



Report to Planning Committee 9 May 2024

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Jamie Pegram, Planning Officer, 01636 655326

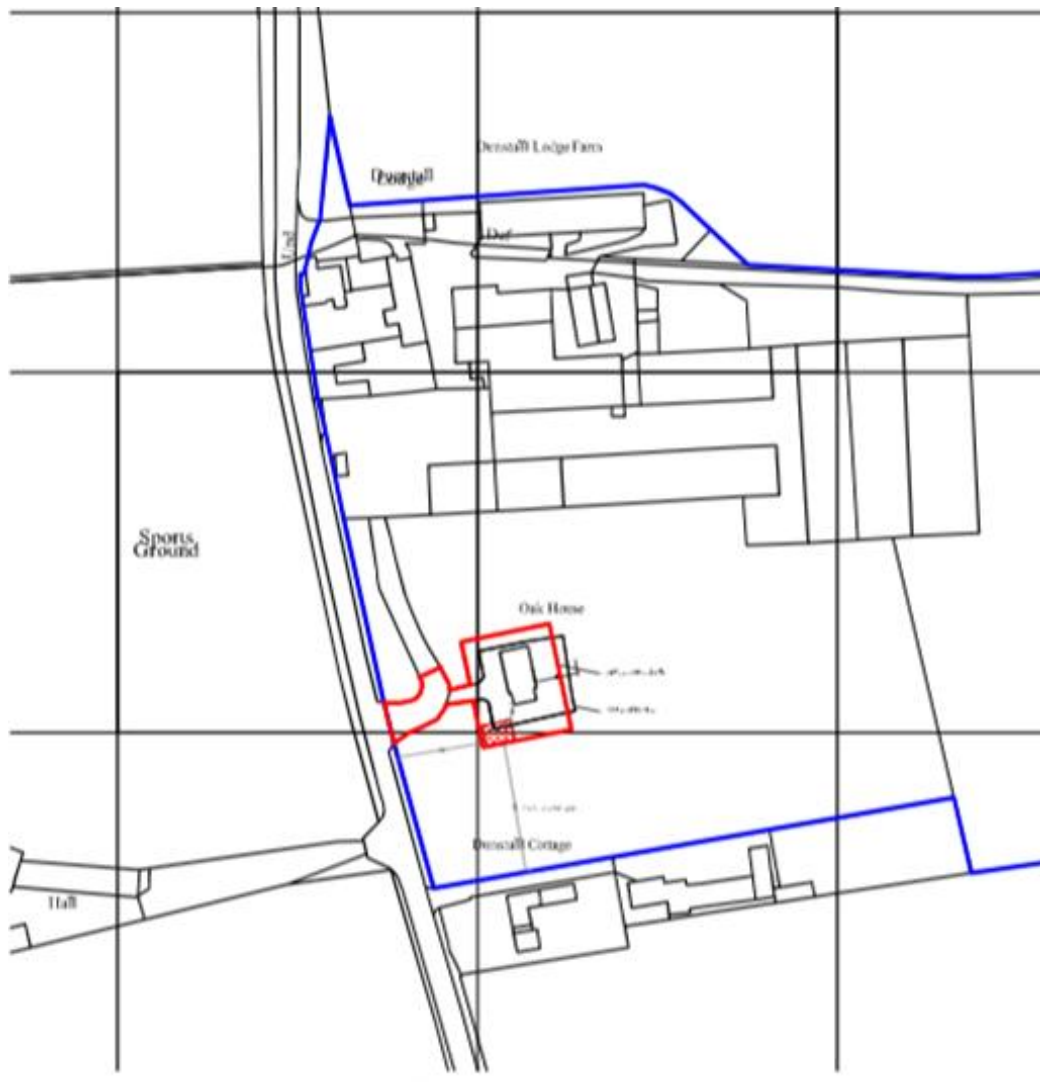
Report Summary			
Application No.	24/00150/HOUSE		
Proposal	Erection of garage with playroom/home office above		
Location	Oak House, Grassthorpe Road, Sutton On Trent, NG23 6QX		
Applicant	Mr + Mrs William Walker	Agent	Landyke Ltd - Mr David Manning
Web Link	<a href="https://www.newark-sherwooddc.gov.uk/24/00150/HOUSE">24/00150/HOUSE   Erection of garage with playroom/home office above   Oak House Grassthorpe Road Sutton On Trent NG23 6QX (newark-sherwooddc.gov.uk)</a>		
Registered	23.01.2024	Target Date	20.05.2024
Recommendation	That planning permission be REFUSED for the reasons set out in Section 10.0 of the report.		

