof. Impact on the residential amenity of the northern property has also been reconsidered, and the extension is now further southwards.

We continue to consider that the proposed extension is modest, and whilst it is acknowledged that it will project from the older linear arrangement of sheds, the addition is not considered to be obtrusive or harmful to the setting of Hill House in this case. The historic context of garden related structures in this part of the site is such that I do not find the proposal to be disharmonious. The design is simple and has a suitable ancillary character. The detailing is also appropriate, and I note the use of traditional elements such as Flemish brick bond, lime mortar and natural Welsh slate.

The proposal will not be prominent from the footpath, and will have little impact when seen in longer views from the south.

Recommendation/Summary of Opinion

The proposed development causes no harm to the special interest of Hill House, a Grade II listed building. The proposal is considered to cause no harm to the setting of any other listed building, and has no adverse impact on the character and appearance of the Southwell CA. The proposal therefore accords with the objective of preservation required under section 66 and 72 of the Act, and complies with heritage advice contained within the Council's LDF DPDs and section 12 of the NPPF.

If approved, the following issues should be conditioned:

All facing materials (samples of bricks and slate)
Joinery details (suitably scaled window/door schedule)
All external accretions and RWGs
Further details of verges/eaves, rooflights, brick boundary wall with trellis/timber post and 'cold frame' garden store."

4 Neighbour comments have been received in objection to the proposal – the comments are summarised as followed:

- Impact upon the character and appearance of Hill House (Grade II listed) and the conservation area
- Impact upon neighbouring amenity through overshadowing
- Impact upon the communal garden area
- Reference to the appeal decision and similarities with the applications
- Proposal is against the view of other occupiers on the site
- Loss of light and loss of view from the footpath
- Inappropriate and out of keeping design

Comments of the Business Manager

The NPPG acknowledges that Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area, thus providing a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

Following public consultation and independent examination, at its council meeting on 11 October 2016 Newark and Sherwood District Council adopted the Southwell Neighbourhood Plan. The Neighbourhood Plan now forms part of the development plan for the district and its policies are a material consideration alongside other policies in the development plan and carry weight in the determination of planning applications in Southwell. In this instance the most relevant policies in the Neighbourhood Plan are listed above and are considered against the relevant aspects of the proposal in the assessment below.

Principle of Development

Householder developments are accepted in principle subject to an assessment of numerous criteria outlined in Policy DM6. These criteria include the provision that the proposal should respect the character of the surrounding area. The overall shape, size and position of an extension must not dominate the existing house or the character of the surrounding area. Policy DM5 accepts development providing that it does not unacceptably reduce amenity in terms of overbearing impacts, loss of light and privacy. These principles will be discussed further below.

Given that the site is located within the Southwell Conservation Area, regard must also be given to the distinctive character of the area and seek to preserve and enhance the conservation area in accordance with Policy DM9 of the DPD and Core Policy 14 of the Core Strategy. The property is also located within the grounds of a Grade II listed building.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. Section 72 of the Planning (Listed Building and Conservation Areas Act) 1990 states, in relation to the general duty as respects conservation areas in exercise of planning functions that, 'special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area'.

The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 12 of the National Planning Policy Framework (NPPF).

Paragraph 132 of the NPPF, for example, advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 7).

Paragraph 137 of the National Planning Policy Guidance states that, 'Local planning authorities should look for opportunities for new development within Conservation Areas...to enhance or better reveal their significance.'

Impact upon Character of Area

The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive. Core Policy 9 states that new development should achieve a high standard of sustainable design that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development.

Policy SD1 of the Southwell Neighbourhood Plan states that sustainable development will be supported where they demonstrate account has been taken of the Southwell Design Guide to help that it is appropriate to the location, enhances the natural and built environments. Policy DH1 also reflects this, referring to the Design Guide and the Southwell Conservation Area Appraisal, and stating that standardised design solutions are unlikely to be acceptable. The Town Council comments that the proposal is contrary to Policy DH3 which states that "Development proposals within the Historic Town Centre must not negatively impact on spaces, links or relationships between listed buildings, particularly those associated with the Minster where the aim is to maintain a sense of place within and around its precinct." Whilst the application site is not within the defined Historic Town Centre, its boundary is adjacent to the southern end of the Hill House grounds. The Town Council are objecting to the proposal on the basis that the development will still negatively impact on the spaces and relationship between listed buildings and would have an overbearing and adverse effect on the area within the conservation area.

