



Report to Planning Committee 5 October 2023

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Honor Whitfield, Planner, 01636 655827

Report Summary			
Application Number	23/01361/FUL		
Proposal	Proposed change of use of land to residential and erection of a detached garage		
Location	The Mill, Mill Farm, Station Road, Rolleston, NG23 5SE		
Applicant	Mr & Mrs T Waldram	Agent	GraceMachin Planning & Property - Mr George Machin
Web Link	23/01361/FUL Proposed change of use of land to residential and erection of a detached garage The Mill Mill Farm Station Road Rolleston NG23 5SE (newark-sherwooddc.gov.uk)		
Registered	07.08.2023	Target Date	02.10.2023
Recommendation	That Planning Permission is APPROVED subject to the Conditions detailed at Section 10.0		

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 application site relates to Rolleston Mill, a Grade II listed Mill which has been converted to a dwelling. The site lies in the open countryside within the parish of Rolleston. The site is outside the village of Rolleston and separated from it by the Nottingham to Lincoln railway line which lies to the south. To the north is a golf course and Southwell Racecourse.

The Mill Farm complex comprises a group of buildings; the watermill, granary and bridge are

Grade II listed buildings. The Mill is a late eighteenth century building of red brick with a pantile roof. Mill Cottage adjoins the Mill to the east and is a holiday let. This is curtilage listed by virtue of its physical attachment to the Mill. To the east of Mill Cottage is a former Stable building which is being converted to a dwellinghouse. Across the access track to the south of The Stables is a detached single storey red brick outbuilding (also associated with the Mill Farm complex) which is being converted to a garage to serve the converted Stables.

Access to the site is from Station Road to the south via an unmanned level crossing and a gate over the railway. This access leads through the site and beyond to the north-east serving Field Cottage and Millfield Cottage.

The site lies within Flood Zone 2 & 3a in accordance with Environment Agency mapping with the River Greet running through the site (and The Mill).

Adjacent to the Mill on the south-west side is a single storey outbuilding which does not appear to benefit from any planning permission – this will be investigated separately.

The site has the following constraints:

- Open Countryside
- Listed buildings within the Mill complex
- Unmanned Railway Crossing
- Flood Zones 2 and 3a

2.0 Relevant Planning History

04/00164/FUL – Change of use from residential (cottage) to holiday lets. Approved 24th May 2004. This permission has been implemented.

05/02436/FUL & 05/02437/LBC - Conversion, alterations and extensions of Mill to form restaurant, conversion, extensions and alterations to stables and barn to form dwellings and erection of two houses. Applications withdrawn.

10/01706/FUL & 10/01707/LBC - Conversion and repair of barn to create dwelling. Applications refused on 7th March 2010 under delegated powers due to (1) flood risk, (2) failure to demonstrate that the barn was capable of conversion and (3) due to large unjustified extension.

10/1708/FUL & 10/01709/LBC – Conversion and repair of Mill to form dwelling. Applications refused on 7th March 2010 under delegated powers due to flood risk and the failure to demonstrate that the building could be converted without substantial alterations, rebuilding and significant harm to the listed building.

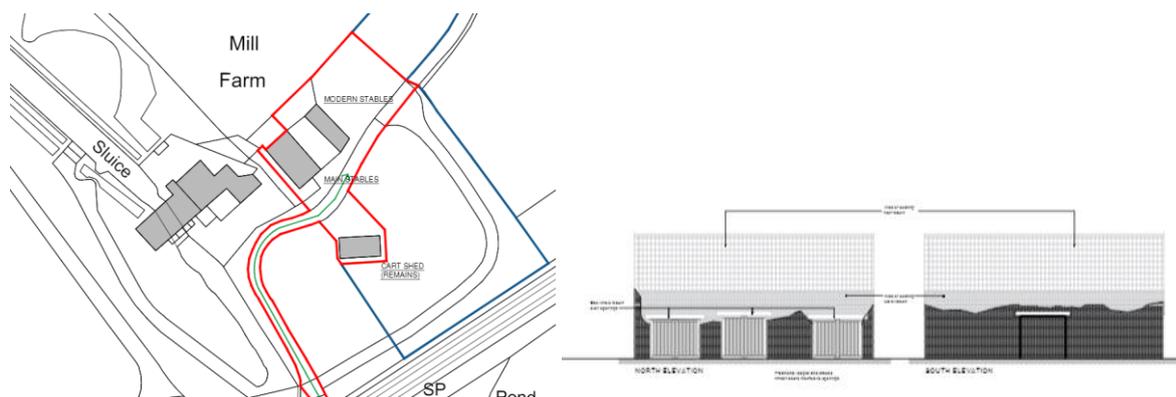
10/01710/FUL & 10/01711/LBC - Conversion and repair of Stables to create dwelling. Applications refused on 7th March 2010 due to (1) flood risk, (2) failure to demonstrate that the stable block was of generally sound structural condition and capable of conversion without substantial rebuilding and alterations; and (3) relationship between this and the cottage would not create a satisfactory standard of amenity.

