



Report to Planning Committee 10 November 2022
 Business Manager Lead: Lisa Hughes – Planning Development
 Lead Officer: Laura Gardner, Senior Planner, ext. 5907

Report Summary			
Application Number	22/01712/FULM		
Proposal	Demolish single storey element on southern elevation of the dwelling. Extension and replacement roof of single storey element on the western elevation of the dwelling.		
Location	Stokeley, Cross Lane, Blidworth, NG21 0LZ		
Applicant	Mr & Mrs P Begley	Agent	Mr Colin Birch
Web Link	22/01712/FULM Demolish single storey front extension. Single storey front extension and replacement pitched roof over. Stokeley Cross Lane Blidworth NG21 0LZ (newark-sherwooddc.gov.uk)		
Registered	08.09.2022	Target Date	08.12.2022
Recommendation	Refuse, for the reason set out in Section 10.0		

This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation as Blidworth Parish Council raise no objections to the application which differs to the professional officer recommendation and the application is a major development (due to the site area being over a hectare).

1.0 The Site

The site relates to a large detached two-storey dwelling with a large garden on the north side of Cross Lane within the Mansfield Fringe Area of the District. The dwelling is accessed via a driveway and is set back from the highway with mature trees and shrubs at the boundary. Neighbouring dwellings are sparse but are located to the north and southwest accessed also from Cross Lane.

The site is located approx. 2km to the north-east of Blidworth in the Nottingham-Derby Green Belt.

A bridleway (The Robin Hood Way) runs along the eastern boundary of the site and a Local Wildlife Site bounds the site on the eastern side.

2.0 Relevant Planning History

22/00614/FULM - Two storey front and side extension



Application refused under delegated powers in July 2022 for the following reason:

The proposal for a two-storey front and side-extension would result in an increase in footprint and floorspace of 132% and 135% respectively over that of the original dwelling which would represent a disproportionate addition and inappropriate development in the Green Belt which by definition would be harmful to the Green Belt. There are no very special circumstances which would outweigh this harm. In addition, the proposal would result in an unsympathetic addition to the application dwelling as a result of its inappropriate scale, form, massing and appearance, which would cause harm to the character and distinctiveness of the application dwelling. As such the proposal is contrary to Spatial Policy 4B and Core Policy 9 of the Newark and Sherwood Amended Core Strategy (2019), Policies DM5 and DM6 of the Allocations and Development Management Policies DPD (2013), the NPPG and Section 13 of the NPPF and accordingly the proposal is refused.

08/02042/LDC - Use of land as domestic garden. Issued 12.12.2008

The property has been extended and altered over the past including the following:

- 2008 - Domestic detached double garage built using permitted development rights.
- Two-storey side extension and single-storey side extension built after 2007.
- Garage extension and canopy over west elevation of dwelling built after 2007.
- Replacement conservatory built after 2007.

3.0 The Proposal

The proposal seeks permission for the demolition of an existing 'snug' amounting to approximately 10m² in footprint on the southern elevation. The existing garage is then intended for extension and conversion including the incorporation of a pitched roof.

The footprint of the existing garage is approximately 42m² with a roof height of around 3.2m.

The extended garage (proposed to be converted to a gym / family room albeit this element would not require planning permission) would have a footprint of approximately 52m² with a pitch height of around 6.3m. The increase in roof volume would not fall within permitted development as it would far exceed the maximum allowed increase of 50m³ (being approximately 115m³) before other alterations to the original roof which have already taken place are taken into account.

The description of development has been amended from the application form which stated: *Demolish single storey front extension, conversion of flat roof over the garage to pitched with gable end.* The amended wording is considered to better describe the development as proposed. The agent has been asked on numerous occasions to confirm acceptance of the revised wording but to date no response has been received. Notwithstanding this, the changes are purely descriptive.

The application has been considered on the basis of the following plans and documents:

- Site Location Plan dated 11.02.22;
- Existing Elevations & Floor Plans dated 23rd March 2022;
- Proposed Elevations & Floor Plans dated 31st August 2022;
- Block Plan dated 11.02.22;
- Greenbelt Assessment received 8th September 2022.

4.0 Departure/Public Advertisement Procedure

Occupiers of 1 property have been individually notified by letter. A site notice has also been placed at the site and an advertisement displayed in the local press.