**This application has been referred to the Planning Committee for determination by the Ward Member, Councillor Sylvia Micheal, as the actual property was approved because of a proven need for an agricultural dwelling and the proposed building is sited in its proposed position because of the positioning of underground heat source pipes.**

## 1.0 The Site

1.1 The application site is situated on the east side of Grassthorpe Road, opposite the Sutton on Trent Sports and Social Club and in an open field between the main farm buildings of Dunstall Lodge Farm to the north and Dunstall Cottage to the south. The site is situated in the open countryside to the north of Sutton on Trent village. The site is occupied by a two-storey detached agricultural workers dwelling, set back from the road and built of red brick with a pantile roof. It is served by a private drive to the front and a turfed garden to the rear and is enclosed on all sides by a post and rail fence. It should be noted that the existing positioning of the post and rail fence does not correspond with the red line plan approved under the original planning permission

which defines the associated residential land approved to serve the dwelling. The plan below shows the land approved with the dwelling outlined in red, whereas the black line shows the existing position of the existing fence on the ground.



- 1.2 The site lies within Flood Zone 1 according to Environment Agency flood maps, which means it is at lowest risk of fluvial flooding. The site is at very low risk of surface water flooding.

## 2.0 Relevant Planning History

**11/00611/FUL** - Erection of new farmhouse for agricultural worker (Permitted 13.07.2011) – with permitted development rights for extensions, alterations to the roof, porches and outbuildings removed by condition.

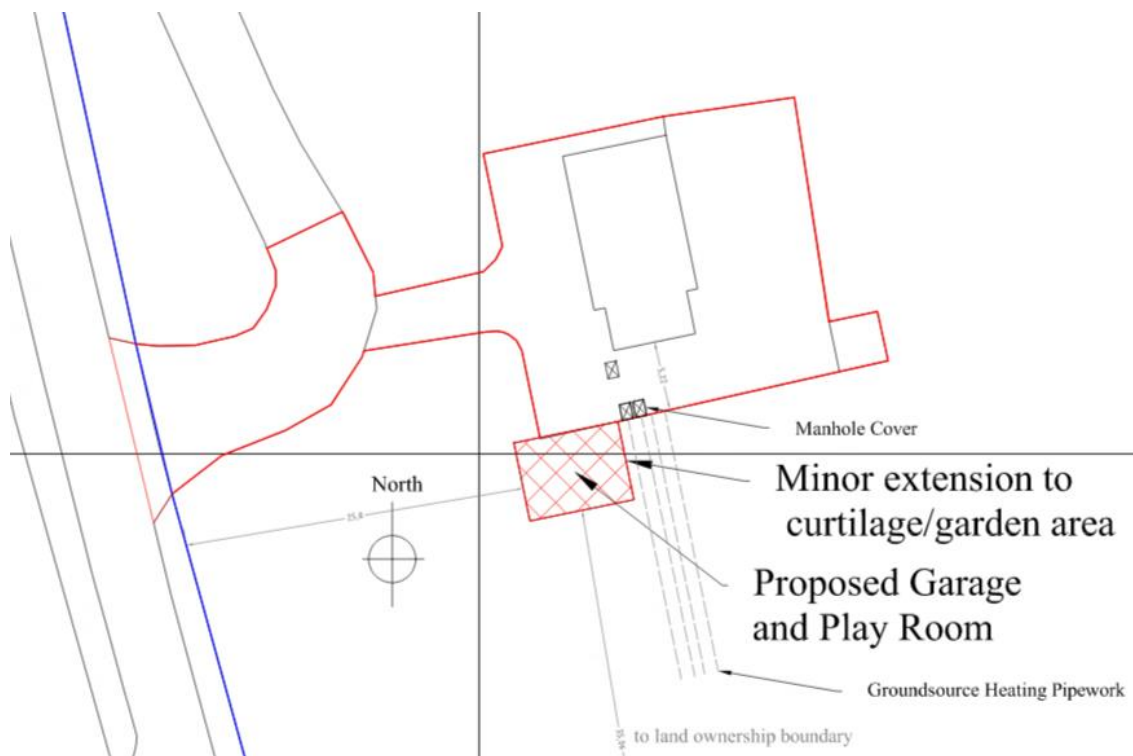
**10/00762/OUT** - Outline planning application for new dwelling for essential agricultural worker (Permitted 16.08.2010)