11/01810/FUL & 11/01811/LBC – Rebuild of barn to create dwelling. The full application was refused on 2nd April 2012 under delegated powers for the following reasons: (1) the proposal constituted a new build dwelling in an isolated, unsustainable countryside location, contrary to the Development Plan and the NPPF and (2) the application (being a new building) failed the Sequential Test for flooding as set out in the NPPF. The application for listed building consent has not been determined because it is not required.

11/01805/FUL & 11/01806/LBC - Conversion and repair of Mill (and Granary) to create dwelling. Approved 2015, consents expired January 2018

18/00766/FUL & 18/00767/LBC – Repair the existing roof to the Mill and carry out extensive structural works. The internal part of the mill will be converted into a residential dwelling – Permitted 27.07.2018 and implemented.

The Stables, Rolleston Mill (to the east) - 19/01022/FUL - Conversion and extension of the former stables to residential use including the replacement of existing single storey monopitched stable with new structure to create living accommodation and lightweight glazed link and repair and conversion of cart shed to form a garage to serve the stable conversion – Permitted 01.07.2020



*Left: Approved Site Location Plan showing the Cart Shed as the southernmost building edged in red
Right: Approved Cart Shed Elevations*

3.0 The Proposal

NB: For the avoidance of doubt, amended plans have been received during the lifetime of this application.

The application seeks permission for the change of use of land to residential and erection of a detached garage.

The land proposed to be change to residential use lies to the south of the Mill, in front of it across the access track and is approx.15m wide x 25m long. The land is bound by small trees and shrubs on the northern and western boundaries and bound to the south by the access track, to the east the land is separated from land belonging to the Stable by a post and rail fence. It is proposed to use this land for the erection of a detached outbuilding and parking

area to serve The Mill.

The detached outbuilding is proposed to be approx. 8m wide x 6.2m deep, 5m to the ridge. The outbuilding would be sited adjacent to the eastern boundary and c.20m from the southern boundary with the track/railway to the south. The outbuilding would contain two garage bays. The south-west elevation would have two sets of timber side-hung garage doors. The outbuilding is proposed to be constructed from mellow brickwork (to match the adjacent Mill and cart shed) with non-artificially weathered and non-interlocking pantiles with a mortar bedded (wet) ridge and flush verge (no tile clips or cloaked verge to be used). Garage doors are to be timber framed and panelled side-hinged double garage doors.

Documents assessed in this appraisal:

- Revised Application Form 29.08.2023
- Amended Site Location Plan – Ref. 2343 S01 001 Rev. P02 (21.09.2023)
- Amended Site Block Plan – Ref. 2343 S01 002 Rev. P04 (21.09.2023)
- Amended Floor Plans and Elevations – Ref. 2343 S01 101 Rev. P05 (21.09.2023)
- Planning Statement including Heritage and Flood Risk Assessment
- Flood Resilience Statement

4.0 Departure/Public Advertisement Procedure

Occupiers of 4 neighbouring properties have been individually notified by letter, a site notice has been displayed and an advert has been placed in the local press.

Site Visit undertaken: 30.08.2023

5.0 Planning Policy Framework

The Development Plan

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

Spatial Policy 2: Spatial Distribution of Growth

Spatial Policy 3: Rural Areas

Spatial Policy 7: Sustainable Transport

Core Policy 9: Sustainable Design

Core Policy 10: Climate Change

Core Policy 14: Historic Environment

Allocations & Development Management DPD (adopted July 2013)

DM5: Design

DM6: Householder Development

DM8: Development in the Open Countryside

DM9: Protecting and Enhancing the Historic Environment

DM12: Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2023
- Planning Practice Guidance 2014

- Householder Development Supplementary Planning Document Adopted November 2014
- Planning (Listed Building and Conservation Areas) Act 1990

6.0 Consultations

NB: Comments below are provided in summary – for comments in full please see the online planning file.

