

DELEGATED REPORT

Application No:	20/02207/HOUSE		
Proposal:	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.		
Location:	Jaleno, Church Lane, Eakring, NG22 0DH		
Applicant:	Mrs Sally Surgay		
Registered:	23rd November 2020	Target Date: 18th January 2021	Extension of Time: 19th February 2021

The Site

The site relates to a modern style detached two storey dwelling located in the settlement of Eakring. The dwellings along Thomas Road are a mix of styles and sizes, however they are all complimentary of one another with regard to detailing, materials and roof lines. A single garage is integrated into the dwelling on the front elevation and the principal garden lies to the rear of this property.

The property shares borders with 4 different dwellings beyond the public footpath to the east and 1 dwelling to the west; Hoggwin House Church Lane, Rudwyan 1 Church Lane, Cratley Back Lane, Kingrea Back Lane, Ashling Back Lane and . Paddocks lie to the rear of the property.

The site is in Flood Zone 1, which means it has no risk of fluvial flooding, and is in an area of very low risk of surface water flooding.

Relevant Planning History

- 02/00086/FUL - *Proposed alterations and extensions to existing detached house.* Application Permitted 28th March 2002.

The Proposal

The proposal is for the relocation of the vehicular entrance to the west. The conversion of the existing garage to a storage area and a WC/shower room, a single storey front porch extension with a carport, a single storey rear extension and the re-rendering of the rear gable elevation. The front extension would measure approximately 2.6m to the eaves and approximately 4.46m to the ridge. The length of the porch and carport would extend past the house approximately 5.50m (porch 1.69m, carport 3.81m) and have a width of approximately 3.12m. The proposed materials for the porch are Monocouche Render in Mushroom, a single door constructed of anthracite, and anthracite rooflight and the standing grey slate tiled roof. The car port would use the same extended roof materials and use steal support posts painted anthracite. The rear of the car port was be constructed Monocouche Render in Mushroom on render boards, as will the side (front elevation).

The rear extension is to extend past the property by approximately 8.04m (not including the 0.36m roof overhang) and will sit level with the existing lounge area; this element will incorporate a flat roof measuring approximately 2.86m in height. Two roof lanterns constructed of anthracite and a long thin double glazed window, using cream uPvc are proposed on the side elevation. The proposed extension will have a width of approximately 4.12m. The rear elevation would see the removal of a single door and two windows and the addition of 4 panel bi-fold doors, with anthracite frames and the addition of a single door in the existing rear elevation to the east of the bi-fold doors. It is proposed the extension is rendered in Monocouche Render in Mushroom.

The following drawings and documents have been submitted with the application:

- Application Form, received 12th November 2020;
- Heritage Statement, received 12th November 2020;
- Existing Elevations, ref JCL PD 02A. Received 17th December 2020;
- Existing Plan, Front Elevation and Location Plan, ref JCL PD 01B. Received 17th December 2020;
- 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.

The original submission saw the porch and car port extending approximately 6.87m forward, with the same height and width. The proposal would have the same ridge and eaves height, the roof however of the front extension was proposed to be constructed from seamed roof in anthracite with the car port constructed of burnt larch cladding. The rear elevation was also proposed to be clad in burnt larch.

Departure/Public Advertisement Procedure

Occupiers of nine properties have been individually notified by letter.

A Site Notice was put up on the 3rd December 2020 and an advert was posted in the Newark Advertiser on the 3rd December 2020.

Planning Policy Framework

The Development Plan

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

Core Policy 9: Sustainable Design

Core Policy 10: Climate Change

Allocations & Development Management DPD (adopted July 2013)

Policy DM5: Design

Policy DM6: Householder Development

Policy DM12: Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2019
- Planning Practice Guidance 2014
- Householder Development SPD 2014

Consultations

Eakring Parish Council – no comments received.

Nottinghamshire County Council Rights of Way - *I have checked the definitive map for the Eakring area and can confirm that no public rights of way are recorded over the proposed development site. However, Eakring Footpath 5 runs adjacent to the proposed site along the Western boundary, I attach a plan showing the definitive route of the footpath and would be grateful if you could make the applicant aware of the legal line.*

There doesn't seem to be any intention to utilise or impact on Eakring Footpath 5 however we would like to advise the applicant of the following;

- The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on or across the RoW or materials unloaded or stored on the RoW so as to obstruct the path.*
- The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route should be provided if possible.*
- The existing boundary line directly bordering the development and the RoW is the responsibility of the current owner/occupier of the land. They are responsible for the maintenance of that boundary, including any hedge/tree line ensuing that it is cut back so as not to interfere with the right of way.*
- Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption.*
- <http://www.nottinghamshire.gov.uk/transport/licences-and-permits/scaffolding-hoarding-and-advertising-boards>. If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email countryside.access@nottsc.gov.uk*

