

Application No:	17/01787/FUL	
Proposal:	Householder application for single Storey pitched roof extension to the north of Bechers Cottage with flat roof and glazed link.	
Location:	Bechers Cottage, Bechers Walk, Burgage Lane, Southwell, NG25 0ER	
Applicant:	Mr & Mrs Illesley	
Registered:	6 October 2017	Target Date: 1 December 2017
		Extension: 12.01.2018

This application is presented to the Planning Committee for determination as it has been referred by Cllr P Rainbow on behalf of Southwell Town Council.

The Site

The site is located within the defined built up urban area of Southwell and within Southwell Conservation Area. The application relates to a dwelling which is a single storey converted building in the grounds of the large Grade II listed Hill House. The dwelling is considered to be curtilage listed. The proposal is for a single storey garden room extension.

Becher's Cottage is located off Becker's Walk in Southwell and Hill House is accessed from Burgage Lane to the east of the town centre. The east and west boundaries are formed by public footpaths, Shady Lane and Becher's Walk respectively. The character in this area of Southwell is typically private residential and the site lies within the Southwell conservation area.

Relevant Planning History

10/00281/FUL - Erection of single storey extension, internal and external alterations to outbuilding to form dwelling – Refused April 2010 (Appeal Dismissed)

10/00282/LBC – Erection of single storey extension, boundary wall and alterations to fenestration and internal layout – Refused April 2010 (Appeal Dismissed)

10/01048/FUL – Conversion and extension of redundant implement store and workshop outbuildings to form single dwelling and erection of boundary wall – Permitted September 2010

10/01049/LBC - Internal and external alterations, erection of single storey extension and boundary wall – Permitted September 2010

17/02137/LBC - Single Storey pitched roof extension to the north of Bechers Cottage with flat roof and glazed link – pending consideration.

The Proposal

The proposal seeks full planning permission for the erection of an extension to the north of the property along the unmarked boundary.

The extension will enlarge the northern half of the property projecting towards the east off the existing bedroom. The gabled projection will be set in approx. 3.1 m from the northern side elevation and project out 7.65 m in length, 3.59 m wide.

The garden room will have a maximum eaves height of 2.4m and ridge height of 3.8m (a minimum eaves height of 1.87 and ridge height of 3.2 along the northern boundary taking account of the changes in land levels)

The bathroom is proposed to have a maximum eaves height of an eaves height of circa 2m and ridge height of circa 3.7m (a minimum eaves height of 1.45m and ridge of 2.7m along the northern boundary taking account of the changes in land levels). The roof is pitched at 32 degrees to match the outbuilding.

2 no. conservation style rooflights are proposed to be inserted in the east facing roof slope of the existing bedroom along with a triple paned aluminium full height window. A small window is also proposed to serve the bathroom on the east facing side elevation of the extension.

Aluminium folding doors are proposed on the south elevation along with 2 conservation style rooflights in the southern facing roof slope. Two timber doors are proposed to serve the store on the south elevation.

There are no windows to the north elevation or roof lights to the North slope.

The extension is to be constructed in matching clay facing brick and bond and the pitched roofs to be covered with Welsh slate incorporating conservation style rooflights with the flat roof to the link structure in stainless steel. The windows to the Atrium, including the inline roof glazing and the sliding folding doors to the Garden Room are proposed to be PPC (cream to match existing) aluminium framed and double glazed.

The Garden Room will be level with the external ground level providing views to the south. The difference in levels between the existing Bedroom and Garden Room will be approximately 550mm.

Externally a new paved area is to be provided to the south of the extension with level access to the new door openings. To the south side a small dwarf wall extends from the Garden Room to offer some privacy from the view of the garden which is freely accessible.

Public Advertisement Procedure

13 neighbours have been notified, a site notice has been displayed near to the site and an advert has been placed in the local press.

Earliest decision date 13th November 2017.

