

18/02645/FUL

Applicant Mr Jon Harrison

Location 4 Brown Lane Barton In Fabis Nottinghamshire NG11 0AD

Proposal Single storey front extension, single storey side and rear extension and two storey rear extension.

Ward Gotham

THE SITE AND SURROUNDINGS

1. The application site comprises a traditional red-brick property located within the built-up part of Barton in Fabis. The L-shaped dwellinghouse is of two storey construction along its frontage (facing onto Brown Lane) stepping down to one and a half storey at the rear. A single storey lean-to is located on the eastern elevation. Two dormer windows are present in the north (rear) elevation. The property is set further forward in the plot than the immediate neighbouring dwellings. The property is accessed directly off Brown Lane.

DETAILS OF THE PROPOSAL

2. This application seeks planning permission for single and two-storey front, side and rear extensions to the property. A single storey extension is proposed to the front (south) elevation extending the dwelling forward (southward) by 4m. This would replicate the front section of the original house as shown on the 1965 aerial photograph submitted as part of the application. A single storey side extension is proposed along part of the eastern elevation (approximately where the single storey lean-to is currently located) wrapping around to the rear of the property and extending the rear elevation northwards by 2.8m. A single storey extension, measuring 1.05m x 2.8m, is proposed on the rear (north) elevation adjacent to the property's western boundary to accommodate a downstairs toilet/washroom. Additionally, a two-storey extension is proposed on the rear (north) elevation measuring 9.5m x 4.7m. The two storey section would be approximately 1.05m from the property's western boundary.
3. The proposed extensions would not extend the dwelling any further west towards the boundary with No. 6 Brown Lane. In terms of the eastern elevation, at its closest approach new built-form would be located approximately 8m from the boundary with No.1 Brown Lane. The proposed materials for the extensions have been selected to match existing.

SITE HISTORY

4. No relevant planning history.

REPRESENTATIONS

Ward Councillor(s)

5. The Ward Councillor (Cllr Walker) responded to the consultation stating 'I do not object to the application'.

Town/Parish Council

6. The Parish Council do not raise any objections to the application.

Statutory and Other Consultees

7. The Council's Conservation & Design Officer provided comments on the proposal. His comments can be summarised as follows:
 - The size of the proposed extensions would justify an archaeological watching brief.
 - The site is in the green belt and the scale of extensions proposed is substantial, such that it might be necessary for the scale of extensions to be reduced to be acceptable in green belt terms. If the scale of extension were reduced, the justification for an archaeological condition would also be removed.
 - The design is appropriate, however the scale again causes issues; beginning to swamp the original building and this would be difficult to avoid regardless of what design approach was adopted.
 - In all cases a reduction in the overall scale of the proposal would likely improve the scheme and avoid any prospect of there being justification for archaeological conditions.

Local Residents and the General Public

8. No representations have been received.

PLANNING POLICY

9. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as 'Core Strategy') and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Other material planning considerations include the National Planning Policy Framework (NPPF), the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) and the Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

10. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF.

11. The proposal should be considered under section 12 of the NPPF in terms of achieving well-designed places, particularly the criteria outlined in paragraph 127. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with NPPF paragraph 130, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
12. Given the location of the application area within an Archaeological Alert Site, section 16 (Conserving and enhancing the historic environment) is relevant in term of consideration of potential impacts on the archaeological resource.
13. As the site lies within Green Belt, section 13 (Protecting Green Belt land) is also of relevance. Of particular relevance, paragraph 145 provides that new buildings should be regarded as inappropriate development. The 'closed' list within the paragraph sets out the exceptions for development which should not be regarded as inappropriate development, including *"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building"*.
14. Section 14 Meeting the challenge of climate change, flooding and coastal change) requires due consideration as the site is located in Flood Zone 3.

Relevant Local Planning Policies and Guidance

15. Policy 1 of the Core Strategy reinforces a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
16. Policy 2 seeks to ensure that development proposals do not increase the risk of flooding and where possible reduce flood risk.
17. Policy 10 (Design and Enhancing Local Identity) states that development should make a positive contribution to the public realm and sense of place, and should have regard to local context and reinforce local characteristics. The development proposal falls to be assessed in terms of the criteria listed under section 2 of Policy 10, and of particular relevance to this application are 2(b) whereby the development should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.
18. Policy 11 (Historic Environment) is relevant to the determination of the application as the site is located in an Archaeological Alert Site.
19. As the site is located within a village 'washed-over' by Green Belt, Policy 4 (Nottingham-Derby Green Belt) and saved Policy ENV15 (Green Belt) of the Rushcliffe Borough Local Plan are pertinent.
20. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan should be given weight as a material consideration in decision making. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan. Of particular relevance is GP2d

whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development.

21. Policy EN7 (Sites of Archaeological Importance) is also pertinent to the determination of the application due to its location within an Archaeological Alert Site.
22. As the site is located within Green Belt, Policy EN14 (Protecting the Green Belt) and Policy EN19 (Impact on the Green Belt and open countryside) are also relevant.
23. Policy WET2 (Flooding) requires consideration due to sites location in Flood Zone 3.
24. Advice contained within the Rushcliffe Residential Design Guide adopted in March 2009 is a material consideration. With regard to extensions, it states that the style and design of the original dwelling should remain the dominant element with the extension appearing subordinate to it.