(Received 23rd November 2020)

Nottinghamshire County Council Highways - *It is not envisaged that this proposal will severely compromise highway safety. We therefore do not wish to raise an objection subject to the following conditions being attached to any grant of consent:*

Conditions:

- 1. No part of the development hereby permitted shall commence until a new dropped vehicular crossing over highway verge is available for use and constructed and the existing access reinstated to a highway verge in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
Reason: In the interest of highway safety.*
- 2. No part of the development hereby permitted shall commence until the driveway and any parking or turning areas are surfaced in a hard-bound material (not loose gravel) for a minimum of 5.0 metres behind the Highway boundary. The surfaced driveway and any parking or turning areas shall then be maintained in such hard-bound material for the life of the development.*

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)

3. *No part of the development hereby permitted shall commence until the access driveway is constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The provision to prevent the discharge of surface water to the public highway shall then be retained for the life of the development.*

Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

4. *The proposed carport hereby permitted shall be kept available for the parking of motor vehicles at all times. The carport shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.*

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

NOTE TO APPLICANT:

The development makes it necessary to create a new access and reinstate an existing vehicular crossing over a verge of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Highway Management Team on 0300 500 8080 to arrange for these works to be carried out.

(Received 7th December 2020)

Conservation - Assessment of proposal:

- ***relocation of the vehicular entrance to the opposite side of the drive.***
Conservation has no concerns with this part of the proposal.
- ***conversion of garage to storage area and a WC / shower room.***
Conservation has no concerns with this part of the proposal.
- ***erection of porch with single panel anthracite door, rendered front and rear and erection of attached (to new porch) timber clad single-storey carport, to be open-fronted with steel supports to the west (driveway) elevation. Carport and porch both under the same seamed anthracite roof.***

The scale of the proposed front extension and its proximity to the road will have a dominating impact on the street scene. The proposed facing materials of render, timber cladding and seamed anthracite roof will be alien and obtrusive within the street scene. This part of the proposal will cause harm to the character and appearance of the Conservation Area (In NPPF terms quantifiable as 'less than substantial harm').

- ***erection of single-storey, flat roof (with 2 lanterns) timber clad and rendered rear extension with 4 panel bifold doors to the rear elevation. Rendered to the east elevation with high level single pane window.***

The rear extension is clearly visible from the footpath running along the eastern boundary of the proposal site. The proposed high-level window, facing materials of render, timber cladding and seamed anthracite roof will be alien and obtrusive materials within this part of the Conservation Area. This part of the proposal will cause harm to the character and appearance of the Conservation Area (In NPPF terms quantifiable as 'less than substantial harm').

- ***Insertion of single panel anthracite door to the existing rear gable.***

While the insertion of a door into the rear elevation is not of concern the use of a modern anthracite door will be an alien feature that would have a negative impact on the character of this part of the CA.

- ***Re-clad the rear gable elevation, to include cladding over lintel above existing double doors and brick arch over the upper storey window.***

The large area of proposed cladding to the end gable will see the loss of tradition style lintels over the openings in the gable end. Conservation is mindful that there are other examples of the timber cladding in the vicinity but the large area of cladding in this case will be overly dominant. This rear gable is clearly visible from the footpath running along the eastern boundary of the site and the proposed facing material will be an alien and incongruous feature in this part of the CA. The proposed cladding will cause harm to the character and appearance of the Conservation Area (In NPPF terms quantifiable as 'less than substantial harm').

Recommendation/summary of opinion

Subject to consideration of the above advice, in this context, the proposal is not consistent with the objective of preservation required under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and does not comply with heritage objectives of the NPPF and the Council's LDF DPDs.

With the above in mind Conservation objects to the proposal in its current form. It may be possible to deal with Conservation's concerns by:

- *reducing the scale of the proposed carport so that it sits further back from the road.*
- *reconsidering the proposed roofing material to any proposed front extension. (Conservation would recommend brick and rosemary tiles to match the host building).*
- *Reconsider the facing materials for the rear extension and fenestration to the east elevation. (Conservation would recommend brick and Rosemary tiles to match host building). Remove the proposal to clad the rear gable preserving the existing recessive brick facing material and the traditional detailing over the existing openings.*

(Received 8th December 2020)

After further conversation with the Conservation Officer on the 13th January 2021, the porch and carport in the submitted form will not be supported. This part of the proposal would make the car the dominant feature and the use of materials would cause undulling prominent and substantial harm to the Conservation Area.

