



Report to Planning Committee 06 October 2022  
 Business Manager Lead: Lisa Hughes – Planning Development  
 Lead Officer: Honor Whitfield, Planner, ext. 5827

Report Summary			
<b>Application Number</b>	22/00937/FUL		
<b>Proposal</b>	Change of use of land to residential and erection of garage		
<b>Location</b>	Grange Farm, Gainsborough Road, Girton, NG23 7HX		
<b>Applicant</b>	Mr S Price	<b>Agent</b>	Plan-It Design Ltd Mr Richard Willows
<b>Web Link</b>	<a href="https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=RBS1UHLBKVE00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=RBS1UHLBKVE00</a>		
<b>Registered</b>	17.05.2022	<b>Target Date:</b>	12.07.2022
		<b>Extension of Time:</b>	10.10.2022
<b>Recommendation</b>	That Planning Permission is approved subject to the Conditions detailed at Section 10.0 of this report subject to the expiration of the press notice/site notice advertising the application as a departure from the Development Plan.		

**This application is before the Planning Committee for determination, in accordance with the Council’s Constitution, because the application is a departure from the Development Plan.**

**1.0 The Site**

The site lies in the open countryside within the parish of Girton but remote from the village. The site is approx. 6.7 km from the principal village of Collingham and is predominately surrounded by arable fields. To the south-west is Spalford Warren/Woods and to the west is a sluice lake associated with Girton Lakes. The barn/garage that is the subject of this application lies immediately to the south west of the Grange Farm and to the north of agricultural buildings associated with the wider use of the site.

The application site comprises part of a converted barn range (single and two storey) arranged primarily in a ‘U’ shape set back from but adjacent to the A1133, within the open countryside.

The rear ward barn (within the U format), which is the subject of this application, is two storey with the remaining barns being single storey. The site lies within flood zone (FZ) 2 as defined by the Environment Agency and is surrounded by land in FZ3. The host dwelling has also been identified as a non-designated heritage asset (NDHA) in recent applications and an Inspector's appeal decision.

## **2.0 Relevant Planning History**

**00/01121/FUL** - Extension to a private dwelling – Permitted 17.10.2000

**02/00578/FUL** - Change of use of farm buildings to provide 6 self-catering tourist accommodation units – Permitted 02.08.2002

**06/00483/FUL** - Erection of barn to replace barn destroyed by fire – Permitted 08.05.2006

**10/00321/FUL** - Conversion of two barns to form two holiday cottages – Withdrawn 05.10.2010

**10/00955/FULM** - Change of use of land to form touring caravan park – Refused 07.10.2010

**11/01041/FUL** - Change of Use of Existing barns to 5 No. self-catering holiday let cottages – Permitted 30.11.2011 - Implemented but conditions not discharged.

**18/01486/FUL** - Change of use from Holiday Let to a Private Domestic Dwelling – Withdrawn 31.10.2018

**19/00043/FUL** - Removal of condition 3 from planning permission 11/01041/FUL To enable barn conversion to be used as domestic dwelling to house company manager – Withdrawn 01.03.2019

**19/00887/FUL** - Change of Use of Existing barns to 4 No. self catering holiday let cottages and 1 No. dwelling (part retrospective, revised submission of planning permission 11/01041/FUL) – Permitted 15.08.2019

**20/00690/FUL** - Householder application for erection of 1.5 storey extension to existing dwelling – Refused 20.07.2020.