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

Core Policy 9: Sustainable Design

Core Policy 14: Historic Environment

Allocations & Development Management DPD

Policy So/PV – Southwell Protected Views

Policy DM5 – Design

Policy DM9 – Protecting and Enhancing the Historic Environment

Policy DM12 – Presumption in Favour of Sustainable Development

Southwell Neighbourhood Plan

SoAP1 – Role and Setting of Southwell

DH1 – Sense of Place

Other Material Planning Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014
- Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Consultations

Southwell Town Council – “Southwell Town Council considered application 17/01787/FUL Bechers Cottage Bechers Walk Southwell and agreed unanimously to object to the application and asked that Cllr Bruce Laughton call in this application for the following reasons:

- The development will negatively impact on the spaces and relationship between listed buildings, eg: Hill House and the other properties within the area. NP Policy DH3 Historic Environment pg 48
- It will have an overbearing and adverse effect on the area within the conservation area.

- Previous planning history- similar applications have been through an appeal and objections upheld.
- Massing will have detrimental effect on this sensitive area.”

Southwell Civic Society – “This property lies in the grounds of a Grade II listed building and as such any development has to respect that building. This has been clearly stated in the decision to refuse application 10/00281.

Policy C10 of the Newark and Sherwood Local Plan states that planning permission will not be granted for development that adversely affects the architectural or historical interest of listed buildings, Policy C11 states that permission will not be granted for development which adversely affects their setting and Policy C1 states that permission will not be granted for development which adversely affects the character or appearance of conservation areas.

Hill House is a Grade II Listed Building, the outbuilding subject of this application is located within its curtilage and is therefore considered as part of the listed building

The proposed development, by virtue of its size, scale and orientation, is not subordinate to or respectful of the grain of the existing outbuilding. The prominence of its south elevation detracts from its special architectural interest and it is therefore contrary to Policy C10 of the Local Plan

The proposal will severely impact on the residents of Garden Lodge. It will block out their southerly aspect denying them light and will also be overbearing.”

NCC Lead Local Flood Authority – “No objections subject to the following:

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.”

Environment Agency - Standing Advice applies

Trent Valley Internal Drainage Board – The site is outside of the Trent Valley Internal Drainage Board district but within the Boards catchment.

There are no Board maintained watercourses in close proximity to the site.

Surface water run off rates must not be increased as a result of the development

The design, operation and future maintenance of site drainage systems must be agreed with the LLFA and the LPA.

NSDC Conservation Officer – “Many thanks for consulting Conservation on the above proposal.

Introduction

The proposal seeks approval for an extension to Bechers Cottage, a former implement/work store associated with Hill House, now converted to residential use (approval ref 10/01049/LBC).

We provided pre-application advice on this proposal (ref PREAPP/00269/16). The proposal broadly complies with advice given during that process.

Heritage asset(s) affected

Bechers Cottage is situated within the setting and historic curtilage of Hill House, a fine Grade II listed building (designated Aug 1961). The associated boundary walls and gate piers to Hill House are Grade II listed (designated Feb 1973). The Council has previously considered the historic outbuildings in this part of the site to be curtilage listed in association with Hill House.

Burgage Court to the west is also Grade II listed (designated August 1952).

The building is within Southwell Conservation Area (CA). The CA was designated in 1970, and was last reviewed and amended in 2005. Conservation considers Hill House to be a positive building within the CA that has group value with the associated listed gates and boundary walls.

Legal and policy framework

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the ‘Act’) requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. Section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the special character and appearance of the CA. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. The courts have said that these statutory requirements operate as ‘the first consideration for a decision maker’. Planning decisions require balanced judgement, but in that exercise, significant weight must be given to the objective of heritage asset conservation.

Policies CP14 and DM9 of the Council's LDF 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. Key issues to consider in proposals for additions to heritage assets, including new development affecting the setting of designated heritage assets are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 12 of the National Planning Policy Framework (NPPF). Paragraph 132 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 7).

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. Paragraph 13 also reminds us that the contribution made by setting does not necessarily rely on direct intervisibility or public access.

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3). In addition, 'Historic England Advice Note 2: making changes to heritage assets' advises that it would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of development that might be appropriate. The junction between new development and the historic environment needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting.

Southwell Conservation Area Appraisal (2005) advises that Hill House is an important polite Georgian property within the Burgage area.