The Council's conservation officer has reviewed this application and their full comments can be read in the consultation section above, however the comments include "Conservation has no objection to the proposed development. The applicant has sought to address Committee concerns regarding impact on the setting of the listed Hill House by simplifying the design, including the introduction of a hipped roof. Impact on the residential amenity of the northern property has also been reconsidered, and the extension is now further southwards.

Officers continue to consider that the proposed extension is modest, and whilst it is acknowledged that it will project from the older linear arrangement of sheds, the addition is not considered to be obtrusive or harmful to the setting of Hill House in this case. The historic context of garden related structures in this part of the site is such that I do not find the proposal to be disharmonious. The design is simple and has a suitable ancillary character. The detailing is also appropriate, and I note the use of traditional elements such as Flemish brick bond, lime mortar and natural Welsh slate.

The proposal will not be prominent from the footpath, and will have little impact when seen in longer views from the south.

The proposed development causes no harm to the special interest of Hill House, a Grade II listed building. The proposal is considered to cause no harm to the setting of any other listed building, and has no adverse impact on the character and appearance of the Southwell CA. The proposal therefore accords with the objective of preservation required under section 66 and 72 of the Act, and complies with heritage advice contained within the Council's LDF DPDs and section 12 of the NPPF."

I note the comments of the Conservation Officer and I concur with the expressed opinion that the proposed development would not result in any harmful impact to the surrounding listed assets or the character and appearance of the conservation area. Subject to the conditions outlined in the conservation officer's comments, I am satisfied that given the extension has been carefully designed so as to mitigate any harm to the listed building and will not be materially visible from the footpath the proposal will not affect the character and appearance of the Conservation Area.

I note that comments in objection to the proposal have been received detailing that the proposal, by virtue of its size, scale and orientation, is not subordinate to or respectful of the grain of the existing outbuilding. Whilst I acknowledge these comments I do not agree that the proposal is out of scale with the hostdwelling. The proposed extension seeks to increase the footprint of the building by approximately 25 m² net additional floor space; the design has been considered so as to reflect a progressive historical development of outbuildings, in achieving this the extension is proposed to have different widths and steps down with the slope of the land. This design reflects the vernacular phases of development as well as reduces the visual impact of the additional structures, including the addition of a 'cold frame' type structure to provide garden storage which is traditional in this context.

In addition, the roof pitches have been designed so that they do not exceed the ridge height of the hostdwelling and the extension has been pulled in further from the northernmost side elevation of the dwelling so as to assimilate it within the existing built form of the property. The roof pitch has also been designed to be hipped in keeping with the wider Hill House site. Whilst I acknowledge that the extension will project approx. 7.8 m in length to the east I am satisfied that given the proportions of the host building, the extension will not be an incongruous addition to the building and respects the character of the dwelling.

The concerns raised by the Town Council regarding the negative impact on the spaces and relationship between listed buildings and an overbearing and adverse effect on the area within the conservation area have been carefully considered and it is concluded that given the scale and form of the proposed addition, the siting and relationship to existing listed buildings, the substantial sized grounds of Hill House, together with the limited impact from footpaths and the wider Conservation Area, that there is no harm in this regard and the proposal broadly accords with Policy DH3, DH1 and SD1 of the Southwell Neighbourhood Plan.

The proposal therefore accords with the objective of preservation set out under sections 66 and 72, part II of the 1990 Listed Building and Conservation Areas Act, as well as complying with heritage policies and advice contained within the Council's LDF DPDs (DM5, DM9 and CP14) and section 12 of the NPPF.

Impact upon Amenity

The positive conclusion drawn by the conservation section on the other elements of the proposed development are noted and I am satisfied that these will also aid preservation of the special interest of the application site, as well as its setting and the setting of surrounding listed buildings. However conditions will be placed on this application that require precise details of all facing materials, joinery details, external accretions and RWG and further details of verge/eaves, rooflights, roof glazing and garden store in this instance in order to safeguard the special interest of the hostdwelling and relationship with the listed buildings.