(a) Statutory Consultations

Network Rail – No objection subject to the effective management of construction traffic when accessing the site via the level crossing.

(b) Town/Parish Council

Rolleston Parish Council – No comments received.

(c) Representations/Non-Statutory Consultation

NSDC Conservation – No objection to the amended plans subject to conditions.

No comments have been received from any third party/local resident.

7.0 Comments of the Business Manager – Planning Development

The key issues are:

1. Principle of Development
 - Proposed Change of Use of the Land
 - Proposed Outbuilding
2. Impact upon the Character and Appearance of the Area (including Heritage)
3. Impact upon Residential Amenity
4. Impact on Highways Safety
5. Impact upon Flooding

The National Planning Policy Framework 2023 (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 Development Plan Document (DPD).

Given the site includes a Listed Building and is within the setting of other curtilage listed buildings section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the

'Act') is relevant. Section 66 outlines the general duty in exercise of planning functions in respect to listed buildings stating that the decision maker "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The duty in s.66 of the Listed Buildings Act does not allow a local planning authority to treat the desirability of preserving the settings of listed buildings as a mere material consideration to which it can simply attach weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building, it must give that harm considerable importance and weight.

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 (Spatial Distribution of Growth) 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 five criteria within Spatial Policy 3 (Rural Areas). 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 (DM8 (Development in the Open Countryside)).

Given the nature of the application site, it clearly falls within the Open Countryside rather than in any village - DM8 is therefore applicable. The Mill was converted to a dwelling under application 18/00766/FUL. Having reviewed the original permission for the conversion of the Mill building the land upon which the outbuilding is proposed was not included within the red line of the approved Site Location Plan (see below, left). However, this land **was** included within an approved 'Parking Plan' (shown below, right) which identified the area where the outbuilding is proposed as the allocated parking space for the dwelling. It is therefore anticipated that the Site Location Plan was not updated to include this land in error given it is the only land available (and accessible, given the presence of the watercourse) for vehicle parking to serve the Mill. Having reviewed the 2018 officer report it is clear that the parking provision for the converted Mill was considered as being provided in the hatched area identified in the parking plan and was assessed as being sufficient in size to accommodate the number of vehicles required for the new dwelling. However, having considered the implications of this permission, given this land was not included within the approved Site Location Plan it does not benefit from authorised residential use. The change of use of this land has therefore been included within this application to regularise this previous omission.



*Left: Site Location Plan approved under 18/00766/FUL
Right: Proposed Parking Area Plan approved under 18/00766/FUL*

Proposed Change of Use of the Land

Policy DM8 sets out that development away from the main built-up areas of villages, in the open countryside, will be strictly controlled and limited to certain acceptable types of development. The expansion of domestic curtilage 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 are 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 this paddock land to domestic curtilage 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. As set out above, the intention of the original permission was to approve this land as the parking area for the dwelling as shown on the approved 'Parking Plan'. Given this plan was received following ongoing negotiations on the original scheme and post-dates the submitted Site Location Plan (SLP) it is assumed that the SLP wasn't amended to align with this plan by omission.

On the ground, the land is partially laid to grass with an area of hardstanding that is being used as a parking area for occupiers of The Mill. The land is enclosed to the east by a post and rail fence, beyond which is a cart shed which is being converted to a garage to serve the converted (and remodelled) Stable building to the north-west, to the south is an access track and the train line beyond and to the west is The Greet sluice/watercourse. To the north of the land is the access track and beyond this is The Mill. As such the land is well enclosed on all sides and is well separated from any land which visually reads as open countryside. It is therefore considered that given this land is constrained by existing land features and boundaries that any further encroachment into the undeveloped open countryside would be prevented (see aerial image below).



2022 Aerial Photo of the Site (broadly edged in red)

However, it is considered that the southern portion of the land (which was not identified by the hatched area on the previously approved 'Parking Plan' for the Mill), does provide an attractive green and rural setting to the Mill complex and contributes positively to the open countryside characteristics of the site, despite the physical land features enclosing it. To retain this attractive setting Officers have negotiated with the Applicant to reduce the amount of land included within the proposed change of use so that it is drawn tightly around the proposed garage (i.e., the previously approved parking area) and land required for manoeuvring within the site. This is consistent with the approach taken in application 19/01022/FUL for the conversion of The Stables and the cart shed (which is adjacent to this proposed garage) – see the planning history section for an extract of the approved Site Location Plan. The land included within this application is now the minimum required for the erection of the garage and space to manoeuvre into it to provide a parking space for the converted Mill.