Significance of heritage asset(s)

Hill House is a substantial property of three storeys dating from 1800 with mid-19th, late 19th and 20th century phases. The building is constructed in red brick with stone dressings and slate roofs, most of which are hipped. The windows are typically sashes, and the overall composition is cohesive despite modern sub-division into apartments. The building also has historic interest due to its original occupant being John Thomas Becher, an important proponent of Poor Law reform and an association with the House of Correction on the Burgage.

The Burgage together with the Prebendage has some of the most elegant Georgian buildings in Southwell. Burgage House, The Burgage, Elmfield House, Burgage Manor, Burgage Lodge and Hill House all occupy superb sites around Burgage Green or at the top of Burgage Lane.

Historic maps reveal an area of outbuildings and glass houses in this part of the site. The main original shed is that situated along the boundary, and has been extended/alterd as part of an approved scheme in 2010 (ref 10/01049/LBC). Although now converted, the character of this part of the property, comprising remnants of gardener bothy/implement shed can still be understood.

Assessment of proposal

Conservation has no objection to the proposed development.

The proposed extension is modest. Whilst the proposal will project from the older linear arrangement of sheds, the addition is not considered to be obtrusive or harmful to the setting of Hill House in this case.

The structure will be intervisible with Hill House from much of the surrounding garden area, but given the existing domestic arrangements in place between Bechers Cottage and the adjacent Garden Lodge, the extension will not be unduly prominent. Moreover, the historic context of garden related structures in this area is such that I do not find the proposal to be disharmonious. The design has been well-considered and has a suitable ancillary character. The detailing is also appropriate, and I note the use of traditional elements such as Flemish brick bond, lime mortar and natural Welsh slate.

The proposal will not be materially visible from the footpath, and will have little impact when seen in longer views from the south.

Other material considerations

We note that an appeal was dismissed in 2010 for an extension to Bechers Cottage as part of a redevelopment scheme (ref 10/00282/FUL). This proposal was materially different from that before us now insofar as the extension was located at the southern end of the property. In that context, Conservation fully agrees with the Inspectorate decision, noting that the extension would have blocked views of the house on approach from the south along the footpath and included partial demolition of the attractive historic boundary wall. The current proposal is set further along and would not impinge on views of the house from the footpath nor result in alteration of the boundary wall.

Recommendation/summary of opinion

The proposed development causes no harm to the special interest of Hill House, a Grade II listed building. The proposal is considered to cause no harm to the setting of any other listed building, and has no adverse impact on the character and appearance of the Southwell CA. The proposal therefore accords with the objective of preservation required under section 66 and 72 of the Act, and complies with heritage advice contained within the Council's LDF DPDs and section 12 of the NPPF.

No concurrent listed building consent (LBC) has been submitted. Given that the original building is determined to be curtilage listed within the meaning of section 1(5) of the Act, the applicant is advised to submit an LBC. If the current planning application was approved in absence of LBC, a suitable informative note should be used to advise that LBC is required.

Notwithstanding the above comments, if approved, the following issues should be conditioned:

All facing materials (samples of bricks, slate and steel)

Joinery details (suitably scaled window/door schedule)

All external accretions and RWGs

Further details of verge/eaves, rooflights, roof glazing and garden store"

9 Neighbour comments have been received in objection to the proposal – the comments are summarised as followed:

- Impact upon the character and appearance of Hill House (Grade II listed) and the conservation area
- Impact upon neighbouring views and neighbouring amenity through overshadowing and overbearing
- Inappropriate materials within the conservation area and impact to the boundary wall
- Impact upon the communal garden area
- Reference to the appeal decision and similarities with the applications and that there has been no change in policies
- Proposal is against the view of other occupiers on the site – approval would be undemocratic
- Loss of light and loss of view from the footpath
- Inappropriate and out of keeping fenestration details
- Design of the extension will be out of keeping with the hipped style of the surrounding area
- The proposal would set a precedent

Comments of the Business Manager

Principle of Development

Householder developments are accepted in principle subject to an assessment of numerous criteria outlined in Policy DM6. 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. Policy DM5 accepts development providing that it does not unacceptably reduce amenity in terms of overbearing impacts, loss of light and privacy.

