

PLANNING COMMITTEE – 05 JUNE 2018

Application No:	18/00543/FUL	
Proposal:	Siting of 1 no. lodge (modular building) to form annexe to the main house	
Location:	Primrose Cottage, Mansfield Road, Edingley NG22 8BE	
Applicant:	Mr Adrian Cox And Mrs Shirley Hurst Cox	
Registered:	20 March 2018	Target Date: 15 May 2018
		Extension Agreed until: 8 June 2018

This application is referred to Planning Committee for determination as the Parish Council have raised an objection contrary to the Officer recommendation.

The Site

The proposal site is located in the village of Edingley and is located behind the frontage properties on Mansfield Road. The property and the immediate neighbour at Brook Cottage are accessed from a private driveway running between Lambs Meadow and The Willows and Willows End. The property is a detached dwelling erected in redbrick and is situated centrally within a square garden plot.

Relevant Planning History

96/50475/FUL - Shower room extension and internal alterations – Permitted 03/05/1996

02/00724/FUL – Proposed Conservatory – Permitted 31/05/2002

02/01623/FUL - Proposed two storey side extension and single storey porch and cloakroom – Permitted 28/10/2002

The Proposal

The proposal seeks planning consent for the provision of a lodge building to provide an annexe to the main dwelling at Primrose Cottage. The proposed structure would measure approximately 12.2m by 6.1m with heights of 3.3m to the eaves and 4.2m to the ridge. The materials proposed are a smooth painted Pale Grey and a charcoal Grey roof tile.

The application is supported by a Planning Statement which sets out the need for the annexe. This provides a summary of the need for the annexe which includes the provision of 24 hour care of family relatives who suffer from a range of mental and physical health issues.

Departure/Public Advertisement Procedure

Occupiers of 10 properties have been individually notified by letter.

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy Adopted March 2011

Policies relevant to this application:

Spatial Policy 1: Settlement hierarchy

Spatial Policy 2: Spatial distribution of growth

Spatial Policy 3: Rural Areas

Spatial Policy 6: Infrastructure for Growth

Spatial Policy 7: Sustainable transport

Core Policy 9: Sustainable design

Core Policy 10: Climate Change

Core Policy 12: Biodiversity and Green Infrastructure

Core Policy 14: Historic Environment

Allocations and Development Management DPD Adopted July 2013

Policies relevant to this application:

DM1: Development within settlements central to delivering the spatial strategy

DM5: Design

DM6: Householder Development

DM8: Development within the Open Countryside

Policy DM9: Protecting and Enhancing the Historic Environment

DM12: Presumption in Favour of Sustainable Development

Other Material Considerations

National Planning Policy Framework 2012

Planning Practice Guidance 2014

Newark and Sherwood Amended Core Strategy DPD 2017

Householder Development Supplementary Planning Document 2014

Consultations

Edingley Parish Council –

Raise objections to the proposal providing the following comments:

Not in keeping with the countryside. Appears as a separate site and not linked to existing house. Too big; too close to neighbours property with windows overlooking gardens.

Access and Equalities Officer –

As part of the developer's considerations of inclusive access and facilities for all, with particular reference to disabled people, it is recommended that their attention be drawn to Approved Document M of the Building Regulations, which contain useful standards in respect of visitable, accessible and adaptable, and wheelchair user dwellings. Occupants requirements can change as a result of illness, accident such as sports injury for example, disability or ageing giving rise to reduced mobility or increasing sensory loss. In order to meet these changing requirements, homes need to be accessible to residents and visitors' alike as well as meeting residents' changing needs, both temporary and longer term. Similarly, inclusive access improves general manoeuvrability for all including access for those with push chairs and baby buggies as well as disabled people etc.

It is recommended that disabled persons and wheelchair users' access to, into and around the proposal be carefully examined. External pathways to and around the site should be carefully considered and designed to accepted standards to ensure that they provide suitable clear unobstructed 'vehicular free' access to the proposal. In particular, 'step-free' access to and into the proposal is important and an obstacle free suitably surfaced firm level and smooth 'traffic free' accessible route is essential from facilities such as car parking and from the site boundary. Any loose laid materials, such as gravel or similar, can cause difficulty for wheelchair users, baby buggies or similar and should be avoided. It is recommended that inclusive step free access be considered to garden areas, amenity spaces and external features.

Carefully designed 'step-free' approach, ramps, level flush thresholds, generous doorways, all carefully designed to facilitate easy access and manoeuvre are important considerations. Switches and sockets should be located at suitable heights and design to assist those whose reach is limited to use the proposal together with suitable accessible WC and sanitary provision etc.

It is recommended that the developer make separate enquiry regarding Building Regulations matters.