Whilst the impact of the development on the character and appearance of the area and heritage assets will be explored in greater detail below it is concluded overall that the use of this land as a parking area for this dwelling in principle would result in no harm to the setting of the listed Mill complex and would not, given the site-specific context, result in any visual harm on the openness of the countryside, particularly given the area directly to the north-east provides parking provision for an adjacent property. All of these factors will weigh into the overall planning balance.

Proposed Outbuilding

Given the proposal includes the change of use of the land, for the reason set out above the application has been validated as a full planning application. However, in principle the erection of an outbuilding associated with a dwellinghouse would ordinarily be considered as a householder development. On the basis that the principle of the change of use is acceptable, the outbuilding has been considered under relevant householder policy and guidance.

Householder developments are accepted in principle subject to an assessment of numerous criteria outlined in Policy DM6 (Householder Development). 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. It also states that there should be no adverse impact in the amenities of neighbouring users including loss of privacy, light and over-bearing impact. Policy DM5 (Design) accepts development providing that it does not unacceptably reduce amenity in terms of overbearing impacts, loss of light and privacy. It also states that the rich local distinctiveness of the character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

Impact on the Character and Appearance of the Area (including Heritage)

It is for technical reasons that the proposed outbuilding has not been advanced as householder development, however given it would essentially be a new domestic building the NSDC Householder Development Supplementary Planning Document (SPD) contains relevant guidance. This SPD sets out the general design principles which all householder development should seek to follow in order to ensure that the standard of development within the District accords with the high standards of sustainable development set out within the NPPF. The Householder SPD advises that the objective of any addition to a dwelling is to successfully integrate with the hostdwelling and the surrounding area. To achieve this any addition should have a balanced visual relationship with the hostdwelling and its features should respect the character and appearance of the surrounding area through design, proportions and detailing of the proposal.

Policy DM6 of the DPD states that planning permission will be granted for householder development provided that the proposal reflects the character of the area and the existing dwelling in terms of design and materials. Policy DM5 (Design) is also relevant and has similar criteria to DM6. The Council's SPD states the addition should respect and is balanced with the scale and proportions of the host dwelling and is well related to the characteristics of the application site in terms of its size and shape. Also, the addition should respect the wider street scene and integrate well into it. (para 7.4).

Given that the site includes a listed building and is within the setting of curtilage listed buildings regard must also be given to the distinctive character of the area and proposals much seek to preserve and enhance the character of the area in accordance with Policy DM9 (Protecting and Enhancing the Historic Environment) of the DPD and Core Policy 14 (Historic Environment) of the Core Strategy. Policies CP14 and DM9 of the Council's Local Development Framework 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.

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). Paragraph 200 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.' 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'. Paragraph 200 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 8.c).

Change of Use of the Land

Considering first the impact of the change of use of land to accommodate the outbuilding and provide a parking area for the dwelling. From visiting the site, part of this land is already being used for parking for the Mill (the north-west corner of the site) and is laid to hardstanding. To the south the remainder of the land is laid to grass and there is a vacant mobile home which has been used previously for the Mill occupiers during construction works but is due to be removed from the site. Following amendments to the SLP as described in an earlier section of this report it is considered that the change of use of the smaller portion of land to accommodate the proposed garage and space for parking and manoeuvring would not have a significant impact on the character of the site. The land is well enclosed and separated from the surrounding countryside by physical land features (like the railway, River Greet and the Mill itself). By virtue of the land's positioning to the front of the dwelling and enclosed by the access track and railway line it does not read visually as part of the open countryside that otherwise surrounds the site. Conversely, this land has an enclosed character, associating it within the built complex of the Mill and converted outbuildings that surround it. Nevertheless, the land does provide an attractive green and rural setting to the Mill complex and contributes positively to the open countryside characteristics of the site, despite the physical land features enclosing it. As such, the land proposed for the change of use is now the minimum necessary to accommodate the proposed garage and space for manoeuvring into it and the exclusion of the land to the south would retain the attractive green and rural setting to the Mill complex.