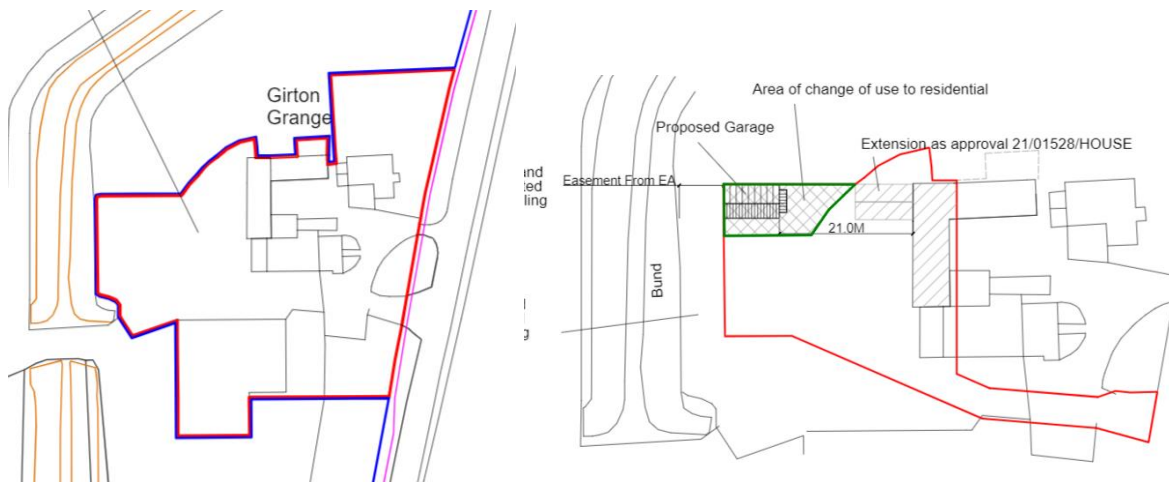
**21/01528/HOUSE** - Single-storey extension to existing dwelling. Resubmission of application 20/00690/FUL – Refused 26.08.2021 – Appeal allowed 21.02.2022

## **3.0 The Proposal**

Permission is sought for the change of use of approx. 126m<sup>2</sup> of land to residential use and erection of a detached garage and store building. The garage building would be approx. 9m x 5.5m, 4.1m to the ridge and 2.1 to the eaves at the front and 1.8m at the back. The garage would have three bays, one with side hung timber doors and two open fronted. A lean-to log store is also proposed on the side set in from the front and rear elevations. Materials are proposed to be cedar horizontal timber cladding and clay pantiles. The garage would be positioned approx. 21m from the rear elevation of the barn.

*NB: All measurements above are approximate*

The Site Plans below show the area of land proposed for the change of use. The plan on the left is the site location plan that was approved for the original conversion of the barns to residential and the plan on the right shows the land associated with this dwellinghouse in red and the area of land proposed for the change of use in green.



For the avoidance of doubt, the assessment outlined below is based on the following plans and supporting information:

- Amended Site Location Plan – Ref. 22-039 002 Rev. B
- Proposed Scheme and Block Plan – Ref. 22-039 001 Rev. B
- Householder Flood Form

#### **4.0 Departure/Public Advertisement Procedure**

Occupiers of 2 properties have been individually notified by letter. A site notice has been displayed and an advert has been placed in the local press.

Earliest Decision Date: 22.09.2022

#### **5.0 Planning Policy Framework**

##### **Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)**

Spatial Policy 3 - Rural Areas

Core Policy 9 - Sustainable Design

Core Policy 10 – Climate Change

Core Policy 14 - Historic Environment

##### **Allocations & Development Management DPD**

DM5 – Design

DM6 – Householder Development

Policy DM8 – Development in the Open Countryside

Policy DM9- Protecting and Enhancing the Historic Environment

Policy DM12 - Presumption in Favour of Sustainable Development

##### **Other Material Planning Considerations**

- National Planning Policy Framework 2021
- Planning Practice Guidance (online resource)
- Householder Development SPD 2014

## **6.0 Consultations**

*NB: Comments below have been summarised. Full Consultee comments can be found on the online planning file.*

**Girton Parish Council** – No comments received.

**NSDC Conservation Officer** – No objection.

## **7.0 Comments of the Business Manager – Planning Development**

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

### Principle of Development

The Adopted Development Plan for the District is the Amended Core Strategy DPD (2019) and the Allocations and Development Management DPD (2013). The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 2 of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. Applications for new development beyond Principal Villages as specified within Spatial Policy 2 will be considered against the 5 criteria within Spatial Policy 3. However, Spatial Policy 3 also confirms that, development not in villages or settlements, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting. Direction is then given to the relevant Development Management policies in the Allocations and Development Management DPD (policy DM8).

