

PLANNING COMMITTEE 6 AUGUST 2019

Application No:	19/00848/FUL	
Proposal:	Householder Application for first-floor extension, over the existing footprint which is currently single storey height to give the elevation a balanced and symmetrical appearance	
Location:	Grange Barn, Newark Road, Caunton.	
Applicant:	Mr & Mrs Thomas	
Registered:	07.05.2019	Target Date: 02.07.2019

This application is being referred to the Planning Committee for determination by the local ward member (Cllr Sue Saddlington) due to local support from the Parish Council.

The Site

The application site relates to a detached traditional dwelling located on a junction of Newark Road, within the settlement of Caunton and the conservation area. The site is accessed via a shared private drive off of Newark Road which also serves 'Lavender House' immediately to the east and Holme Farm 30m to the south-east. There is a hard surfaced area immediately in front of application property which is used as off street parking amenity. The private amenity space is located to the rear of the site with hedgerows running along the shared boundaries. To the north-west is 'The Grange' a grade II listed property and its associated grounds.

The application site is located within flood zone 2 and 3.

Relevant Planning History

No relevant planning history

The Proposal

The proposal seeks planning permission for the erection of a first floor extension over the existing dining room and garage with no increase in the footprint of the application dwelling.

The proposed extension would have a dual pitched roof design, with the first floor addition over the dining room continuing at the same height as the existing ridge line and the first floor element over the garage incorporating a step down from the main ridge line and set back from the principle elevation.

Following discussions with the case officer, revised plans have been submitted which show the first floor element over the garage to be pulled in from the side boundary by 1m.

The proposed extension would create a master bedroom, with ensuite and walk in wardrobe area

at first level. The existing garage is shown to be retained.

Public Advertisement Procedure

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

Planning Policy Framework

The Development Plan

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

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 (2013)

DM5 – Design
DM6 – Householder Development
DM9 – Protecting and Enhancing the Historic Environment
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2019
- Planning Practice Guidance
- Section 16, 6 and 72 of the Planning Act
- Householder Development SPD

Consultations

Caunton Parish Council – No objections to the above planning application.

NSDC Conservation Officer -

Legal and policy considerations

Section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the 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.

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 in conservation areas, are proportion, height, massing, bulk, use of materials, land-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 16 of the National Planning Policy Framework (NPPF – revised 2019). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, for example. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. LPAs should also look for opportunities to better reveal the significance of conservation areas when considering new development (paragraph 200).

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3).

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.

Significance of heritage asset(s)

The site is located within the boundary of Caunton Conservation Area, which was designated in 1974. The area was designated due to its special architectural and historic interest. The boundary is drawn around the historic development of Caunton and its landscaping setting to the south.

There are some listed buildings located within the conservation area boundary. Adjacent to the site there is Caunton Grange, which is grade II listed (LEN 1045975) designated in September 1985. The listing description advises;

'House. Enlarged and refronted c.1785, incorporating earlier house. Brick and dressed stone with hipped C20 plain tile roof. Chamfered eaves, single roof and single sidewall stacks, 3 storeys, 3 bays. L-plan. Front windows are glazing bar sashes with splayed keystone lintels. Main east front has central ashlar Doric portico with 4 columns and pediment. C19 door with traceried panels and overlight, flanked by single windows. Above, 3 similar sashes, and above again, 3 smaller sashes. South side has to left a C20 casement and a glazing bar sash with rubbed brick segmental head. Above, 2 similar windows. Above again, 2 small glazing bar sashes with rubbed brick segmental heads. Flat roofed rear addition and rear elevation have C20 fenestration. Interior has single C19 stucco fireplace with Ionic piers and Greek Key frieze. Several C19 doors with original fittings'.

Assessment of proposal

The proposed first floor extension is minimal and will not cause harm to the character of the conservation area or the setting of the adjacent listed building.

There are six rooflights being proposed to the rear elevation. They would face the listed building and it is considered that this number of rooflights will have an impact on the setting on the listed

building. Caunton Grange is a substantial house and would have been designed to sit within its grounds to add to enhance its rural location and give the impression of seclusion. The number of rooflights would make the roof more prominent, therefore detracting from its secluded location. A lot of rooflights are for landing areas that are considered that it is not necessary. In addition many of the rooms, including dressing room and en-suite already have windows that can provide natural light and ventilation.

It is recommended that the rooflights are removed from the scheme to alleviate the harm to the setting of the listed building.

Representations have been received from 2 local residents/interested parties which can be summarised as follows:

- Loss of privacy from the side facing window in the gable end and the rear facing windows as well as the rear facing rooflights.
- Loss of light on windows serving the neighbouring property
- The proposed extension would be of an inappropriate scale and mass.
- Overbearing impact from the gable of the proposed extension.

Comments of the Business Manager

Principle of Development

I am mindful that Policy DM6 accepts householder development subject to an assessment of numerous factors including that the proposal respects the character of the dwelling and surrounding area, as well as protects the amenity of neighbouring residents. As such, the principle of the development is considered acceptable

Heritage and Local Distinctiveness

The property lies within a Conservation Area, where development should take account of the distinctive character of the area and seek to preserve and enhance the conservation area, as stated by policy DM9 of the DPD. In addition, Section 72 of the Planning Act 1990 sets out that considerable importance and weight should be given to the desirability of preserving the character and appearance of Conservation Areas.

Given the adjacent Listed Building (The Grange) consideration will also need to be given to the potential impact to the setting of this building.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess.

Paragraph 193 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

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.

Policy CP14 of the Core Strategy reflects this guidance and requires continued preservation and enhancement of heritage assets.