The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM6 of the DPD states that development proposals should ensure no unacceptable reduction in amenity upon neighbouring development.

The extension will enlarge the northern half of the property projecting towards the east off the existing bedroom. The gabled projection will be set in approx. 5.4 m from the northern side elevation and project out 7.8 m in length, 4.5 m wide. The western side of the extension will form a garden room and walk in wardrobe for the master bedroom, this will have a ridge height of c.4 m (eaves 2.8m) and the eastern portion of the extension will house a study and a bathroom, this is

proposed to have a ridge of 2.8 m (eaves 2.2m) the differing levels are reflective in the change of topographic slope on the site. The two roofs are proposed to be hipped and the store roof to the north is proposed to continue down to 1.5 m eaves height.

2. no conservation style rooflights are proposed to be inserted into the western facing slope of the existing dwelling. 1 no. conservation style rooflights are proposed to be inserted in the east facing roof slope of the existing bedroom along with a double paned full height window. A small window is also proposed to serve the bathroom on the east facing side elevation of the extension.

Folding doors are proposed on the south elevation along with 2 conservation style rooflights in the southern facing roof slope. One window is proposed to serve the study on the south elevation. There are no windows to the north elevation or roof lights to the North slope. A set of timber doors are proposed on the north elevation to serve the external store.

Externally a new paved area is to be provided to the south of the extension with level access to the new door openings. To the north a timber post and trellis is proposed to be erected with a section of wall c. 1.62 m high separating the neighbours store and the application host building.

The proposed extension would be set approx. 6.6 m from the adjacent building to the north of the application site and does not extend past the existing northernmost projection of the hostdwelling. The gable of the adjacent building is approx. 3.4 m in height and the extension is proposed to be 4 m in maximum ridge set further southwards (1 m lower in ground level), albeit at a perpendicular angle to one another, the presence of screening and fencing already exists to the north of the hostdwelling separating the two properties and this is proposed to remain to mitigate the impact of the proposed extension. Further screening is proposed to be erected at the common boundary with a c.1.62 m dwarf wall and trellis which will also additional privacy to the dwelling.

I am of the view that the extension has been re-designed so as to further minimise the impact on the adjacent properties and whilst I acknowledge the extension follows the boundary line close to the neighbouring dwelling I note that it has been set in approx. 2 m further southwards and the ground level is proposed to be reduced so that the floor levels step down and respond to the lower ground levels to the south of the site. Shadow cast and restriction of light is proposed to be minimal in this instance due to the orientation and sympathetic roof pitch. The proposed elevations plan also demonstrates the limited impact the proposed development would have on the neighbouring property with the sun path marked.

In addition to this I note that there are no windows proposed in the north elevation which could impact the neighbouring dwelling, therefore no privacy issues will occur through overlooking. I note that the property to the North, Garden Lodge, has glazing in its south facing elevation with a large roof light, there are also windows serving this room on the eastern facing elevation. Plan ref. "9213-21-B Proposed Elevations" shows an indicative shadowing relationship with the extension and the property to the north and from this it is clear that even in the lowest sun position, light will still reach the southern elevation and the window of Garden Lodge and as such I am satisfied that the proposed extension will not detrimentally impact the amenity of the neighbouring property through overshadowing.

Whilst I appreciate that there are additional windows proposed to be added to the south, east and western elevations, I note that these are facing in to the property's own private courtyard area or out into the communal garden area. Given that these windows are not to be in the direction of any neighbouring dwelling I am satisfied that there will be no exacerbation of any privacy issue through overlooking.

I also consider that the proposed development would not have a significant impact on neighbouring occupiers in terms of garden activity as the communal use of this general garden area already exists and is part of its character. I find that the proposed extension to the building would not impact on the living conditions of neighbours' in respect of outlook as there is also adequate separation.

Given the extension's dimensions, its hipped roof design and the orientation of the host building I do not feel there would be any significant loss of light to the neighbouring dwelling particularly due to the roof pitch and existing boundary fencing. Overall the proposal is not considered to affect the residential amenity of any neighbouring residents including loss of light, privacy or overbearing impacts, in accordance with Policy DM6.