Appraisal

Principle of development

Householder developments are accepted in principle subject to an assessment of the conditions currently outlined within Policy DM6. These criteria include the obligation for the proposal to respect the character of the surrounding area. The placement of a residential extension must not have any overbearing impact on the host dwelling in terms of shape, size and placement or on 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 states development should be accepted providing it does not result in loss of amenity in terms of overbearing impacts, loss of light and privacy. It also states that the 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.

Within the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'), Section 72 of the Act states duty must be paid to preserving or enhancing the character and appearance of Conservation Areas. In this context, the objective of preservation is to cause no harm; this matter is of paramount concern within the planning process.

Impact upon Character of Area and Heritage Assets

As part of the Development Plan, Core Policy 14: Historic Environment (Core Strategy DPD) and DM9: Protecting and Enhancing the Historic Environment (Allocations and Development DPD) amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.

Within Section 16 of the National Planning Policy Framework (NPPF) 2019 the importance of considering the impact of new development on the significance of the designated heritage assets is conveyed. When considering the impact of any proposed development on the significance of a designated heritage asset, great weight should be given to the asset's safeguarding, for example. Any harm to, or loss of, the significance of a designated heritage asset, 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 designated heritage assets when considering new development.

Paragraph 200 of the National Planning Policy Framework (2019)

Eakring's Conservation Area was designated in 1974. Policy DM9 requires any development to take account of the local distinctive character and setting of each individual conservation area. As the proposal site is within Eakring's Conservation Area, it is important to assess the submission in terms of its impact on character and appearance.

Policy DM6 states that planning permission will be granted for householder development provided that the proposal reflects the character of the area and existing dwelling in terms of design and materials. Policy DM5 requires any new development to achieve a high standard of design and layout that is of an appropriate form and scale whilst complementing the existing local distinctiveness and built and landscape character.

Part 12 of the NPPF refers to achieving well designed places. Paragraph 124 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 130 of the NPPF advocates that where a development is a poor design that fails to take the opportunities available to improve the character and quality of an area and the way it functions planning permission should be refused.

The proposed rear/side extension would not be visible from the public domain (the roadside); it would however be visible from the adjacent footpath. It is not considered the proposal will be out of character. The addition would have a neutral impact on the on the character of the area and would not lead to any detrimental impacts when considering scale and materials used. The

extension would be respectful to the Conservation Area and listed buildings opposite, as it does not negatively impact the local distinctiveness and character of the area.

The extension would run alongside the boundary, which currently boasts a fence with square lattice topping (measuring approximately 1.65m). The proposal would therefore sit approximately 1.21m higher than the boundary fence. Also while this is significantly higher, the extension will not lead to any overbearing impacts on neighbouring properties nor will it negatively affect the existing public footpath that runs adjacent to the property. The use of materials are also sympathetic to the host dwelling and the Conservation Area.

The porch and carport extension would project the built form approximately 5.50m forward, with a width of 3.12m. The proposed eaves would sit at 2.6m and the ridge height would be 4.46m. The current side wall sits at 1.03m, meaning at its highest point the proposal sits 2.9m higher than the existing boundary treatment. At its closest point, the front extension will sit approximately 0.17m away from the wall.

The scale of the proposal would introduce a substantial extension. With regard to the above policies and associated guidance, in my view this would likely give rise to an unacceptable impact on the Conservation Area; leading to less than substantial harm. The proposal will introduce a noticeable imposing structure, which inevitably makes the carport the dominant feature.

LDF Policy CP9 sets out a clear aim for all new development to achieve a high standard of design that is of an appropriate form and scale to its context, complementing the existing built environment. This is reinforced by Policy DM5, which emphasizes the need for new development to reflect the scale, form, mass, layout, design, materials and detailing of the District's rich local distinctiveness (criterion 4). Upon reflection, it is considered this would result in an incongruous addition that would be an obtrusive feature to the existing development in the immediate surroundings of Church Lane. The development would not be sympathetic to the host dwelling in terms of scale and would be intrusive to the Conservation Area.

While the revised scheme has amended the length of the extension and the facing materials used, it is not considered that this reduction has been sufficient to ensure that the development would be in keeping with the surrounding development. The Council's adopted Householder Development Supplementary Planning Document (SPD) states that any addition to the host dwelling should be subservient and any addition should be designed so that it would not form an overly dominant feature. Although the scale of the structure has been slightly reduced, it is still considered that the scale and proportions of the extension, which is entirely visible from the public domain, would not be subordinate to the host dwelling and result in an incongruous addition both to the host and be out of keeping with the character and layout of surrounding plots, and would harm the visual amenities of the area. Thus this proposal does not represent good design practice.

