

## Notice of Decision

MR CHARLES WORTHINGTON  
22 DARFIELD DRIVE  
HEANOR  
DE75 7YU

### Town and Country Planning Act 1990

### The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

<b>Application for:</b>	Householder Application
<b>Application No:</b>	20/02207/HOUSE
<b>Applicant:</b>	Mrs Sally Surgay
<b>Agent:</b>	Mr Charles Worthington
<b>Proposal:</b>	Relocate the vehicular entrance to the opposite side of the drive. Conversion of garage to storage area and a WC / shower room, and single storey front porch extension with carport. Single storey rear extension. Re-render the rear gable elevation.
<b>Site Address:</b>	Jaleno Church Lane Eakring NG22 0DH

Newark and Sherwood District Council as Local Planning Authority in pursuance of their powers under the said legislation **Refuse Householder Application** for the development described in the above application, for the reasons set out below.

#### Reasons for Refusal:

01

In the opinion of the Local Planning Authority, the proposed front extension (including porch and car port), by virtue of design, scale and positioning would result in an incongruous and dominating feature within the street scene. The proposed structure would significantly change the character of the host dwelling when viewed from the public domain; therefore failing to integrate successfully. This would result in a harmful impact upon the special character and appearance of Eakring's Conservation Area. Its design and siting fronting the highway would lead to an incongruous addition to this part of Church Lane. The proposal is considered to result in less than substantial harm to the significance of the setting of the Conservation Area, which is not outweighed any public benefit.

The proposal is therefore considered contrary to Core Policies 9 and 14 in the Amended Core Strategy (Adopted March 2019) and Policies DM5 (Design), DM6 (Householder Development) and DM9 (Protecting and Enhancing the Historic Environment) of the adopted Newark & Sherwood Allocations & Development Management DPD. The proposal would also be contrary to the advice contained in the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990 which are material planning considerations.

02

For the avoidance of doubt, the plans refused are:

- Proposed Elevations, ref JCL PD 04B. Received 18th January 2021;
- Proposed Plan, Front Elevation and Block Plan, ref JCL PD 03C. Received 18th January 2021.

### **Note to Applicant**

01

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.

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/)

**A copy of the decision notice and the officer/committee report are available to view on the Council's website.**



*Authorised Officer on behalf of Planning Development, Newark and Sherwood District Council*

Date: 18 February 2021

**Note: Attention is drawn to the attached notes.**

**Appeals to the Secretary of State** - If you disagree with the decision of the Local Planning Authority to refuse permission for the proposed development, then you can appeal to the Planning Inspectorate. It is important to note that there are different time periods in which you can appeal from the date of this notice. Please note, if you seek an inquiry you are asked to give the Planning Inspectorate and local planning authority at least 10 days' notice that you intend to submit an inquiry appeal. Further information is available on the Planning Inspectorates website at [www.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate) or contact their customer support team by telephone 0303 444 5000 or email [enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)

**Purchase Notices** - If either the Local Planning Authority or The Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council of the District in which the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).