On the ground the change of use of this portion of land would unlikely have any perceivable impact from either inside or outside of the site. Given the wider land is enclosed by physical features of the landscape, subject to providing an appropriate boundary between the remaining land to the south any further encroachment into the undeveloped open countryside would be prevented. It is therefore considered that the change of use of this land in principle would not result in any significant impact on the character or visual amenity of the area. The Conservation Officer has also raised no objection to the principle of the change of use of this land.

Proposed Outbuilding

In relation to garages and outbuildings, the Householder SPD advises that poorly designed and sited garages and outbuildings can give rise to detrimental impacts on the appearance of host dwelling and the character of the surrounding area, as well as a reduction in

standards of amenity to neighbouring properties and occupiers of the host dwelling. As a result, the design and assessment of such development should consider the following (*inter alia*):

- (i) Whether the proposal is domestically proportioned and would not introduce a feature that would be overly dominant in comparison to the main dwellinghouse.*
- (ii) The impact of how the proposal is sited in relation to the dwelling and surrounding area. This is particularly the case where it would be positioned in front of the property, where it is more likely to result in the introduction of an overly dominant feature, and to detrimentally impact on the character of the surrounding area (especially where this type of development is currently absent).*
- (iii) 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 [...]*

In this case, following amendments made during the course of this application it is considered that the proposed garage would be domestically proportioned (noting a reduction in length by 4.5m) and would not introduce an overly dominating feature given the positioning of the outbuilding adjacent to an existing cart-shed and the general subservient scale of the building in footprint and height. Given the site context the outbuilding would introduce an overly dominant or prominent feature in the street scene and given the position adjacent to an existing cart-shed, would not result in an uncharacteristic form of development. Following amendments made during the course of the application the scale of the outbuilding has been reduced and the materials have been amended to bricks and pantiles to match The Mill (and adjacent cart-shed) with sympathetic architectural detailing.

The Council's Conservation Officer (CO) has advised that whilst a proliferation of outbuildings would look cluttered and detract from the setting of the Mill, there is the capacity to accommodate a modest structure here as historic maps show that there were other outbuildings at the site, albeit more to the east. There was and is no obvious set pattern (as might be seen in a crew yard, for example) to the outbuildings here, and so grouping a new outbuilding broadly with the other outbuildings is considered to be a logical and traditional approach. The position as shown for the new outbuilding/garage is considered to be acceptable from a heritage perspective as its grouping with the other cart shed building helps minimise the sense of sprawl from outbuildings. Its positioning also allows the attractive breathers in the gable end of the existing cart shed to remain on view and the alignment is such that it would minimise the visual impact when viewed to and from the Mill.

Concerns have been raised in relation to the potential crowding of the site, specifically referring to an existing detached outbuilding to the south-west of the Mill (within the garden area) which does not appear to benefit from any planning permission, however this outbuilding will be investigated separately by Planning Enforcement colleagues.

The CO has confirmed that the amended plans are considered to be acceptable in terms of the scale, design and material palette for the outbuilding which would be of a more ancillary scale and traditional design than the original scheme. Initially Conservation commented that

the garage would need to be reduced to a two-bay structure, however, they note that the current proposal broadly mirrors the gable width and length of the adjacent historic cart shed but has lower eaves and a very simple design, such that it would not look out of scale or imposing here. The overall size reduction, combined with the careful placement of the structure and the simplification of its design and materials, mean that the overall impact from this structure is now considered to be acceptable from a conservation perspective. The proposed new garage would be a responsive but recessive addition to the site and would preserve the setting, and thereby significance, of the listed Mill and associated historic outbuildings.

Summary

Overall, whilst noting the in-principle policy objection to encroachment of domestic curtilage 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, following amendments made throughout the course of this application it has been concluded that the land proposed for the change of use is the minimum necessary to regularise the parking provision for the Mill and the proposed outbuilding would be of an acceptable scale and has been designed to respect the character, proportions and architectural detailing of the Mill and other buildings within the Mill complex.

It is therefore not considered that the proposed outbuilding 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 (amended) outbuilding would successfully integrate with the site and respect the hostdwelling design and proportions, sustaining the character and appearance of the dwelling and wider area and would not result in any harm to the setting the listed building. The proposed development is therefore considered to accord with the aims of Core Policy 9 and 14 of the Amended Core Strategy and Policies DM5, DM6 and DM9 of the NSDC DPD. The proposal would also comply with the objective of preservation set out under section 66, part II of the 1990 Listed Building and Conservation Areas Act, as well as the heritage policies and advice contained within the Council's LDF DPDs and 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. Policy DM6 of the DPD states that development proposals should ensure no unacceptable reduction in amenity upon neighbouring development. Policy DM5 advises that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. Development proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact.