Given the site's location within the Conservation Area and within the curtilage of a Grade II listed Building, very careful consideration must be given to the impact on these heritage assets.

These principles will be discussed further below.

Impact upon Heritage Assets and the Character of Area

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.

Given that the site is located within the Southwell Conservation Area, regard must also be given to the distinctive character of the area and proposals should seek to preserve and enhance the conservation area in accordance with Policy DM9 of the DPD and Core Policy 14 of the Core Strategy. These policies 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 12 of the National Planning Policy Framework (NPPF).

Paragraph 137 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'.

The property is also located within the grounds of a Grade II listed building. Paragraph 132 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 7).

Comments received from neighbouring occupiers and the Town Council which object to the proposal in terms of impact on the neighbouring Listed Building and the Conservation Area are acknowledged and have been duly taken into account.

The Conservation Officer has reviewed this application and raises no objection, concluding that the proposed development would cause no harm to listed buildings, their setting or the wider Conservation Area. Their full comments can be read in the consultation section above.

I note the comments of the Conservation Section and I concur with the expressed opinion that the proposed development would not result in any detrimental impact to the surrounding listed assets or the character and appearance of the conservation area.

Subject to the conditions outlined in the Conservation Officers comments I am satisfied that given the extension has been carefully designed so as to mitigate any harm to the listed building and will not be materially visible from the footpath, the proposal will not affect the character and appearance of the Conservation area.

I note that comments in objection to the proposal have been received detailing that the proposal, by virtue of its size, scale and orientation, is not subordinate to or respectful of the grain of the existing building. Whilst I acknowledge these comments it is not considered that the proposal is out of scale with the host dwelling. The proposed extension seeks to increase the footprint of the building by approximately 26 sq. m net additional floor space; the design has been considered so as to reflect a progressive historical development of outbuildings; in achieving this the extension is proposed to have different widths and steps down with the slope of the land. This design reflects the vernacular phases of development as well as reduces the visual impact of the additional structures, including the addition of a 'cold frame' type structure to provide garden storage which is a traditional feature in this context.

The comments received with regards to impact on views on the heritage assets are noted. Given the position of the extension to the northern end of the host building close to existing built form and that it will not significantly extend any built form further east than currently exists officers are of the view that the proposal would not unduly impact on views to or from the Listed Building.

In addition, the roof pitches have been designed so that they do not exceed the ridge height of the host dwelling and the extension is pulled in from the northernmost side elevation of the dwelling so as to assimilate it within the existing built form of the property. Whilst I acknowledge that the extension will project approx. 7.56 m in length to the east I am satisfied that given the proportions of the host building, the extension by virtue of its design and scale will not be an incongruous addition to the building but is subordinate and respects the character of the host dwelling.

Furthermore I am satisfied that given the domesticated appearance of the immediately surrounding area already, with fencing and garden wall detailing, that the addition of this extension will not materially alter the character and appearance of the surrounding area, or the relationship that Hill House has with the site as a whole.

The positive conclusion drawn by the Conservation Officer on the other elements of the proposed development are noted and I am satisfied that these will also aid preservation of the special interest of the application site, as well as its setting and the setting of surrounding listed buildings. However conditions will be imposed that require precise details of all facing materials, joinery details, external accretions and RWG and further details of verge/eaves, rooflights, roof glazing and garden store in this instance in order to safeguard the special interest of the host dwelling and relationship with the surrounding listed buildings.

Taking the above into account I am satisfied that the proposal by virtue of its siting and scale will not unduly impact on the Listed Building, the Conservation Area setting of the site and the surrounding area.

The proposal therefore accords with the objective of preservation set out under sections 66 and 72, part II of the 1990 Listed Building and Conservation Areas Act, as well as complying with heritage policies and advice contained within the Council's LDF DPDs (DM5, DM9 and CP14) and

section 12 of the NPPF and its accompanying PPG.

Impact upon Amenity

The NPPF seeks to secure high quality design and a good 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.