Site visit undertaken on 6th October 2022.

5.0 Planning Policy Framework

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

Spatial Policy 4A – Extent of the Green Belt
Spatial Policy 4B – Green Belt Development
Core Policy 9 -Sustainable Design

Allocations & Development Management DPD (adopted July 2013)

DM5 – Design
DM6 – Householder Development
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021

6.0 Consultations

Blidworth Parish Council – No objection.

No letters of representation have been received.

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

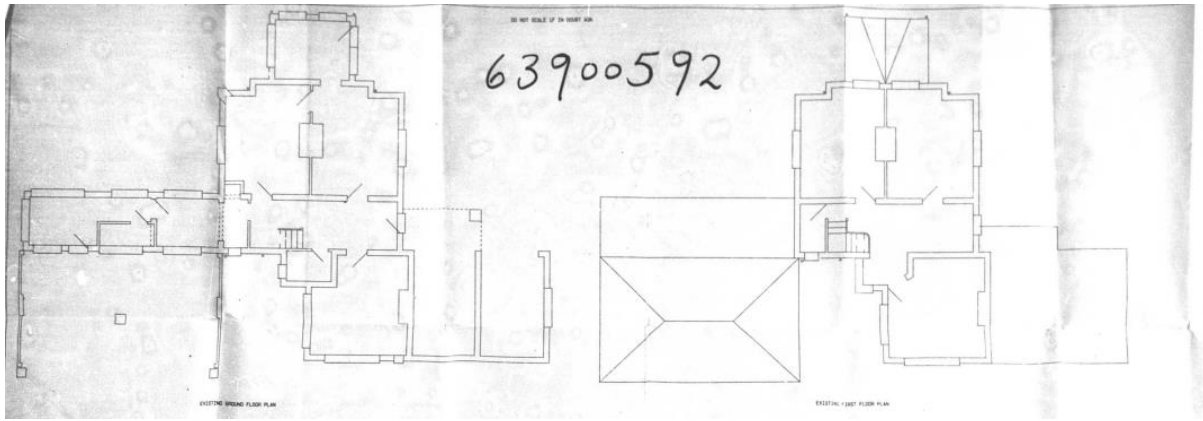
The extension of dwellings is accepted in principle by Policy DM6 subject to an assessment against a number of criteria including that there is no impact on the amenities of neighbouring uses including loss of privacy, light and overbearing impact. This policy goes on to state that the proposal should respect the character of the surrounding area including its local distinctiveness, landscape character and the open character of the surrounding countryside.

The site is located within the Green Belt where new development is strictly controlled through Spatial Policy 4B of the Core Strategy which defers assessment to national green belt policy contained in the NPPF. The NPPF does allow for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (paragraph 149). As a guide, the local planning authority have previously accepted up to 50% increase from the original building. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

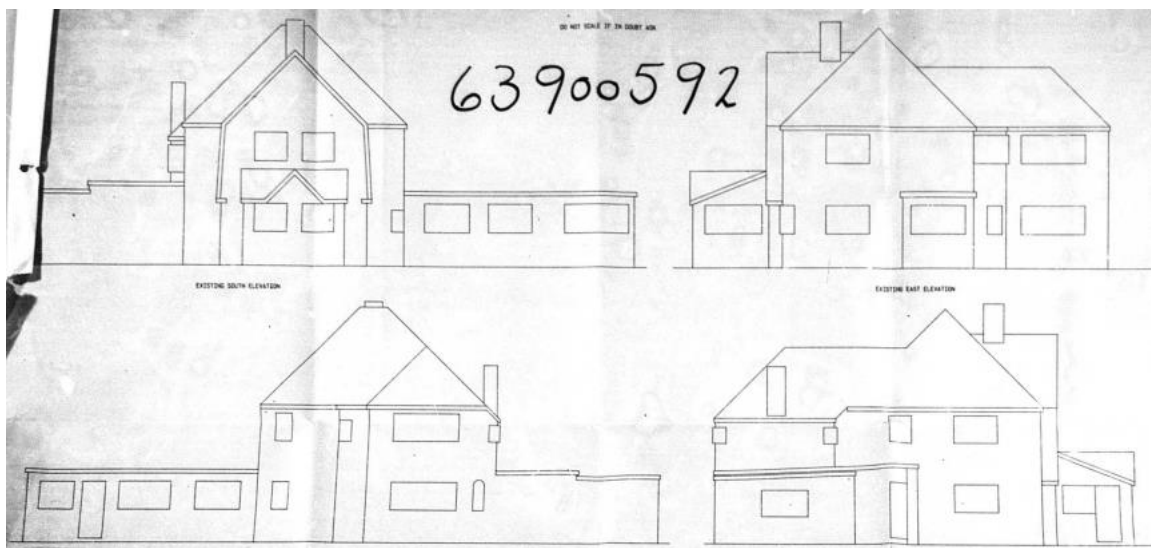
Notwithstanding that the current proposal is clearly materially different to the previously refused application (which proposed two storey development), the previous Officer assessment relating to the planning history of the site remains of relevance:

The existing dwelling has been extended a number of times. I have reproduced the existing plans from the 1990 permission for a two-storey side extension (63900592) below.

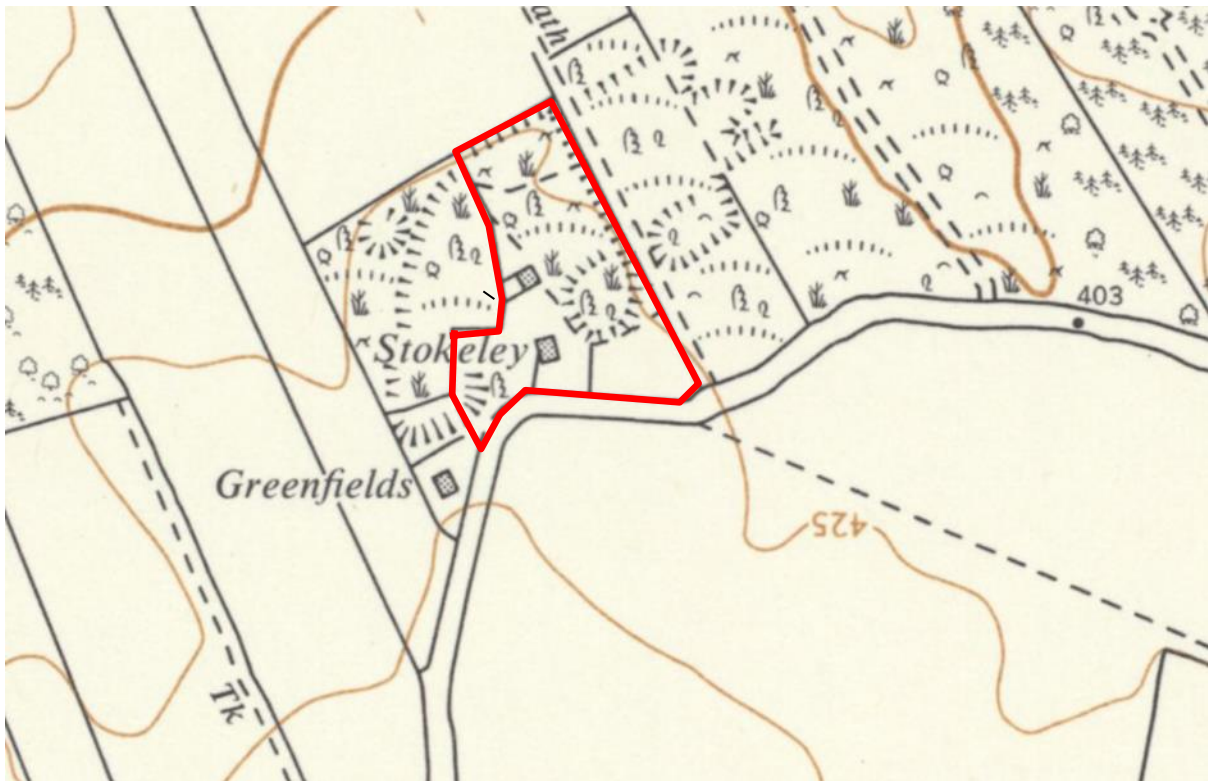
Existing Floorplans 63900592



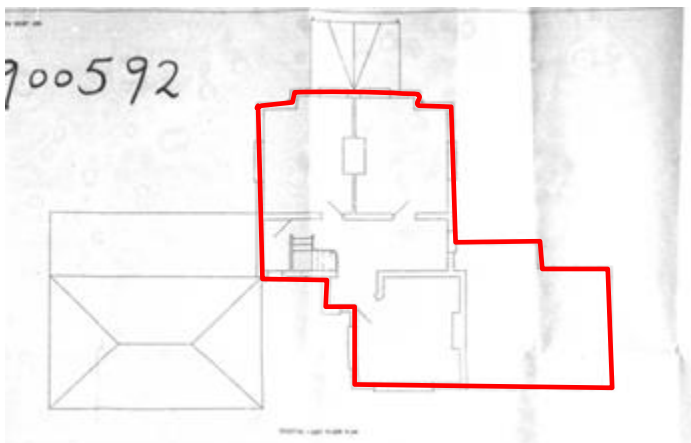
Existing Elevations 63900592



Historical maps do not identify a dwelling, Stokeley, on the site until 1966 (the house does not appear on the 1958 OS map). I consider that it is likely that the single-storey side element on the east elevation of the main body of the house and the front single-storey element, shown on the plans for application 63900592, are later additions and that the original house comprised the two-storey main body of the house and a single-storey integral garage on the west elevation. The 1966 OS map is reproduced below with the red line of the current planning application superimposed. The footprint of the dwelling Stokeley on this map supports my assumption that the single-storey element to the east side and front are later additions, however I recognize that the OS map may not necessarily be relied upon to represent an accurate footprint of the dwelling in 1966.



However, I consider that the design of the single-storey elements to the east side and the front are rather incongruous and read as later additions rather than as an integral part of the original design. Although an off-shoot to the west is also not shown, I am willing to accept that the original dwelling comprised an integral single-storey garage to the east, given that this is a typical configuration of many houses of the era, however I consider that this has been enlarged since application 63900592 was submitted. For ease I have superimposed what I consider to represent the footprint of the original house onto the plans for application 63900592 below



It is not possible to measure the plans from application 63900592 because they exist as scans taken from the microfiche, however, I have superimposed the original footprint of the dwelling onto the proposed plans for the current application.

The previous Case Officer concluded that the footprint of the original dwelling was approximately 126m² with a floor space of 108m²:

	Original dwelling	Existing dwelling	% Increase (<i>compared to original</i>)	Proposed Dwelling	% Increase (<i>compared to original</i>)
Ground floor space ²	108	233		233	
First floor space m²	74	134		142	
Total floorspace m²	182	367	101	375	106

