

# 18/02842/FUL

**Applicant** Mr Rex Walker

**Location** Paradise Farm The Rushes Gotham Nottinghamshire NG11 0HY

**Proposal** Insert 2no. Velux conservation windows in north facing roof slope, insert bifold doors and gable window in east facing gable, and insert first floor window in east facing elevation.

**Ward** Gotham

## THE SITE AND SURROUNDINGS

1. Paradise Farm is a two-storey detached residential property close to the centre of Gotham, a village presently 'washed-over' by Green Belt. The property is an L-shaped configuration, constructed of red-brick, partly rendered, with a grey tile roof. The dwelling is set in a substantial plot, with a large garden area to the north and east. The property is bounded by residential properties to the north, south and west. To the east is open countryside. Pedestrian and vehicular access is gained directly off The Rushes.

## DETAILS OF THE PROPOSAL

2. This application seeks planning permission for the insertion of the following: two Velux conservation windows in the north facing roof slope; bi-fold doors and a gable window in the east facing gable; and a first floor window in the east facing elevation.
3. The north elevation of the dwelling house faces onto part of the property's garden, beyond which are residential properties fronting onto Holland Close and Naylor Avenue respectively. The application proposes the insertion of two Velux conservation windows each measuring 980mm x 550mm. The Velux windows would be located in the north facing roofslope, close to the eastern end of the building.
4. The east elevation of the property faces onto the property's main garden/amenity space, beyond which is open countryside. It is proposed that bi-fold doors are installed to replace the existing bay window in the projecting gable end (the plans contain a note: "Alternatively install French doors to match new windows."). The treatment of the window head is to be determined after the existing lintel is exposed on site. The proposed gable window would be installed at first floor level (above the bi-fold/French doors) to serve the converted dovecote. A new first floor window is proposed in the eastern elevation, close to the southern end of the building, to serve a bedroom.
5. In addition to the above, the application plans specify replacement of existing ground and first floor windows and insulation applied to the internal face of the external walls to the first floor of the entire dwelling and ground floor of the projecting gable wing.

## **SITE HISTORY**

6. No relevant site history.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

7. The ward Councillor (Cllr Walker) responded to the consultation, as follows:  
*“This application is for the property at which I live. It is therefore necessary for me to declare my clear and obvious interest in the application.”*

### **Town/Parish Council**

8. The Parish Council does not object to the proposal.

### **Statutory and Other Consultees**

9. The Council's Conservation & Design Officer provided comments on the proposal. Their response can be summarised as follows
- Paradise Farm is likely 18th century in its origins. The complex includes a dovecote, with some degree of alteration but still retaining some nesting boxes (as of 2008). The buildings have been altered, having been rendered and having had new and likely enlarged windows fitted.
  - The rendering has obscured much of the buildings character from the public realm, however the exposed gable end of the roadside barn remains as exposed brick and gives something of an indication of its former character and degree of decoration.
  - He is of the view that the building would represent a non-designated heritage asset and should be treated as such.
  - Most of the external alterations would be minor and would not fundamentally affect the character of the building or appreciation of its history and former function. The Dovecote, however, has some substantial proposed changes and the conversion of this space would almost certainly require the loss of all remaining brick nest boxes.
  - Planning Permission should be subject to a building recording condition so that a record of what remains of the dovecote interior can be secured before the proposed conversion removes such features.

### **Local Residents and the General Public**

10. No representations received.

## **PLANNING POLICY**

11. 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

12. 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. 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.
13. Paradise Farm represents a non-designated heritage asset and should be treated as such. As such, section 16 (Conserving and enhancing the historic environment) requires due consideration in the determination of the application. In particular, regard must be had to NPPF paragraph 197 which states that *“In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.”*
14. As the site lies within Green Belt, section 13 (Protecting Green Belt land) is also of relevance.

## 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. The proposal falls to be considered under Core Strategy Policy 10 (Design and Enhancing Local Identity). The development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. The development should 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 shall 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. 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.
16. 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. 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.

17. The 2009 Rushcliffe Residential Design Guide provides guidance on maintaining privacy. In Rushcliffe, it has previously been accepted that 30m between habitable room windows across rear gardens, for one and two storey dwellings, does maintain privacy where distance is the sole determining factor.