It is acknowledged that the proposed extension follows the boundary line close to the neighbouring dwelling to the north (North Lodge). The ground levels of the application site are shown to be reduced so that the floor levels step down and respond to the lower ground levels to the south of the site. The north elevation of the extension along the northern boundary of the site is proposed to be circa 1.87 m to the eaves height and circa 3.2m to the ridge reducing to circa 1.45m to eaves and circa 2.7m to ridge. I note that the roof has also been designed so that it is pitched at approx. 32° to match the building and to mitigate against any amenity impacts to the neighbouring dwelling. In addition to this I note that there are no windows proposed in the north elevation which could impact the neighbouring dwelling, therefore no privacy issues will occur through overlooking.

North Lodge itself has a single storey hipped roof projection which comprises a lounge which is sited some 5m from the proposed extension with patio area immediately adjacent to this boundary with the application site served by patio doors to the south elevation. This room is also served by windows to its eastern elevation and a rooflight to the southern roof slope. The boundary treatment here currently consists of 2m high trellis fencing with some planting.

Given the separation distance and the orientation of this neighbouring dwelling to the proposed extension it is accepted that there would be some loss of outlook and light and an increased sense of enclosure from the south facing windows and the patio area serving the lounge at North Lodge. I am mindful that the patio area is the private amenity space serving the occupiers of North Lodge, albeit there is the communal garden to the east. However, I am also mindful that this room is also served by windows to the east elevation and a roof light to the southern roof slope.

Taking account of above together with the height of the proposed extension which reduces as it extends along this boundary together with the design and pitch of its roof which pulls away from North Lodge, although it is considered that the proposal would result in some impact on the amenity of this neighbouring property this would, on balance, be on the cusp of acceptability and would not in officer view be sufficient to justify refusal on these grounds. However this is a finely balanced officer opinion.

Given separation distances and the relationship of the proposal with other neighbouring properties I am also satisfied that the proposal would not be unduly dominating or would unduly impact on light or outlook. Concerns raised with impact on longer range views of the surrounding area would not be a material planning consideration and therefore would carry little weight in the determination of the application.

With regards to fenestration, I note that 2 no. conservation style rooflights are proposed to be inserted in the east facing roof slope of the existing bedroom along with a triple paned aluminium window full height window. A small window is also proposed to serve the bathroom on the east facing side elevation of the extension. Aluminium folding doors proposed on the south elevation along with 2 conservation style rooflights in the southern facing roof slope. Two timber doors are proposed to serve the store on the south elevation. There are no windows to the north elevation or roof lights to the northern roof slope. Whilst I appreciate that there are additional windows proposed, I note that these are facing into the properties own private courtyard area or out into the communal garden area. Given that these windows are not to be in the direction of any neighbouring dwelling or its private amenity area I am satisfied that there will be no exacerbation of any privacy issue through overlooking.

I also consider that the proposed development would not have a significant impact on neighbouring occupiers in terms of garden activity as the communal use of this general garden area already exists and is part of its character.

Overall and on balance, taking the above into account it is not considered that the proposal would sufficiently result in such impact upon the residential amenity of any neighbouring residents to justify refusal on these grounds and as such the proposed development is considered to be in accordance with Policy DM6.

Impact on Flooding

Whilst it is acknowledged that the site lies within Flood Zone 1 as defined by the Environment Agency data, Southwell has recently been subject to flooding and as such a householder flood risk form has been submitted as part of the proposal. The site is in an elevated position on Burgage Lane. The new floor levels are proposed to be set lower than the existing, due to the changes in ground level however it is noted that the floor levels are proposed to be 300mm above the modelled flood levels.

I do not consider the proposal, due to scale and footprint, would cause any detrimental impacts to neighbours or the surrounding area from flooding or surface water run-off from the development. There are ample areas of porous surfacing within the remainder of the site to allow water to permeate and I note that no objections have been received from the LLFA. On this basis it is not necessary, proportionate or reasonable to require anything else of the applicant including the suggested comments of the LLFRA.