I am mindful that the proposed development would be visible from the adjacent private shared drive, however as the proposed extension would be based on the existing footprint of the application dwelling and at the eastern edge of the application site, it is considered that proposed development would not be unduly prominent from any wider vantage point than the application site and adjacent private drive. Furthermore, the proposed extension is considered to be in keeping with the design of the application dwelling and incorporate design features which aid a subservient appearance, including the set back and set down of the first floor element over the garage.

I note that the Conservation Officer has not raised any objection to the proposal and overall considers the proposal to not result in any harm to the character and appearance of the conservation area or cause any harm to the setting of The Grange. I concur with this opinion and in light of the above, consider the proposal to comply with the aims of the Core Policy 14 and Policy DM9 of the ADMDPD. I note the comments in relation to the rear facing rooflights, however as four out of the six roof lights would be classified as permitted development, it is felt unreasonable to request that these be omitted from the scheme. The two additional rooflights within the proposed extension are not considered to cause any materially greater impact on the character or appearance of the Conservation Area or the setting of the The Grange than the four permitted rooflights.

Impact upon Residential Amenity

Policy DM6 of the DPD states planning permission will be granted for the extension of dwellings provided it would not adversely affect the amenities of the adjoining premises, in terms of loss of privacy, light and overbearing impact.

The Householder Development Supplementary SPD provides further specific guidance and is a material consideration. In relation to side additions, the SPD advises that these should be designed in a way which is sensitive to the host dwelling and prevailing character of the surrounding area, particularly in cases where the gaps and spaces between buildings contribute to the pattern of development.

In terms of potential overbearing impacts the Householder SPD advises Householder development should be designed in a way that does not lead to an unacceptable level of overbearing to neighbouring properties or private amenity space. Such impacts are most likely to occur where two storey development is proposed in close proximity to or along shared boundaries.

Within Para 7.13 the Householder Development SPD states that Householder development proposals should:

- (i) Not dominate a neighbouring property, or result in principal windows which serve habitable rooms being presented with a building that appears visually intrusive or overbearing.
- (ii) Not appear as overbearing or visually intrusive when viewed from neighbouring private amenity space.
- (iii) Not be of a depth or height that would give the impression of enclosing or 'looming' over neighbouring dwellings and/or their private amenity areas.

It is acknowledged that the revised plans show a reduction in the width of the first floor element which moves the first floor extension 1m in from the shared boundary with Lavender House and reduces the potential overbearing impact on this property over the originally proposed scheme. However, in considering the relationship that the proposed extension would have with Lavender House, I am mindful of the distance between gable of the proposed extension and the principle elevation of Lavender House would be 8.3m even when taking account of the revision.

I am also mindful that the proposed extension would present a two storey gable towards the southern half of the principle elevation of Lavender House, which contains a large window at ground floor, serving the kitchen and a large window at first floor level which is believed to serve a bathroom. In light of this relationship and the close proximity between the proposed extension and the principle elevation of Lavender House, it is considered that the proposal would dominate the neighbouring property and result in a material overbearing impact when viewed from the within neighbouring properties kitchen and private amenity space at the front of the property. In this regard, the proposal is considered to be contrary to the advice within DM5 and the Householder Development SPD.

The revised scheme has omitted the high level window within the gable from the original scheme and while I note the concerns over the rear facing rooflights, I am satisfied that these would be positioned so as look down the rear garden of the host property and not gain any direct view of the private amenity space associated to Lavender House. As such, I have no material overlooking concerns with the proposal.

Flood Risk

A householder flood risk assessment has been submitted with the application to confirm that floor levels within the proposed development will be set no lower than existing levels and flood proofing of the proposed development has been incorporated where appropriate which is considered acceptable in this instance.

Conclusion

The principle of the proposed development at the site is considered acceptable and there has been no identified harm to the character and appearance of the conservation area or the setting of the listed building to the rear of the site 'The Grange'. The applicant has worked with the planning authority to explore possible revisions to the scheme in order to overcome the identified overbearing impact on neighbouring amenity and the latest revision has reduced the potential

impact over the originally proposed scheme. However, having had regard to the proximity between the proposed development and Lavender House and the design and orientation of the extension which would result in a two storey gable being presented towards the principle elevation of the neighbouring property which contains large windows serving main habitable rooms, it is considered that the level of impact has not been reduced to an acceptable level. In this regard the proposal is considered to be contrary to aims of Policy DM5 of the ADMDPD and the Householder SPD. Accordingly it is recommended that the proposal be refused.

RECOMMENDATION

That planning permission is refused for the following reason.

In the opinion of the Local Planning Authority, the proposed extension would result in a material overbearing impact on the neighbouring property, Lavender House, by virtue of the orientation of the proposed extension which presents a two storey gable towards the principle elevation of the neighbouring property which contains large windows serving main habitable rooms. In this regard the proposed development would dominate the neighbouring property and result in a material overbearing impact when viewed from both within the neighbouring property and the amenity space adjacent to the principle elevation. The proposal is therefore considered to be contrary to aims of Policy DM5 of the ADMDPD and the Householder SPD.

Notes to Applicant

01

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/

02

The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason(s) for refusal. However the District Planning Authority has worked positively and proactively with the applicant to make some revisions to the proposal. However, in this instance the revisions have not fully overcome the concerns raised.

BACKGROUND PAPERS

Application case file.

For further information, please contact Gareth Elliott on ext 5836.

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

Matt Lamb
Director of Growth and Regeneration

Committee Plan - 19/00848/FUL