Impact on Flooding

Whilst it is acknowledged that the site lies within Flood Zone 1 as defined by the Environment Agency data, Southwell has recently been subject to flooding and as such a householder flood risk form has been submitted as part of the proposal. The site is in an elevated position on Burgage Lane. The new floor levels are proposed to be set lower than the existing, due to the changes in ground level however it is noted that the floor levels are proposed to be 300mm above the modelled flood levels.

I do not consider the proposal, due to the scale and footprint, would cause any detrimental impacts to neighbours or the surrounding area from flooding or surface water run-off from the development. There are ample areas of porous surfacing within the remainder of the site to allow water to permeate and I note that no objections have been received from the LLFA. On this basis it is not necessary, proportionate or reasonable to require anything else of the applicant including the suggested comments of the LLFRA.

Other Considerations

Comments have been received from neighbouring occupiers and the Town Council which object to the proposal and they have been duly taken on board. The comments raised relate to the impact the proposal will have on the neighbouring listed building and the amenity of the neighbouring dwelling to the north. The comments state that *"The proposed development, by virtue of its size, scale and orientation, is not subordinate to or respectful of the grain of the existing outbuilding. The prominence of its south elevation detracts from its special architectural interest and it is therefore contrary to Policy C10 of the Local Plan."* The impact the proposal will have on the character of the surrounding area can be read in the appraisal section above.

I also note that comments have been made in respect of the previous appeal decisions on the site. An appeal was dismissed in 2010 for an extension to Bechers Cottage as part of a redevelopment scheme (ref 10/00282/FUL). This proposal was materially different from that before us now insofar as the extension was located at the southern end of the property. In that context, the Conservation officer fully agrees with the Inspectorate decision, noting that the extension would have blocked views of the house on approach from the south along the footpath and included partial demolition of the attractive historic boundary wall. The current proposal is set further north and would not impinge on views of the house from the footpath nor result in alteration of the boundary wall and as such is considered to be materially different to the appeal decision and appraised on its own merit.

Comments have been received in objection to the proposal on the ground of loss of light to the occupiers to the north and loss of a view from the footpath and surrounding communal garden area. I have acknowledged and assessed the impact the application will have on neighbouring amenity through overshadowing and overbearing impacts and any resulting potential loss of light to neighbours. However any right to light is a legal matter outside the considerations of the Planning Act.

Similarly, whilst I acknowledge the importance of maintaining views to and from an important listed heritage asset I note that objections have made reference to the right to a view, this is also a legal matter – I have made a detailed assessment on the proposals impact on the character of the surrounding area and the relationship with the listed asset of which can be seen above. The view to and from Hill House is acknowledged to be important, concerns have been raised over the view from the communal rear garden and the impact the extension will have on the view of Hill House from the south – my full assessment can be seen in the appraisal section above however I add to this that the built form of the extension has been positioned towards the north of the hostdwelling, close to the built form of surrounding properties, and whilst I acknowledge that the extension will exceed the existing easternmost built form, I am satisfied that given the domesticated appearance of this area already, with fencing and garden wall detailing, that the addition of this extension will not materially alter the character and appearance of the surrounding area, or the relationship that Hill House has with the site as a whole.

In addition to my assessment on the impact the proposal will have on the surrounding area and listed buildings (see above), I note that there are concerns over ‘loss of a view’ within the communal garden area and from the footpath. Loss of view is not a material planning consideration that can be taken into account in the determination of this application.

Objections have also noted that the proposed extension would be against the view of the other occupiers of the site. Whilst I have a duty to consider the impact the extension will have on the neighbouring amenity of the surrounding occupiers as well as the impact on the setting of this listed building and how it is experienced, views of private individuals are a different matter that again fall outside the planning process. I have assessed the proposal with regards to neighbouring amenity as well as the amenity of future occupiers of the development and the impact on the setting of the listed building in the appraisal section above and note that the impact has been assessed and found to be acceptable in this case.