Other Considerations

I note that comments have been made in respect of the previous appeal decisions on the site. An appeal was dismissed in 2010 for an extension to Bechers Cottage as part of a redevelopment scheme (ref 10/00282/FUL) where the inspector commented on the design of the projecting gable extension as being a negative part of the overall scheme. This proposal was materially different from that before us now insofar as the extension was located at the southern end of the property.

In that context, the Conservation Officer fully agrees with the Inspectorate decision, noting that the extension would have blocked views of the house on approach from the south along the footpath and included partial demolition of the attractive historic boundary wall.

The current proposal is set further along and would not impinge on views of the house from the footpath nor result in alteration of the boundary wall and as such is considered to be materially different to the appeal decision and is appraised on its own merit. Whilst considered to be materially different to that in 2010 the current still proposes to project eastwards with the gable end terminating facing the formal lawn. Whilst I appreciate that the inspector made reference to the extension reducing the simple nature of the existing building, making it more prominent in the arrangement of buildings on the site I am satisfied that given the proposal now ties the bulk of the extension towards the north of the host dwelling and the existing buildings on the site, and given its modest size, it would not appear incongruous when read with the wider site. Moreover, when seen in views towards the house from the public footpath to the south I am of the view that the projecting gable, positioned towards the north, close to the neighbouring dwelling would not appear out of keeping with the alignment of buildings. Additionally, I am also satisfied that in this instance, the gabled design of the roof would not appear incongruous with the predominately hipped rooves on the site.

Objections have also noted that the proposed extension would be against the view of the other occupiers of the site. As with any planning application, officers have given due and careful consideration to all representations made and material planning considerations have been appraised within the relevant sections of this report.

Conclusion and Planning Balance

Given the above, it is considered that the proposed development will preserve the special interest of the listed building and cause no harm to any other designated heritage asset nor the character of the area. Although it is accepted that the development would result in some impact on the residential amenity of North Lodge this is not considered on balance to be sufficient to justify refusal on these grounds. No other amenity issues have been identified.

The proposal is therefore considered to accord with the objective of preservation required under sections 16, 66 and 72 of the Act and Policies CP14 and DM9, So/PV, DM9 and DM12 together with the aims of the NPPF.

RECOMMENDATION

That full planning permission is approved subject to the following conditions

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 approved plans:

9213-01 Existing Plans and Elevations
9213-20 Proposed Ground Floor Plan
9213-21 Proposed Elevations

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

Reason: So as to define this permission.

03

No works shall be commenced until samples of the all facing materials (including bricks, slate and steel) have been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of preserving the setting of listed buildings and in order to preserve the character and appearance of the conservation area.

04

No works 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. The works shall thereafter be undertaken in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

- External windows (including roof windows), doors and their immediate surroundings, including details of glazing and glazing bars.
- Verges and eaves
- All external accretions including rainwater goods
- Garden Store

Reason: In the interests of preserving the setting of listed buildings and in order to preserve the character and appearance of the conservation area.

05

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking, re-enacting or modifying that Order), no windows shall be inserted in the rear elevation of the development hereby permitted facing North Lodge.

Reason: To safeguard against the overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties.

Notes to Applicant

01

The Lead Local Flood Risk Authority wish to make the applicant aware of their comments as follows:

- The development should not increase flood risk to existing properties or put the development at risk of flooding.
- Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
- SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
- Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (e.g. culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

02

You are advised of the following comments of Trent Valley Drainage Board

The site is outside of the Trent Valley Internal Drainage Board district but within the Boards catchment. There are no Board maintained watercourses in close proximity to the site.

Surface water run off rates must not be increased as a result of the development

The design, operation and future maintenance of site drainage systems must be agreed with the LLFA and the LPA.

03

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 given that there is no net additional increase of floorspace as a result of the development.

04

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

05

For the avoidance of doubt this consent should be read in conjunction with Listed Building Consent ref. 17/02137/LBC.

BACKGROUND PAPERS

Application case file.

For further information, please contact Honor Whitfield on ext. 5827.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Kirsty Cole
Deputy Chief Executive

Committee Plan - 17/01787/FUL