Given the nature of the application site, it clearly falls within the Open Countryside rather than in any village - DM8 is therefore applicable. The expansion of domestic use into the open countryside would not fall within the list of appropriate development types within the open countryside as set out within Policy DM8 and as such, this development would not accord with this policy and thus would be unacceptable in principle.

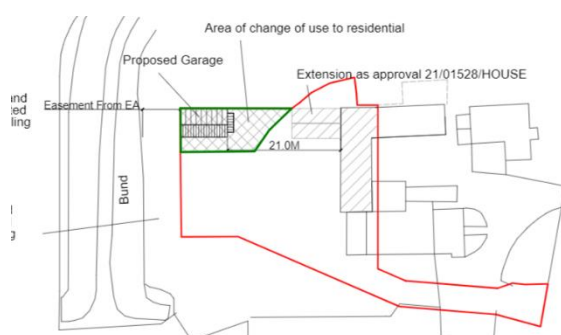
In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. As set out above, in this case the change of use of approx. 126m<sup>2</sup> of agricultural land to residential use would be contrary to the development plan, which amongst other things, aims to safeguard the countryside from harmful encroachment. However, the planning history for the site and the site-specific context are material considerations.

Under 19/00887/FUL the barns were consented to be converted to holiday lets in addition to the change of use of one of the barns (that is the subject of this application) to a dwellinghouse. The plan below (L) shows the site location plan that was approved for the overall conversion of the barn. A plan was also approved to define the extent of the residential curtilage for the dwellinghouse (below, right) within a walled garden area.



Officers considered that, notwithstanding the red line of the site location plan that the curtilage of the dwellinghouse was restricted to this walled garden area. However, in the recent appeal decision at this site the Inspector approved an extension which exceeded the walled garden area, instead relying upon the red line approved under 19/00887/FUL (above, left) as the land relating to the barns and previous consent for conversion to residential use. On this basis, the Inspector did not consider the extension beyond the walled garden constituted a change of use of land.

However, owing to negotiations with the Conservation Officer (which will be explored in the following section), in this application the garage would be positioned on land that is outside of the previous red line plan, resulting in a change of use of approx. 126m<sup>2</sup> of land to residential (below, highlighted green). On the ground, the land is laid to grass and appears to be mowed as part of the grassland that surrounds Girton Grange Farmhouse. The land to the south is used as part of a commercial enterprise but the wider site is well defined by a large earth bund with an easement around it by the Environment Agency (EA). This can be seen on the aerial image below (R), such that, whilst being within the open countryside, the site is already constrained by a physical land barrier that prevents encroachment into the undeveloped open countryside beyond it.



Whilst the impact of the development on the character and appearance of the area and heritage will be explored in greater detail below it is concluded overall that the positioning of the garage as proposed would result in no harm to the setting of the farm complex as a NDHA and would not, given the site-specific context, result in any visual harm on the openness of the countryside. Alternative garage positionings have been explored throughout this application but the final scheme advanced is considered to sustain the significance of the barn range and would be preferential from a heritage perspective, and all these factors will weigh into the overall planning balance.

#### Impact on the Character of the Area (including heritage)

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. Regarding landscape character impact, CP13 explains that new development which positively addresses the implications of relevant Landscape Policy Zone that is consistent with the landscape conservation and enhancement aims for the area will be supported.

The hostdwelling is part of a converted barn range which are collectively considered to be local interest buildings. Annex 2 of the National Planning Policy Framework (NPPF) states that Local Interest buildings are non-designated heritage assets. The impact of a proposal on the significance of a non-designated heritage asset is a material consideration, as stated under paragraph 203 of the NPPF. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policies CP14 and DM9 of the Council's Local Development Framework DPDs, amongst other things, also seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF). The NPPF makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 8.c).

The overall objective for any proposed addition to a residential dwelling or site should be based around its successful integration with the host dwelling and its surrounding area. To help achieve this, a balanced visual relationship with the host dwelling and its features should be struck, and the character and appearance of the surrounding area respected through design, proportions and detailing of the proposal. These themes are translated into policies CP9 and DM5 and DM6. As above, heritage policies are also relevant in this case, given the host dwelling is considered to be a non-designated heritage asset.