## 3.0 The Proposal

- 3.1 The proposal seeks planning permission for a two-storey outbuilding forward of the principal elevation of the host dwelling which would contain a double garage at the

ground floor and playroom / home office above. The position of the proposed garage is shown shaded red on the above site plan and is shown within the associated residential land approved with the dwelling but outside the existing fencing. The building would be positioned 5.4m south of the dwelling.

- 3.2 The building would measure c9m in length by c6m wide and the height of the building would be c4.15m to the eaves and c5.88m to the ridge. There would be two garage spaces served by two garage doors and narrow room served by a pedestrian access door on the ground floor front elevation. There would be one small window on the ground floor east elevation serving the ground floor room leading to the internal stairs. The upper floor would have two windows within each gable ends in the east and west facing elevations. There are two windows at eaves level with small, ridged features above that sit above the garage openings in the north-facing elevation.
- 3.3 The materials of the proposed garage and playroom/office building would be bricked to match the host dwelling with red pantile roof to also match the host dwelling with green painted timber doors and windows to match the dwelling. The extended part of the drive to the front of the garage would be stoned surface such as existing.



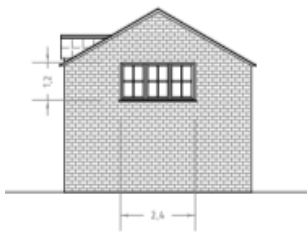
East Elevation



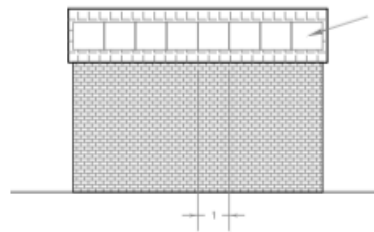
North Elevation



West Elevation - Front



South Elevation



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

- 4.1 Occupiers of 3 properties have been individually notified by letter.
- 4.2 Site Visit undertaken 14 March 2024.

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

##### **The Development Plan**

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

- Spatial Policy 1: Settlement Hierarchy
- Spatial Policy 3: Rural Areas
- Spatial Policy 7: Sustainable Transport
- Core Policy 9: Sustainable Design
- Core Policy 13: Landscape Policy

##### **5.2. Allocations & Development Management DPD (2013)**

- Policy DM5: Design
- Policy DM6: Householder Development
- Policy DM8: Development in Open Countryside
- Policy DM12: Presumption in Favour of Sustainable Development

5.3. The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation albeit the DPD is yet to be examined. There are unresolved objections to amended versions of the above policies emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan.