I acknowledge that letters of objection have made reference to the appeal that was dismissed in 2010 for an extension to Bechers Cottage as part of a redevelopment scheme (ref 10/00282/FUL) noting that the inspector commented on the design of the projecting gable extension as a negative part of the overall scheme. The existing structure of the hostdwelling has a gable roof and the extension has been designed so that the ridge height is lower than the hostdwelling and reduces towards the east. The proposal, whilst considered to be materially different to that in 2010 still proposes to project eastwards with the gable end terminating facing the formal lawn. Whilst I appreciate that the inspector made reference to the extension reducing the simple nature of the existing building, making it more prominent in the arrangement of buildings on the site, I am satisfied that given the proposal now ties the bulk of the extension towards the north of the hostdwelling and the existing buildings on the site, and given its modest size, would not appear incongruous when read with the wider site. Moreover, when seen in views towards the house from the public footpath to the south I am of the view that the projecting hipped roof, positioned towards the north, towards the neighbouring dwelling would not appear out of keeping with the alignment of buildings. Additionally, I am also satisfied that the hipped roof style will now assimilate well with the similar built form on the site.

Conclusion

Given the above, it is considered that when taken as a whole, the proposed development would preserve the special interest of the listed buildings and their setting, and preserve the character and appearance of the Conservation Area which is consistent with S.66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also considered to be acceptable in terms of impact on residential amenity and flooding. It is therefore consistent with Policies DH1, DH3 and SD1 of the Southwell Neighbourhood Plan, as well as Core Policies 9 and 14 and Policies DM5 and DM9 of the Council's LDF DPD policy and advice contained within Section 12 of the NPPF. Accordingly, I recommend that planning permission be granted.

RECOMMENDATION

That full planning permission is approved subject to the following conditions:

Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

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

02

The development hereby permitted shall not be carried out except in complete accordance with the approved plans:

9213-20-B Proposed Floor and Roof Plans

9123-21-B Proposed Elevations

9213-05 Site Location Plan

9123-23-B Proposed Block Plan

unless otherwise agreed in writing by the local planning authority through the submission of a non-material amendment.

Reason: So as to define this permission.

03

Notwithstanding the submitted details, no development shall be commenced until samples of the materials identified below have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Bricks

Roofing tiles

Steel profile and external finish and colour

Reason: In order to preserve the special architectural or historical appearance of the listed buildings and their setting as well as the character and appearance of the conservation area.

04

Notwithstanding the plans specified in condition 2, the specific design and fenestration detailing of the windows are not hereby approved. No development shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. Development shall thereafter be undertaken in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

External windows (including roof windows), doors and their immediate surroundings, including details of glazing and glazing bars.

Treatment of window and door heads and cills;

Verge and Eaves;

Rainwater goods;

All external accretions.

Reason: In order to preserve the special interest of the listed buildings and their setting as well as the character and appearance of the conservation area.

05

No development shall be commenced until a brick work sample panel showing brick work, bond, mortar mix and pointing technique has been provided on site for inspection and approval has been received in writing by the local planning authority. The brick work shall be flush jointed using a lime based mortar mix. Development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the special architectural and historic interest of the listed buildings and their setting as well as the character and appearance of the conservation area.

06

No part of the development shall be commenced until details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. The approved boundary treatment shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the special architectural and historic interest of the listed buildings and their setting as well as the character and appearance of the conservation area.

07

No development shall be commenced until full and precise details of the 'cold frame' garden store shall be submitted to and approved by the local planning authority in writing. Development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the special architectural and historic interest of the listed buildings and their setting as well as the character and appearance of the conservation area.

Notes to Applicant

01

The Lead Local Flood Risk Authority wish to make the applicant aware of their comments as follows:

- The development should not increase flood risk to existing properties or put the development at risk of flooding.
- Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
- SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
- Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (e.g. culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less than 100 square metres.

03

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

04

For the avoidance of doubt this consent should be read in conjunction with Listed Building Consent ref. 18/00670/LBC.

Background Papers

Application Case File

For further information, please contact Honor Whitfield on ext. 5827.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Matt Lamb

Business Manager – Growth & Regeneration

Committee Plan - 18/00669/FUL

