



Appeal Decision

Site visit made on 25 June 2020

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 28 August 2020

Appeal Ref: APP/B3030/D/20/3253217

Keepers Cottage, Chapel Lane, Caunton NG23 6AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs S J Elliott against the decision of Newark & Sherwood District Council.
 - The application Ref 20/00441/FUL, dated 10 March 2020, was refused by notice dated 21 May 2020.
 - The development proposed is single storey rear extensions to a cottage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal proposal on the character and appearance of the area.

Reasons

3. The host dwelling lies off Chapel Lane, which is a residential street in the centre of the village. The dwelling comprises an original cottage which has been extended to the rear by the addition of a substantial two-storey element and a further single storey element. The width of the appeal site is relatively narrow in proportion to the massing of the dwelling and its extensions, so that the dwelling has a fairly long appearance.
4. The appeal proposes the extension of the dwelling into its rear garden by the construction of an additional single storey element, which would be wider and taller than the existing single storey section.
5. Whilst the existing two-storey extension cannot be said to be subservient to the original dwelling because it is taller and has similar proportions, the existing single storey extension is subservient to the dwelling. The latter extension consequently does not visually compete with or overwhelm the original dwelling.
6. The proposed extension would lack subservience to the existing single storey element due to its greater scale in all dimensions. As a result, it would echo the lack of subservience of the two-storey extension to the original dwelling and would produce an unbalanced building, the various elements of which would have a discordant visual relationship.

7. Thus, the appeal proposal would cause unacceptable harm to the character and appearance of the area. It would consequently conflict with Core Policy 9 of the Amended Core Strategy Development Plan Document (March 2019) ("the CSDPD"), which states that all new development should be of an appropriate scale to its context and should complement the existing built environment. Additional conflict would exist with Policies DM5 and DM6 of the Allocations and Development Management DPD (July 2013) ("the ADMDPD"), which set out that local distinctiveness should be reflected in the scale of new development, and that extension proposals should respect the design of the host dwelling. Further conflict would exist with the design aims of the National Planning Policy Framework (2019) ("the Framework").

Other Matters

8. The appeal site lies within the Cauntton Conservation Area ("the CA"). Accordingly, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
9. The significance of the CA derives in part from its combination of older and more modern dwellings of red brick, interspersed with large areas of open space and a high number of mature trees. The central beck and ford provide further focal points of natural form within the built environment.
10. The proposed extension would be of red brick construction to match the original cottage, which would accord with the generalised use of this material within the wider CA. Its single storey scale would not adversely affect views of the mature trees and beck which border the garden. Thus, I conclude that the proposal would reflect the relevant defining characteristics of the CA, and that its effect on its significance would be one of preservation as a result. I note that the views of the Council are similar to my own in this regard.
11. The appellant provides photographs showing former building designs at the site. These do not conclusively demonstrate that an outbuilding of a similar scale to the appeal proposal has previously existed at the site. Moreover, I have assessed the proposal based on the dwelling's current design, as set out above. Thus, the historic presence of outbuildings at the site does not provide justification for a proposal which causes unacceptable harm, even if these were proven to have been of a similar scale to that currently envisaged.
12. The current materials of the property reflect those frequently used in the area and consequently have a neutral effect on its appearance. As a result, the proposed rendering of walls and use of alternative window materials to the rear of the property would not form benefits by the reduction of harm.
13. I have not identified that the proposal would cause any significant harm to the living conditions of occupiers of the host or neighbouring dwellings and therefore I concur that the proposal accords with guidance within Point 8.4 of the Householder Development Supplementary Planning Document (2014). Nevertheless, this is a neutral effect which consequently does not attract weight in my decision.
14. The supporting text to Policy DM6 of the ADMDPD describes circumstances in which a number of extensions may be acceptable over time. However, the same paragraph states that proposals that are subservient in scale may be

accommodated without detriment to either the host dwelling or the surrounding area. I have found that the proposal is not subservient in scale and that this causes harm to the character and appearance of the area. Therefore I do not consider that the text lends support for the proposal.

15. The appellant contends that the proposal would support the viability of the village's primary school in the event of the property's sale, and hence that the proposal would take into account the varying needs of the community, in accordance with Core Policy 9 of the CSDPD. Notwithstanding this, there is no broader evidence to suggest that school viability may be compromised. Furthermore, there can be no certainty that any new occupiers would include primary school-aged children. The evidence on the matter is consequently insufficient for me to consider this as a specific benefit of the proposal.
16. The appellant considers that the site forms previously developed land ("PDL"), and that its reuse consequently accords with Core Policy 9 of the CSDPD on the matter. However, the Framework sets out that land in built-up areas such as residential gardens is excluded from the definition of PDL. The site forms part of the rear garden area of the host dwelling, which lies towards the centre of the built-up area of a settlement. Accordingly, I conclude that the land is a residential garden within a built-up area, and hence that it does not form PDL. Thus, I do not identify any compliance with Core Policy 9 in this regard.

Planning Balance and Conclusion

17. I acknowledge that the proposal would provide additional living space which is likely to be more accessible than the current living room, which is reached by a step. This would form a modest benefit which would not outweigh the unacceptable harm identified above.
18. Thus, for the reasons given above, I conclude that the appeal should be dismissed.

C Beeby

INSPECTOR