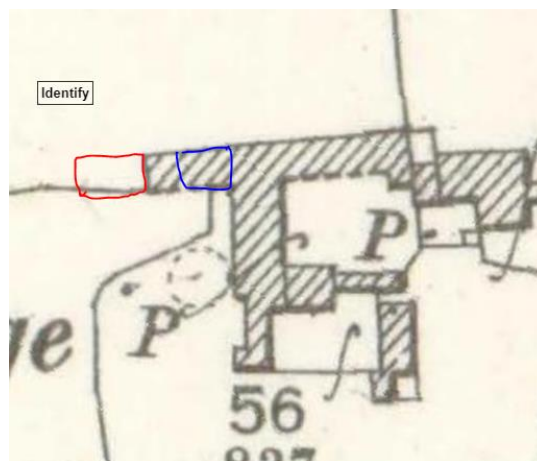
#### *Proposed Garage*

For garages, the NSDC Householder Development SPD advises that proposals should be domestically proportioned and should not introduce a feature that would be overly dominant

in comparison to the main dwellinghouse. Consideration should also be given to how the proposal is sited in relation to the dwelling and the impact on the surrounding area and whether the form and angle of pitch to the roof is sympathetic to that of the host dwelling and that external facing materials have been chosen which respect those of the existing property.

Given the heritage context the Council's Conservation Officer (CO) has reviewed the proposal. Initially the garage was proposed on north-south alignment, obstructing the visibility of the threshing barn opening which was considered to be unsympathetic to the setting of the building. Notwithstanding the fact that this site is well removed from the public realm, the association of the host dwelling (as a converted threshing barn) with the land is a key link through which the barns heritage value is derived. As such alternative positionings were considered.

In accordance with the Council's Conversion of Traditional Rural Buildings SPD the use of existing buildings on site for garaging was explored, however these have either been converted to holiday lets (in accordance with a previous consent) or are currently in use for commercial purposes. Accepting that an additional building would be required to provide any secure external storage/garaging for this dwelling alternative positionings for an outbuilding were considered. These included exploring locations within the existing residential curtilage, however due to site restrictions such as an easement on some of the land by the EA the final positioning as advanced within this submission was proposed. This sees the garage aligned with the approved extension on an east-west alignment. Not only does it keep the more open aspect of the threshing barn, but it also forms a more intuitive agricultural layout and one that is partially reflective of the historic layout. Reviewing historic maps also shows that there was some sort of structure on the approximate footprint historically.



Overall, the CO concludes that they raise no objection to the amended proposal and consider it would preserve the setting of the barn ranges as NDHAs.

From a purely planning perspective, considering the positioning, style and scale of the proposed garage I am mindful that the footprint is quite large, however the host dwelling is a large property set within a generous plot and in comparison, the garage would remain subservient to the dwelling as a two-bay garage with store to serve a four bed property. As the garage would also be sited to the rear of the dwelling, set well back from the highway, views from the public realm would be very limited. Furthermore, owing to the subservient

height and sympathetic style it is considered that the garage would accord with the principles set out at point 8.14 of the Householder Development SPD and would not adversely impact the character of the area from purely a design perspective.

### *Change of Use of Land*

Turning now to the impact of the change of use of land to accommodate the garage. From visiting the site, it is clear that the change of use of this portion of land wouldn't visually result in a great difference to the existing situation. Currently the land is part of grassland that surrounds Girton Grange Farmhouse and is open all round to this property's curtilage. Because of the existing earth bund this land already has a somewhat enclosed character associating it with the built complex to the east, rather than reading as open countryside, visually at least. On the ground the change of use of this portion of land (which is small when considered relative to the wider land enclosed by the bund) would unlikely have any perceivable impact from either inside or outside of the site. Coupled with the construction of the extension as recently approved it is considered that the positioning of the garage as proposed could also assist in preventing any further encroachment into the surrounding land as it would form a physical barrier enclosing the land to the south around the host dwelling.