In the opinion of the Local Planning Authority the dwelling has already been extended disproportionately above and beyond that of the original dwelling. Thus, any further extension of the dwelling would represent inappropriate development which could only be approved if very special circumstances exist that outweighs the harm.

The current application can reasonably be split into two elements: the extension (and conversion) to the existing garage and the replacement of the existing roof. In respect to the extension element, it is suggested that the current application would not lead to any increase in dwelling footprint or floor space due to the element of demolition included (which could be conditioned to occur before any new building if permission were to be approved). This argument appears to discount that the plans do indicate additional floor space in the form of a stairwell at first floor (the rest of the first floor plan in the extended element is marked as void). It is accepted that if the floor area were to be truly comparable (i.e. if the extension matched the element of demolition) then this could potentially be taken as a very special circumstance which would potentially allow the development. However, as identified, the proposal would lead to an increase in floor area and therefore this circumstance does not apply in the assessment of this proposal.

Moreover, the proposal includes the replacement of a flat roof garage with a pitched roof of considerably higher volume (as described in the description of development, the volume increase would be around 115m³). The Green Belt assessment submitted with the application includes no reference to the volume increase which would arise from the replacement roof and the agent has not responded to Officer emails raising this concern.

Despite a significantly lesser form of development than the previously refused application I consider that the dwelling has already been extended above and beyond what can be considered a proportionate addition in the Green Belt. The additional volume and marginal increase in floor space created through this application would further compound the disproportionality and therefore the proposal is an inappropriate form of development in the Green Belt. By definition the proposal would be harmful to the Green Belt. There are no very special circumstances which would outweigh this harm and none have been advanced by the agent and as such the proposal is not acceptable in principle.

I have carried out an assessment of other impacts below.