Representations have been received from three local residents/interested parties. One of these letters confirms no objections to the proposal. Objections raised in the other letters include:

- the application does not contain sufficient information to fully consider the relationship between the house, annexe and total site area.
- the building is too close to the boundary from a visual aspect and as a lightly framed plywood clad building we are concerned about the fire resistance of the property being so close to a combustible hedge.
- The application indicates that the building does not require removal of any hedges or trees but we are aware that perhaps three trees will require removal.
- The host dwelling has four bedrooms, does this not raise doubts over the validity of this application when three bedrooms are free?
- The external finishes create the appearance of a temporary building, which it is, and is totally out of keeping with the traditional local vernacular of brick and pantile of all the adjoining building.
- The proposal is far too large and overbearing for the site and will overpower the small cottage style frontage that it closely abuts.
- it appears to be more of a commercial enterprise
- the eaves will be above the line of the existing hedge and will create a visual intrusion in our garden and from the windows of our house.
- over intensive development which we cannot reconcile with a garden environment on the edge of open countryside.
- The building will further reduce the amount of sunlight restricting growth in our garden.
- Infringement of privacy and creation a noise a noise problem particularly during summer months.
- the application is only for a temporary style building which will not have the same lifespan as the adjoining house.
- The application duplicates those facilities normally found in a balanced household and must therefore be viewed as a separate detached dwelling
- this proposal will overload the existing drain and cause problems for the other properties on the system.

Comments of the Business Manager

Principle of Development

The application seeks to erect an annexe in the rear garden of Holly Cottage for family members to occupy. The Council's SPD for householder development states that 'where an annexe includes all of the primary aspects of accommodation (bedroom/ living room, kitchen and bathroom) and the unit could be, or is being, lived in separately with limited or no relationship to the host dwelling either through a family member or the level of accommodation then it will be considered as a new dwelling and so not householder development. Accordingly full planning permission for a new dwelling would be required with relevant policies of the development plan being applied in its consideration.'

The settlement hierarchy for the district is set out in Spatial Policy 1 whilst Spatial Policy 2 deals with the distribution of growth for the district. This identifies that the focus of growth will be in the Sub Regional Centre, followed by the Service Centres and Principal Villages. At the bottom of the hierarchy are 'other villages' which do not have defined built up areas in terms of village boundaries. Consequently given its location in a rural area, the site falls to be assessed against Spatial Policy 3 (Rural Areas) of the Core Strategy. This provides that local housing need will be addressed by focusing housing in sustainable, accessible villages. It states that 'Beyond Principal Villages, proposals for new development will be considered against the following criteria' then lists location, scale, need, impact and character for consideration. The application site is located within the main built-up area of the village and in light of the proposed amendments to Spatial Policy 3 within the Newark and Sherwood Amended Core Strategy DPD 2017 there is the potential that a new dwelling could be acceptable in principle on this site subject to compliance with the scale, need, impact and character criterion of this policy.

Notwithstanding the SPD guidance the application as made is for residential annexe accommodation and it is the occupation and use of the proposed annexe is intended for family members which require support in their day to day lives. The supporting information indicates that the intention is for the enlarged family to live as a single family unit with the annexe providing sleeping accommodation and additional space for some degree of independent living. The details provided indicate that the application is required to provide accommodation for the applicants Brother, Sister and Husband. Details provided indicate that the prospective occupants are between 73 and 84 years of age and have varying degrees of health and age related restrictions (including Alzheimer's and learning difficulties). In more detail, the supporting statement states that the applicant's sister and brother both have autistic spectrum disorder with a range of mental health conditions resulting in significant difficulties in social skills, repetitive behaviors, speech, and none verbal communication. As such the intention is to allow a degree of independent living whilst providing the necessary support for the three prospective occupants. The statement outlines how the unit (Primrose Cottage) will function and how existing occupants of the main house and future occupants of the annexe will successfully interact whilst maintaining a single planning unit in planning terms. Its states that the annexe is required because Primrose Cottage is unable to provide ground floor washing and sleeping facilities which are a necessity.

Based on the details provided whilst the building proposed has the full suite of facilities to be able to provide an independent dwellinghouse, it is considered that due to the intended occupants respective needs that the proposal is for annexe accommodation and therefore should be considered as such. Furthermore, given the location of the annexe and the siting of the within the garden of the host dwelling with shared access and amenity space, it is not considered that a separate residential dwelling house would be readily assimilated whilst retaining suitable amenity

space/access. As such, it is considered that both a physical and functional link to Primrose Cottage has been demonstrated and any approval granted should be suitably conditioned to ensure that the annexe remains as such.

Impact upon Character of the Area

In accordance with Policy DM5 of the DPD, new development should respect the rich local distinctiveness of the District's landscape and character of built form and this should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. In this regard I consider it is important to retain the character of the landscape and prevent development from encroaching upon its rural characteristics.

The proposal would be located to the rear/ side garden to Primrose Cottage and would be approximately 5m from the conservatory of the host dwelling. The proposed structure would measure approximately 12.2m by 6.1m with heights of 3.3m to the eaves and 4.2m to the ridge. The materials proposed are a smooth painted Pale Grey and a charcoal Grey roof tile.