Overall, whilst noting the in-principle policy objection to encroachment of domestic use into the open countryside it is considered that there are site specific circumstances in this case that would mean that there would be no adverse impact on the wider character of the area as a result. Furthermore, there is a heritage benefit from positioning the garage within this land in that it would preserve the setting of the barn range as a NDHA and would partially restore the form of historic elements of this barn that have since been lost.

It is therefore not considered that the proposed garage in terms of its scale and design would dominate the host dwelling, nor would it have any adverse impact upon the wider area given the location of the property and its site-specific context. The garage would successfully integrate with the site and respect the hostdwelling design and proportions, sustaining the character and appearance of the dwelling, the barn range as a NDHA and wider area. The proposal is therefore considered compliant with the aims of policies CP9, CP14, DM6, DM9 and the Householder Development SPD in addition to Section 16 of the NPPF.

### Impact upon Residential Amenity

The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings. Policies DM5 and DM6 of the DPD states that development proposals should ensure no unacceptable reduction in amenity upon neighbouring development.

The dwelling occupies a relatively isolated position from neighbouring properties and given the location of the proposed garage would be well removed from the closest neighbouring property and screened by the hostdwelling itself. On the basis of the above, it is therefore considered that there would be no overlooking, overshadowing or overbearing implications that would result from this proposal and therefore the proposal complies with Policy DM6 and DM5 of the DPD in this regard.



## Impact on Flood Risk

The site is located within Flood Zone 2/3 as defined by the Environment Agency data and whilst not technically householder development, given the entire site is within the flood zone and the only place a domestic garage can be positioning is close to the host dwelling, there are no sequentially preferable sites in which this garage could be located. A householder flood risk form has been submitted which states that floor levels within the proposed development will be set no lower than the existing floor levels and flood proofing will be incorporated where appropriate. It is not considered that the proposal would be likely to cause any detrimental impacts to neighbours or the surrounding area from flooding or surface water run-off or exacerbate the existing arrangement. There are ample areas of porous surfacing within the remainder of the site to allow water to permeate and as such the proposal is considered to accord with CP10, DM5 and DM6 in this regard.

### **8.0 Implications**

In writing this report and in putting forward a recommendation, Officers have considered the following implications: Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have referred to these implications and added suitable expert comment where appropriate.

### **9.0 Planning Balance and Conclusion**

Whilst domestic garages as householder developments are ordinarily acceptable in principle, owing to negotiations to overcome heritage concerns the proposal would result in the change of use of land to residential. The expansion of domestic use into the open countryside does not fall within the list of appropriate development types within the open countryside as set out within Policy DM8 and as such, is considered to be unacceptable in principle.

However, it has been concluded that the positioning of the garage as proposed would result in no harm to the setting of the farm complex as a NDHA, is preferential in order to provide a heritage benefit to the site and would not, given the site-specific context, result in any visual harm on the openness of the countryside. Alternative garage positionings have been explored throughout this application but the final scheme advanced is considered to sustain the significance of the barn range and would be preferential from a heritage perspective. Whilst noting that the development would be contrary to the Development Plan, it is considered in this case that the heritage benefits and the lack of any identified visual or character harm on the open countryside, coupled with the site history and previous inspectors' decisions are material considerations that weigh in favour of the proposal such that the harm through changing the use of a small portion of land is outweighed in this case. No harm has been identified in respect of amenity or flood risk and thus it is recommended that planning permission is granted subject to the conditions outlined in Section 9.

### **9.0 Conditions**

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/submitted documents:

- Amended Site Location Plan – Ref. 22-039 002 Rev. B
- Proposed Scheme and Block Plan – Ref. 22-039 001 Rev. B

Reason: So as to define this permission.

03

No development above damp proof course shall take place until manufacturers details (and samples upon request) of the external facing materials (including colour/finish) 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.

Reason: In the interests of visual amenity.

### Informatives

01

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/](http://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 less than 100m<sup>2</sup> of floorspace is proposed.

02

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 accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

### BACKGROUND PAPERS

Application case file.

Committee Plan - 22/00937/FUL