#### 5.4. **Other Material Planning Considerations**

- National Planning Policy Framework 2023
- Planning Practice Guidance
- Householder Development SPD 2014
- Landscape Character Assessment SPD 2013
- Residential Cycling and Car Parking Standards SPD 2021

### 6.0 **Consultations and Representations**

6.1. Comments below are provided in summary - for comments in full please see the online planning file.

#### **Statutory Consultations**

6.2. None

#### **Town/Parish Council**

6.3. **Sutton on Trent Parish Council** – Support

#### **Non-Statutory Consultations/Representations**

6.4. No third-party representations have been received.

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

7.1. The key issues are:

1. Principle of Development
2. Impact on Visual Amenities and Landscape Character
3. Impact upon Residential Amenity
4. Impact upon Highway Safety

7.2. 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 'Presumption in Favour of Sustainable Development' of the Allocations and Development Management DPD.

#### Principle of Development

- 7.3. The District contains a significant rural housing stock, some of which is restricted to occupation by rural workers only through planning conditions. The reduction in market value of dwellings subjected to such conditions makes them more accessible to traditional lower paid rural workers. Such houses are also generally modest in size to keep them accessible to rural workers in perpetuity. Proposals for new such dwellings are required to demonstrate a functional and financial need in relation to the operation being served. Similarly, then, the scale of extensions/additions to an existing agricultural workers dwelling should also be commensurate with the needs, and the ability of the operation it serves to fund them and therefore need to be assessed in the same way. This requirement is set out in Section 2 of Policy DM8 (Development in the Open Countryside) of the Allocations and Development Management DPD, where it is generally accepted that agricultural workers dwelling would likely be located in the open countryside, as an exception to the normal highly restricted policy of new general market dwellings.
- 7.4. The planning application that was granted for this dwelling in 2011 had to undergo this significant level of scrutiny in order to justify its original approval and it was successfully demonstrated that there was a functional need for a dwelling (184 sqm of floorspace) in association with the existing farm and that the enterprise was able to financially sustain that size of property.
- 7.5. The proposed outbuilding would add an additional total floorspace of 87.55 sqm to the dwelling. Whilst it is considered that it would be reasonable for a dwelling to seek garaging provision, and for which the functional and financial tests need not be applied, the proposed building also proposes first floor accommodation which is suggested to serve as a playroom/office. No supporting information has been submitted with the application to demonstrate that there is both a functional and financial need for this additional floorspace in relation to the agricultural operation it serves.
- 7.6. The application submission has not demonstrated that there is a need for the proposed playroom/office commensurate to the needs of the associated agricultural unit or that the operation could financially sustain the cost of such an addition.
- 7.7. Whilst the above considers whether the principle of an addition is acceptable in principle, other impacts and site-specific matters are considered further below.

#### Impact on the Visual Amenities and Landscape Character

- 7.8. Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment. Policies DM5 and DM6 both require proposals to respect the character of the surrounding area, local distinctiveness and the existing dwelling in terms of design and materials. The Council's Householder Development SPD gives

context to the way in which these requirements should be met, stating that additions to dwellings should respect and be balanced with the scale and proportions of the host dwelling, and relate well to the characteristics of the application site in terms of its size and shape.

- 7.9. Section 12 of the NPPF refers to achieving well designed places. Paragraph 131 states that good design is a key aspect of sustainable development by creating better places in which to live and work in and helps make development acceptable to local communities. Paragraph 139 of the NPPF advocates that where a development is not well designed and fails to reflect local design policies and government guidance on design planning permission should be refused.
- 7.10. Section 8.14 of the Householder Development SPD states 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. In this case consideration should be given to whether the proposal is domestically proportioned and whether it would introduce a feature that would be overly dominant in comparison to the main dwellinghouse or the surrounding area, 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. It should also ensure that sufficient amenity space to serve the host dwelling has been retained and in the case of a garage, safe access and egress to the highway can be achieved.
- 7.11. Section 11.2 of the Householder Development SPD states that it is important that the assessment of householder proposals take account of the potential visual and landscape impacts of development on the open nature of the countryside, in line with Core Policy 13 'Landscape Character; and criterion 6 of Policy DM6 'Householder Development'.
- 7.12. The proposal lies within Landscape Policy Zone TW PZ 18 Low Marnham, Carlton and Sutton on Trent Village Farmlands. The landscape condition is defined as moderate with some detracting features in this area which include industrial units west of the A1 and west of Carlton on Trent. There is a short section of A1 and a railway line within this area, but overall, the area is visually coherent. The landscape sensitivity is defined as moderate. Small woodland copses and the hedged lanes are characteristic of the Trent Washlands Rural Character Area and the red brick houses and walls within the core of the village settlements are generally historic which gives a moderate sense of place. There are some longer distance views out across the flat landscape to the cooling towers of High Marnham power station to the north but generally this is a landscape with moderate visibility where only the limited tree cover around villages and hedges within, screen views. The overall policy action is to conserve and create and in terms of built features, the policy seeks to conserve the rural character of the landscape by concentrating new dwellings around existing settlements of Low Marnham, Carlton and Sutton on Trent, conserve historic field pattern by containing new small scale development within historic boundaries, maintain existing hedgerows, restore and reinforce poor hedgerow boundaries where necessary, conserve and respect the local vernacular of red brick and pantile roof construction in any new development and promote sensitive design and setting of new agricultural or industrial/commercial buildings.