## **APPRAISAL**

18. The main issues in the consideration of the application are; whether the proposal is inappropriate development in the Green Belt; the impact of the proposal on a non-designated heritage asset; the impact of the proposal on the design of the original dwelling and the character/appearance of the street scene; and the potential impact of the proposal on the living conditions of the neighbouring properties.
19. The development proposal is for minor alterations/improvements to the dwellinghouse, including the replacement of existing windows and the insertion of new windows and bi-fold/French doors. As the application site is located in a village 'washed-over' by Green Belt, it is necessary to consider whether the proposal constitutes inappropriate development, which is by definition harmful to the Green Belt. 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, is set out as an exception at paragraph 145 of the NPPF. Given the minor nature of the proposal and, given that the development would not increase the footprint or volume of the existing building, the proposal is considered to constitute an exception under paragraph 145 and, as such, would not be inappropriate development.
20. Paradise Farm is considered to be a non-designated heritage asset. The weighing exercise set out at NPPF paragraph 197 must, therefore, be undertaken as the development proposal would directly affect a non-designated heritage asset. Most of the external alterations would be minor and would not fundamentally affect the character of the building or appreciation of its history and former function. The Dovecote, however, has some substantial proposed changes and the conversion of this space would almost certainly require the loss of all remaining brick nest boxes. As per the Conservation & Design Officer's recommendation, Planning Permission should be subject to a building recording condition so that a record of what remains of the dovecote interior can be secured before the proposed conversion removes such features.
21. Due to their size and location in the roof slope, the proposed Velux windows in the north elevation would be afforded glimpses only of The Rushes and Holland Close. The separation distance and the intervening boundary vegetation would further minimise their visual impact. The proposed bi-fold/French doors and windows in the eastern elevation face away from the public realm and would not be visible from the streetscene. Overall, given the minor scale of the proposal it would not materially alter the character or appearance of the building. As such, the proposal is considered acceptable and in accordance with Core Strategy Policy 10, the NPPF and Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

22. The proposed Velux windows would be visible from a small number of properties to the north fronting onto Holland Close and Naylor Avenue. It should be noted that these dwellings are located at significant distance from the host property (over 30m at closest approach). Furthermore, due to the angle/position of the proposed windows in the roofslope they would not lead to increased overlooking or a loss of privacy to these properties. The bi-fold/French doors in the eastern gable end would replace an existing bay window and would not materially alter the current situation in terms of the potential for overlooking. The new gable window and bedroom window in the eastern elevation would overlook the host property's private amenity space and the open countryside beyond. Windows already exist within this elevation and, as such, the proposal would not materially alter the existing situation. Overall, it is considered that the development would not result in a loss of amenity to the host or neighbouring properties and it is, therefore, considered acceptable.
23. There were no perceived problems with the application and therefore no requirement for negotiation with the applicant/agent or the need to request any amendments. Consequently, there was no delay in the decision of the application.

## **RECOMMENDATION**

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plan(s): Proposed Elevations and Floor Plans (Ref. TC/1801/2, Rev. A) - dated Oct 2018.

[For the avoidance of doubt and to comply with Policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The materials specified in the application shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[To ensure the appearance of the development is satisfactory and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

4. Prior to the conversion of the existing Dovecote hereby approved an appropriate programme of historic building recording shall be secured and implemented in accordance with a written scheme of investigation which shall be previously submitted to and approved in writing by the local planning authority. The record shall include a written description and photographic record. Following completion of the development the information shall be submitted to the local planning authority and for inclusion in the Historic Environment Register at Nottinghamshire County Council.

[To ensure that an appropriate record is made of the historic building fabric that may be affected by the development and to comply with section 16 of the NPPF]

### **Note to Applicant**

This permission authorises the removal of the existing bay window and installation of bi-fold doors as shown on the approved plans. The plans contain a note: "Alternatively install French doors to match new windows". In the event that the option for French doors is pursued involving a design and appearance different to that shown on the approved plans, the change should be subject to an application for a non-material amendment.