Character and local distinctiveness

The NPPF states that good design is a key aspect of sustainable development and that decisions should ensure that developments are visually attractive and sympathetic to the surrounding built environment. 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 environments. Policy DM6 of the Allocations and Development Management DPD states that proposals should respect the character of the surrounding area including its local distinctiveness; and Policy DM5 states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development.

The original dwelling, although not built until after 1958 is somewhat arts and crafts in style with distinctive features such as Mansard projecting gables, overhanging eaves, tall chimney, corner windows and small arched window and entrance door. The application dwelling has been extended by a number of additions over the years and has been rendered, however the form and character of the original dwelling is still legible, and the extensions permitted by previous applications largely replicates this form and character. The roof form of both the original dwelling and the previous extension is hipped with a Mansard projecting gable to the front which is quite distinctive and positively contributes to the character of the dwelling. It is recognised that a later flat roof side extension has eroded the character somewhat, but this is relatively small in scale.

Flat roofs are not necessarily a design approach that is advocated and therefore the replacement of the existing flat roof is not disputed in principle. The proposed pitch roof would take a steep form in order to replicate the pitch of the existing roof forms. This would create large expanses of the roof being visible on the north and south elevations but would mean that the roof would largely correspond with the existing dwelling when viewed from the western elevation. The demolition of the single storey element on the southern elevation is also not disputed in principle.

Overall there are no objections to the design of the proposal presented.

Neighbour Amenity

The NPPF seeks to create places which have a high standard of amenity for existing and future users. Policy DM6 of the Allocations and Development Management DPD states that planning permission will be granted for householder development provided it would not adversely affect the amenities of neighbouring users, in terms of loss of privacy, light and overbearing impact.

The proposal relates to single storey development which given the generous size of the site would be some distance from the boundaries. No adverse impact on neighbouring parties to warrant concern has therefore been identified.

Impact on Highways

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

It is noted that the proposed plans indicate the conversion of a garage which would lead to a loss of parking. However, this element of the proposal does not require planning permission and in any case the site is of an ample size such that there would remain space for off street parking.

8.0 Implications

In writing this report and in putting forward recommendations 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 made reference to these implications and added suitable expert comment where appropriate.

9.0 Conclusion

Given the extensions and alterations which have taken place previously, in the opinion of the Local Planning Authority, the dwelling has already been disproportionately extended. The proposal would lead to an additional (albeit modest) increase in floor space of the dwelling and by replacing an existing flat roof with a pitched roof would also lead to an increase in volume.

Any further increase in size and volume of the dwelling is inappropriate development in the Green Belt which can only be approved in very special circumstances. No such circumstances have been presented, nor are any considered to exist with the application and therefore the development is contrary to Spatial Policy 4B of the Newark and Sherwood Amended Core Strategy (2019) as well as the NPPF which forms a material planning consideration.

10.0 Reason for Refusal

01

Given the extensions and alterations which have taken place previously, in the opinion of the Local Planning Authority, the dwelling has already been disproportionately extended. Despite the overall footprint of the dwelling remaining the same due to the proposed element of demolition, the proposal would lead to an additional (albeit modest) increase in floor space of the dwelling at first floor which cumulatively with previous extensions is considered to be harmful. In addition, by replacing an existing flat roof with a pitched roof would also lead to a significant increase in the volume of the roof having a harmful impact upon the openness of this part of the Green Belt.

Any further increase in size and volume of the dwelling is inappropriate development in the Green Belt which can only be approved in very special circumstances. No such circumstances have been presented with the application, nor are any considered to exist, and therefore the

development is contrary to Spatial Policy 4B of the Newark and Sherwood Amended Core Strategy (2019) as well as the NPPF which forms a material planning consideration.

Informatives

01

The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason(s) for refusal. Working positively and proactively with the applicants would not have afforded the opportunity to overcome these problems, giving a false sense of hope and potentially incurring the applicants further unnecessary time and/or expense.

02

You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website www.newark-sherwooddc.gov.uk/cil/

03

The application has been refused on the basis of the consideration of the following plans and documents:

- Site Location Plan dated 11.02.22;
- Existing Elevations & Floor Plans dated 23rd March 2022;
- Proposed Elevations & Floor Plans dated 31st August 2022;
- Block Plan dated 11.02.22;
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BACKGROUND PAPERS

Application case file.

Committee Plan - 22/01712/FULM