The proposed outbuilding would be located on a parcel of land to the south-east of the

residential properties adjacent to The Mill (separated across approx. 30m) which would prevent any amenity impact through overbearing or overshadowing. Given the positioning of windows and separation distances there would be no overlooking impact as a result of the development either. Whilst the outbuilding would be close to the neighbouring cart shed, this is not considered to result in any amenity impact given this building is incidental to The Stables dwelling which lies to the north. The development is therefore considered to be acceptable in this respect, in accordance with Policy DM5 and the guidance in the NPPF.

Impact on Highways Safety

Spatial Policy 7 (Sustainable Transport) 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.

The property is accessed over the unmanned level crossing to the south of the site. The proposed development is for a domestic outbuilding to be used in association with the hostdwelling. On the basis that this would not materially increase traffic using the site (or crossing the level crossing) it is not considered that there would be any adverse highways impact as a result of the proposal. The application would regularise the parking of vehicles on this land for The Mill and would provide sufficient space for parking, turning and manoeuvring within the site which is considered to be acceptable.

Given the proximity of the site to the railway Network Rail have been consulted who has advised that they raise no objection subject to the effective management of construction traffic when accessing the site via the level crossing. This can be controlled by a suitably worded construction management plan condition. Subject to this condition, the proposal is considered to accord with Spatial Policy 7 and Policy DM5.

Impact on Flood Risk

The site is located within Flood Zone 2/3a 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 outbuilding can be positioning is close to the host dwelling, there are no sequentially preferable sites in which this outbuilding could be located. A flood risk assessment and resilience 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 would 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 (Climate Change), DM5 and DM6 in this regard.

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 Planning Balance and Conclusion

Whilst domestic outbuildings as householder developments are ordinarily acceptable in principle, owing to what is anticipated to be an error on the site location plan in the original permission for the conversion of the Mill to a dwelling the proposal would also result in the change of use of land to residential. The expansion of domestic curtilage 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 outbuilding and its scale and design, as amended throughout the course of this application, would result in no harm to the setting of the Grade II listed Mill complex and would not, given the site-specific context, result in any visual harm on the openness of the countryside. Whilst noting that the development would be contrary to the Development Plan, it is considered in this case that the formalisation of the area previously intended to be approved for the parking of vehicles associated with The Mill and the lack of any identified visual or character harm on the open countryside, coupled with the site history 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 impact on the character of the area, heritage, amenity or flood risk and thus it is recommended that planning permission is granted subject to the conditions outlined in Section 10.0.

10.0 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:

- Amended Site Location Plan – Ref. 2343 S01 001 Rev. P02 (21.09.2023)
- Amended Site Block Plan – Ref. 2343 S01 002 Rev. P04 (21.09.2023)
- Amended Floor Plans and Elevations – Ref. 2343 S01 101 Rev. P05 (21.09.2023)

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 following external facing materials (including colour/finish) have been submitted to and approved in writing by the Local Planning Authority:

- Bricks (including a sample panel to be constructed showing brick type, bond pattern, pointing and jointing)
- Roof Materials (including a sample)

Development shall thereafter be carried out and retained in accordance with the approved details.

Reason: In order to preserve or enhance the setting of the nearby listed building.

04

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 and retained for the lifetime of the development in accordance with the approved details.

- Garage doors (including finish)
- Rainwater goods (including material and finish)

Reason: In order to preserve or enhance the setting of the nearby listed building.

05

Prior to first use of the development hereby approved, full details of any hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to first use of the development. These details shall include:

- Any means of enclosure;
- car parking layouts and materials;
- other vehicle and pedestrian access and circulation areas; and
- hard surfacing materials.

Reason: In order to preserve or enhance the setting of the nearby listed building.

06

No development shall be commenced until a Construction Method Statement has been

submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for how construction traffic will be effectively managed when accessing the site via the level crossing.

Reason: the interests of operational railway safety at the request of Network Rail.

07

The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the host dwelling known as The Mill, Mill Farm, Station Road, Rolleston, NG23 5SE.

Reason: In the interests of visual and residential amenity, highway safety and to prevent the creation of a separate dwelling without and assessment of the implications of this.

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/

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 100m² 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 Local 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

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.

Committee Plan - 23/01361/FUL