- 7.13. The proposed garage and playroom/office would be located in the southwest corner of the site, forward of the principal elevation of the dwelling. It would sit predominantly outside the existing fence line, but on the land originally approved for associated residential purposes. The application states that the building would be built of brick and pantiles to match the dwelling and would have timber windows and doors which would be painted green to match the house. The building would have solar panels on the southern roof slope. Whilst the materials are considered appropriate, the scale of the garage is considered overly large and considered to dominate the host dwelling. The host dwelling itself has an eaves height of approximately 4.95m and a ridge height of 8.35m with the proposed garage and playroom/office building having eaves height of approximately 4.15m and a ridge height of approximately 5.88m. Revisions were sought to reduce the size of the building however the applicants have advised they would like to proceed with the plans submitted.
- 7.14. Whilst the proposal would not impact upon any existing hedgerows, it would be highly prominent, sited forward of the dwelling at a two-storey height. The dwelling sits in an isolated position in the middle of a large open field. The scale and siting of the proposed garage and playroom /office building would result in considerable additional built form and be highly visible within its open field context. Whilst it is noted in discussions with the agent that the building has been designed to replicate a coach house, such ancillary buildings are usually associated with high status historic buildings rather than modest agricultural workers dwellings and would instead appear as a substantial inappropriate domestic addition and an obtrusive feature that would be harmful to rural visual amenities and landscape character of this part of the open countryside. However, in relatively close proximity to the north are the complex of large agricultural buildings of Dunstall Lodge Farm and in relatively close proximity to the south are a number of two storey buildings which look more domestic in appearance to the rear of Dunstall Cottage to the south. The footprint and proximity of these buildings can be seen in the site location plan at the beginning of this report.
- 7.15. Overall, it is considered that the proposed development would therefore be contrary with the aims of Policies DM5, DM6 and DM8 of the A&DM DPD, Spatial Policy 3, Core Policy 9 and Core Policy 13 of the Amended Core Strategy, the provisions of the National Planning Policy Framework, a material planning consideration and the guidance contained within the Householder Development SPD.

#### Impact upon Residential Amenity

- 7.16. Policy DM6, underlined by the guidance in the Householder Development SPD, highlight consideration of the impact of householder development proposals on the amenities of neighbouring users as being crucial to the development of an acceptable scheme and should be an important design principle. Policy DM5 of the DPD states that planning permission will be granted for development provided it would not adversely affect the amenities of the adjoining premises, in terms of loss of privacy, overshadowing or overbearing impacts. The NPPF seeks to ensure a high standard of amenity for all existing and future occupants of land and buildings.
- 7.17. The proposed garage and playroom/office building would be situated over 40m away from the nearest dwelling to the south and over 60m away from the nearest building



to the north. On this basis, it is considered that the proposal would not result in any unacceptable impact upon privacy, nor would there be any overbearing or overshadowing impact on neighbouring dwellings. Given that the proposed building would be predominantly positioned outside the existing fence line, it is not considered that it would unacceptably impact on the amount of private amenity space serving the current dwelling or its existing or future occupiers.