By virtue of its siting, scale and design, the proposed front extension would detract from the character of the host dwelling and the Conservation Area. This would lead to less than substantial harm to the character and appearance of the Conservation and there are no public benefits to the scheme that would outweigh this harm. Overall, it is considered that the design of the porch and car port would be inappropriate and would result in a dominance over the original host dwelling which would impede the overall design and character of it. The extension would be visible within the locale and does not constitute good design practices.

The proposal therefore fails to accord with Core Policies 9 and 14 of the Amended Newark and Sherwood Core Strategy (March 2019), Policies DM5, DM6 and DM9 of the Newark and Sherwood

Allocations and Development Management Development Plan Document (July 2013) in addition to Paragraph 196 of the NPPF (2019) and Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 which are material considerations.

Impact upon Residential Amenity

Policy DM6 of the DPD states that development proposals should ensure no unacceptable reduction in amenity upon neighbouring development. Paragraph 127 of the NPPF requires that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties.

Due to the built form of the area, the proposed rear extension would not impact any residential neighbours to the rear of the property. The Householder Development SPD provides guidance on how to assess rear additions in terms of their potential impact on the amenity of neighbouring properties. Although this is guidance, it is considered to be a useful tool to assess impact. It states in the case of single storey rear extensions, the proposal must be well designed and minimise impacts on neighbouring and occupier amenity. It is not considered that the proposed structure would have any detrimental impact on Rudwyndale in terms of overshadowing, privacy and overlooking. The extension would introduce a long double glazed window to the side elevation, however if the application was to be approved this would be conditioned to be obscure glazed. Due to its positioning, the extension would impact any habitable rooms for Rudwyndale. The separation and boundary treatments would also ensure that the structure isn't deemed overbearing. This will be visible from the public footpath but is not deemed to be out of character.

The rear of the extension will see the insertion of 4 panel bi-fold doors and a single anthracite door. It is not considered that these aspects will lead to any negative implications for the host dwelling or surrounding properties.

The Householder Development SPD also provides guidance on how to assess Front Elevation Additions. Each proposal must be assessed on the impact on the appearance of the property and character of the surrounding area. Proposals must not introduce a dominant feature by virtue of its design, proportions and detailing; which would be seen as harmful to the character of the area. The original submission for the proposal saw the length of the proposed porch and car port being 6.87m and constructed using burnt cladding. Although the facing materials and length of the extension have been amended, it is still considered that the scale of the proposal introduces a new overbearing feature, by making the car the dominant aspect of the front of the property. The large structure is not considered to negatively impact any habitable rooms of surrounding properties, however it does detract from the character of the area and most importantly the Conservation Area.

With the above in mind, it is considered the rear element of the proposal is acceptable and complies with Policy DM6 and DM5 of the DPD. However, the front extension is contrary to Policy DM6 and DM5 of the DPD.

Highway Safety

Policy DM5 requires the provision of safe access to new development and appropriate parking provision. Spatial Policy 7 seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Paragraph 108 of the NPPF states that schemes can be supported where they provide safe and suitable access for all.

The proposed development will alter the existing parking arrangement, the proposed entrance to the driveway will move from the east to the west of the front of the property. The proposed car port element will replace the existing garage area and the property will still benefit from a sizeable driveway/parking area. Therefore it is not considered that the proposal will lead to any highway safety issues. Nottinghamshire County Council Highways department have also raised no objections.

Conclusion

The proposal, by virtue of its size, scale and siting would represent an over-dominant and obtrusive form of development which is considered to have a harmful impact on the character of the host dwelling and the setting of Eakring's Conservation Area. The proposal therefore fails to accord with the relevant aims of the Core Policies 9 and 14 of the Newark and Sherwood Core Strategy and Policies DM5, DM6 and DM9 of the Allocations and Development Management DPD nor the NPPF as a material consideration. Accordingly I recommend that planning permission be refused.

RECOMMENDATION

That planning permission is refused for the following reason:

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 by 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.

Notes to Applicant

1. 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.
2. 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/

Officer	IV	Manager	First check - CW HM (2nd check)
Date	17 th February 2021	Date	18.02.2021

Pre Commencement Conditions agreed with agent/applicant (if applicable)	Not applicable
Reply Idoxed	Not applicable
Extension of time agreed with agent/applicant (if applicable)	YES
Reply Idoxed	YES
CIL calculations done where required	Not applicable

In signing the above I have checked that the conditions and reasons shown within the report match those within the back office UNIFORM system.