APPRAISAL

25. The main issues in the consideration of the application are; whether the proposal is inappropriate development in the green belt; whether the proposal would harm the open character or visual amenities of the area and whether there are any special circumstances to outweigh any harm. The design of the proposal, impact on residential amenity, archaeology and flood risk also require consideration.
26. The site is located within the built-up part of Barton-in-Fabis, a village 'washed-over' by Green Belt. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. One of the exceptions to this is the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building. This is reflected in Policy EN14 of the Rushcliffe Borough Non-Statutory Replacement Local Plan.
27. The footprint of the proposed extensions equate to approximately 89m². The footprint of the existing dwelling (including the lean-to on the eastern elevation) is approximately 90m². As such, the proposal would equate to a circa 99% increase in the footprint of the dwelling, almost doubling its footprint. The increase in the volume of the dwelling would be approximately 163%, over and above that of the 'original' dwelling.
28. In addition to the increased footprint, the proposal would significantly increase the scale and massing of the existing dwelling, particularly in terms of the introduction of a large two-storey wing extending northward from the rear elevation.
29. Given the size, scale, massing and footprint of the proposed extensions, it is considered that the proposal would represent disproportionate additions, over and above the size of the original building and would, therefore, constitute inappropriate development in the green belt.

30. Inappropriate development is, as paragraph 143 of the NPPF states, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 goes on to state that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
31. With regard to 'very special circumstances', neither the applicants nor their agents have put forward any grounds that they consider to be very special circumstances. It is not considered that there are any very special circumstances in this instance, which would outweigh the harm to the Green Belt.
32. It is noted that significant single and two-storey extensions were approved in respect of the neighbouring property, No. 6 Brown Lane in July 2018 (Ref. 18/01264/FUL). However, it is important to note that this proposal included the demolition of a large lean-to structure, double garage and conservatory. In this case, given that the footprint of the extensions were not significantly greater than the existing additions to be removed, the proposal was found acceptable on balance.
33. In term of design, the proposal has incorporated a number of features reflective of the existing building and is considered sympathetic to the original dwellinghouse. The front and side extensions are considered acceptable in terms of their form and massing and are would retain the character of the existing property. However, it is considered that the scale and massing of the two-storey rear extension would lead to an over-intensive form of development contrary to Policy 10 of the Core Strategy and Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan. The extensions would fail to retain the form and character of the original dwelling and would not appear subordinate to it. This is contrary to advice contained within the Rushcliffe Residential Design Guide.
34. In terms of residential amenity, the proposed extensions would not extend the dwelling any further west towards the boundary with No. 6 Brown Lane. The proposal would, however, introduce a two-storey extension to the rear of the property, approximately 1.05m from the western boundary. No additional windows are proposed in the western elevation, aside from roof lights. As such, there are not considered to be any issues in terms of overlooking or loss of privacy. In terms of the eastern elevation, the single-storey extension would bring built-form to within approximately 8m of the eastern boundary, approximately 3m closer to the neighbouring property (1 Brown Lane). A number of new windows are proposed at first floor level facing east. Dormer windows are proposed in the east-facing elevation of the two-storey extension at first floor level. Given the scale of the proposal and the distance between the dwellings, the impact on residential amenity is considered negligible. The proposal would extend the property approximately 9.5m to the rear (i.e. the north elevation), bringing the property to within 20m of the northern boundary. Additional windows are proposed at both ground and first floor level. Given the separation distances and the intervening vegetation, it is considered that there would be no loss of amenity in respect of the property to the north (No. 6 Chestnut Lane). The property benefits from a large residential curtilage and, as such, ample residential amenity space would remain. The proposed

extension would not result in an overshadowing or overbearing impacts nor result in a loss of amenity.

35. In terms of potential for impact on archaeology, the Council's Conservation & Heritage Officer has commented that, due to the scale of the extensions, requiring excavation at significant distance from the existing buildings, undisturbed archaeology may be encountered. As such, in the event that the Borough Council was minded to grant planning permission, it is recommended that a condition requiring an archaeological watching brief would be required to ensure that the archaeological resource is adequately protected. It should be noted that if the extensions were to be reduced the justification for an archaeological condition might also be removed.
36. The application site is located within Flood Zone 3 and is therefore at a high risk of flooding. In such circumstances, the Environment Agency's Standing Advice is relied upon for domestic extensions, which advises that floor levels should be no lower than existing and that flood resilience measures be incorporated into the design. The plans indicate that the floor level of the extensions would be no lower than the floor levels in the existing dwelling and if planning permission were to be granted a note could be attached to any approval advising the applicant on flood resilience measures.
37. The application was not subject to pre-application consultation and there is a fundamental objection to the proposal. Negotiations have not been initiated with the agent in this instance in order to allow the decision to be issued in a timely manner.

RECOMMENDATION

It is RECOMMENDED that planning permission be refused for the following reason(s)

1. The proposed extensions, by reason of their cumulative size, scale, massing and footprint would constitute disproportionate additions, over and above the size of the original dwelling and would therefore constitute inappropriate development in the Green Belt. 'Very special circumstances' have not been demonstrated and there are no other factors in this case which would outweigh the identified harm to the Green Belt. The proposal is therefore contrary to Policy ENV15 (Green Belt) of Rushcliffe Borough Local Plan (1996), Policy 4 (Nottingham - Derby Green Belt) of the Rushcliffe Local Plan Part 1: Core Strategy December 2014, Policy EN14 (Protecting the Green Belt) of the Rushcliffe Non-Statutory Replacement Local Plan and the guidance contained within the National Planning Policy Framework, in particular Chapter 13 (Protecting Green Belt Land).