The proposed annexe being single storey and located to the rear of the property would remain subservient in visual terms to Primrose Cottage. The proposal is considered to be of suitable design for its intended use and the use of muted colouring would serve to ensure that it would not result in an obtrusive or incongruous addition. Furthermore the location of the property to the rear of the frontage properties on Mansfield Road and the mature boundary treatments serve to ensure that the proposal would not be readily seen or result in any appreciable impacts upon the character of the locality.

It is therefore considered that the proposal accords with the requirements of policy DM5 in this respect.

Impact on Residential Amenity

Policy DM5 and the NPPF seek to ensure that development does not have an adverse impact upon the amenities of neighbouring properties. The annexe unit is unlikely to result in a material increase in noise or disturbance upon the amenity of neighbouring properties above and beyond levels created by existing residential properties in the vicinity. Therefore the use of the site is not considered to result in any appreciable impacts. The building would be single storey in scale and located against mature hedge boundary treatments. Given the heights of the building, the boundary hedges and fencing and the separation to nearest neighbouring property at Rosebury House of approximately 32m it is not considered that there would be any significant impacts of overlooking or oppression to warrant refusal. The proposal is located in close proximity to the boundary with Rosebury House which sits to the north of the site. Given the limited heights of the proposal it is not considered that there would be such a significant impact of overshadowing to warrant resistance on these grounds. The other neighbouring properties at The Meadows, Fairfield, Beck House, and Brook Cottage are at increasing distances and have large garden areas separating them from the proposal site. Given the distances, juxtaposition, boundary treatments and scale of the proposal it is not considered that there would be significant impacts upon the amenity of these further neighbours.

The proposal is considered to be acceptable in respect of providing impacts upon the neighbouring properties residential amenity. The proposal would be located in close proximity to the host dwelling at approximately 5m separation from the conservatory. It is therefore considered prudent to attach a condition to ensure that the proposed building is used for its intended purpose as annexe accommodation to the dwelling and not as a separate dwellinghouse.

The proposal is considered to be acceptable in this respect with Policy DM5 and the guidance in the NPPF.

Impact upon Highway Safety

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems and Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.

Primrose Cottage has one vehicular access point with parking provision to the front of the dwelling. The Highways Authority have provided standing advice which can be applied to this application. Given the proposal will remain dependent upon the principal dwelling, and taking into consideration the size of the existing parking area, it is unlikely that parking would be an issue. The proposal is therefore considered to accord with Spatial Policy 7 and Policy DM5 in terms of highway considerations.

Foul and Surface Water Drainage

Objection has been raised on the ability to provide suitable surface water and foul drainage. The site is not within any area of known flood risk and there is nothing within the proposal which would raise concerns for increased risk of flooding. The proposal would seek to drain to the existing soft landscaping within the site. Given the scale of the proposal and the extent of the site it is considered that this surface water drainage method is acceptable. With regards to foul drainage the proposal is for the extension of the property at Primrose Cottage and an existing Main Drains connection is provided. The provision of main drains therefore is a matter between Severn Trent Water Authority and the applicant to address. Drainage issues at adjacent properties have also been raised this is a matter between the relevant properties and the water authority.

Other Issues

Redline boundary- The application has been amended to indicate the entirety of the site as being within one planning unit.

Loss of trees – From the site visit it is apparent that the trees in question are ornamental garden trees. Given the location of the site it is not considered that there are any notable visual amenity provisions from the trees in question as such it is not considered to be necessary to require a tree survey and that the loss of these unprotected trees would not raise concern.

Fire Safety - Fire Safety has been raised as a concern with the proposal being located near to a hedgerow. The proposed development would need to comply with separate legislation in this regard including building regulation requirements and any necessary fire safety requirements.

Ability to accommodate additional occupation within the existing house – Objections raised in relation to the need to provide additional annexe accommodation with bedrooms remaining unoccupied. In this respect the applicant is not required to demonstrate a need however not withstanding this given the health of the proposed occupants single level accommodation is required.

Loss of views – There is no right to a view obtained over third party land and as such this is not a material consideration for the determination of this application.

Conclusion

The proposal is for a residential annexe to Primrose Cottage. The proposal is considered to constitute a physically and functionally linked annexe ancillary to the main dwelling. The resultant impacts would not have any significant effect upon the character and form of the locality or the residential amenity of neighbouring properties. As such the proposal is recommended for approval subject to appropriate conditions.

RECOMMENDATION

That planning permission is approved subject to the conditions and reasons shown below:

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 following approved plans:

001 Site Location Plan

002 Location Within Plot

004 Orientation Plan

3529 Rev A Sonata II - 2 Bed, ES

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

Reason: So as to define this permission.

03

The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

04

The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling, known as Primrose Cottage, Mansfield Road, NG22 8BE.

Reason: For the avoidance of doubt, to define this permission and to prevent the creation of a separate dwelling.

Notes to Applicant

01

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

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 development type proposed is zero rated in this location.

Background Papers

Application Case File

For further information, please contact Kevin Robinson on ext. 5400.

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 - 18/00543/FUL