- 7.18. With the above in mind, it is considered that the proposal would not result in adverse impacts to residential amenity.

#### Impact upon Highway Safety

- 7.19. 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.
- 7.20. The existing access to the site is not being altered. The proposed garage would increase the amount of parking serving the dwelling by two spaces; however, the size of the garage falls short of being compliant with the Residential Cycling and Parking SPD in terms of garage size. This recommends double garages have an internal floorspace of 6m x 6m and in this case the proposal measures 6.2m by 5.68m. To request amendments to secure the size of the garage complies with the SPD, would have put the applicant to unnecessary expense given the officer recommendation is to refuse the application. In any case given the parking provision on site is sufficient for the size of dwelling, this shortfall in size for the garage would not represent a defensible reason for refusal in itself. The existing layout plan shows the existing fencing lining up centrally with one of the proposed garage openings, thereby making it unusable without the repositioning of the existing fence line. If permission were to be granted, this could be secured by condition. Overall, the proposal is therefore considered to be compliant with Spatial Policy 7 and Policy DM5.

### **8.0 Implications**

- 8.1. In writing this report and in putting forward recommendation's 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**

- 9.1 The application submission has not demonstrated that there is a functional need for the proposed playroom/office commensurate to the needs of the associated agricultural unit or that the operation could financially sustain the cost of such an addition. Whilst the proposal has a neutral impact on residential amenity and highway safety, by virtue of its size and design, it would represent a substantial inappropriate domestic addition and an obtrusive feature that would be harmful to rural visual amenities and landscape character of this part of the open countryside.

9.2 The proposal is thereby contrary to Spatial Policy 3 (Rural Areas), Core Policy 9 (Sustainable Design) and Core Policy 13 (Landscape Character) of the Amended Core Strategy and policies DM5 (Design), DM6 (Householder Development) and DM8 (Development in the Open Countryside) of the Allocations and Development Management DPD, and would be contrary to the guidance within the Householder Development SPD and Landscape Character Assessment SPD and the National Planning Policy Framework and National Planning Practice Guidance, all material planning considerations. There are no material considerations that outweigh the harm. It is therefore recommended this application is refused for the reason set out below.

## **10.0 Reason for Refusal**

01

In the opinion of the Local Planning Authority, the application has failed to demonstrate that there is a functional need for the proposed playroom/office commensurate to the needs of the associated agricultural unit or that the operation could financially sustain the cost of such an addition. Furthermore, by virtue of its size and design it would represent a substantial inappropriate domestic addition and an obtrusive feature that would be harmful to rural visual amenities and landscape character of this part of the open countryside. The proposed building would therefore result in an incongruous form of development which would be detrimental to the open rural character of the surrounding area.

The proposal is therefore considered unsustainable development and is contrary to Spatial Policy 3 (Rural Areas), Core Policy 9 (Sustainable Design) and Core Policy 13 (Landscape Character) of the Newark and Sherwood Amended Core Strategy 2019 and Policies DM5 (Design), DM6 (Householder Development) and DM8 (Development in the Open Countryside) of the Allocations and Development Management DPD 2013 as well as being contrary to the Householder Development SPD 2014 and Landscape Character Assessment SPD 2013 and the National Planning Policy Framework and the National Planning Practice Guidance, all material planning considerations.

### Informatives

01

The application is contrary to the Development Plan and other material planning considerations as detailed in the above (reasons(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/](http://www.newark-sherwooddc.gov.uk/cil/)

03

Refused Plans:

- Proposed Roof, Floor and Elevation Plan - Walker 2023 4 Rev 2 Received 23.01.2024
- Proposed Site Layout Plan – Walker 2023 3 Rev 1 Received 23.01.2024
- Site Location Plan – Walker 2023-1 Rev 1 Received 26.03.2024

#### 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 - 24/00150/HOUSE

