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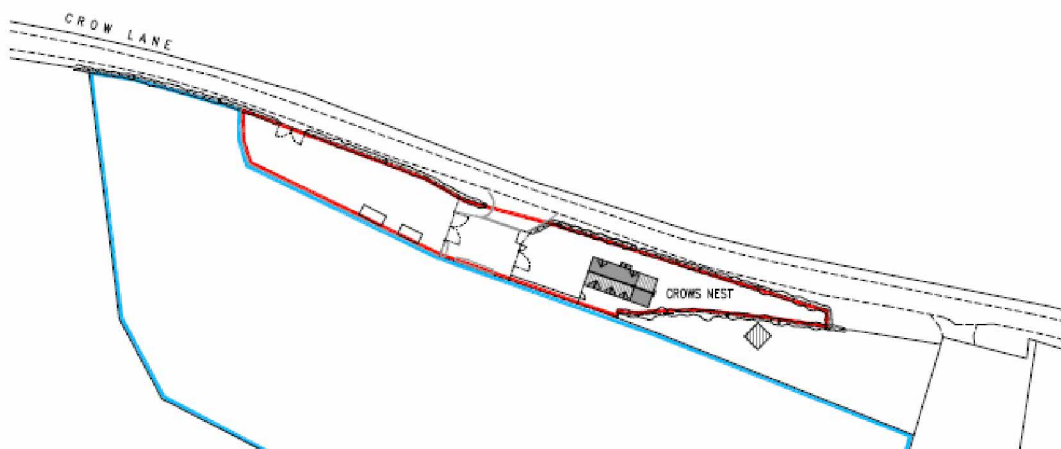
Dear Ellie

THE ERECTION OF A PROPOSED GARAGE AND GARDEN STORE, 'CROW'S NEST', CROW LANE, SOUTH MUSKHAM, NOTTINGHAMSHIRE, NG23 6DZ.

My client, Matthew Briggs-Price, has instructed me to submit this householder planning application to you for consideration.

The bulk of the built-form within the village is formed alongside the Great North Road, Main Street, Forge Close and Church Lane. There are 2 dwellings and a cluster of commercial premises to the east side of the Great North Road before its junction with Crow Lane to the north then, once exiting the village in a western direction towards Little Carlton, the application property of 'Crow's Nest' can be found on the south side of the road, around 150m from the aforementioned junction.

The location of the application site can be seen on the plan below.



To the north, south and east of the application site are open, agricultural fields. Crow Lane itself is bordered by natural hedges that partly screen the dwelling, and the garden land to the east and west, from public view. The land immediately to the south of the dwelling is within the ownership and control of the applicant and is maintained as open paddock land, with a field access towards the western end of its frontage to Crow Lane.

The dwelling of 'Crow's Nest', its associated garden land to the east the drive area to the west and the remaining garden land to the west of that, all run parallel to the road to the north. The dwelling has a spacious parking and turning area to west, with access directly from Crow Lane.

The garden area to the west of the driveway is currently used for open storage and contains 2 containers, for the secure storage of machinery, mowers and other domestic items used for the general maintenance of the dwelling and the associated grounds.

Whilst partly out of view behind the roadside hedge, this area is somewhat unsightly and detracts from the character and appearance of this part of the rural area. The applicant is therefore proposing the provision of a modest garage and garden store structure on this part of the garden, to eliminate the need for the existing external storage. This will not only provide a secure garage and workshop, but will help to improve the visual character of the area accordingly.

Planning History

Planning permission was granted on the 9th January 2015, under application 14/01736/FUL, for the provision of a replacement dwelling on the site and the provision of an improved access onto Crow Lane. The extent of the garden land to serve the dwelling was clearly identified by the 'red line' of the planning application. This permission has been fully implemented.

Condition 4 of the above planning permission removed 'permitted development' rights from the approved dwelling within Classes A to F, where Class E would normally allow for certain development within the curtilage of dwellinghouse (as defined by the 'red line' on the approved site layout plan). This creates the need for the formal approval of the development now proposed, as described in the following paragraphs.

Recently, a planning application was submitted seeking permission for the provision of a large workshop and storage unit on part of the garden, along with the upgrade of an existing (unused) access point to provide a secondary access point into the site.

This application, referenced, 23/000976/FUL, was determined as a standard application for full planning permission and was refused on the 19th September 2023 for reasons relating to its design and scale, its location in relation to the dwelling, its industrial appearance, the loss of hedgerow, the formation of the new access and issues in relation to flooding (as it was not considered to be ancillary to the dwelling).

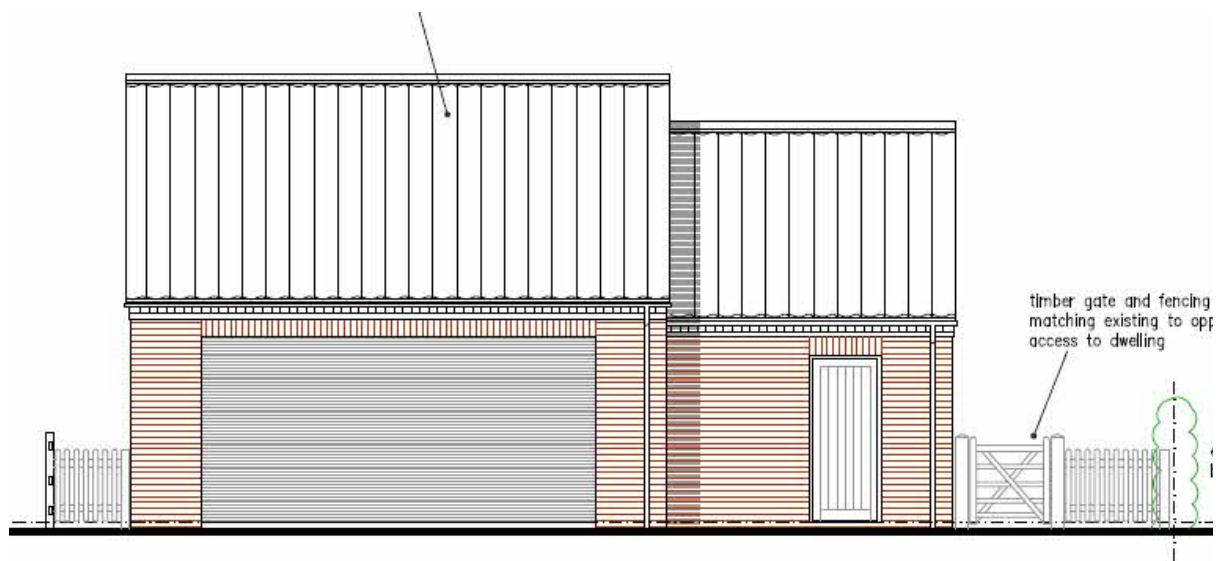
These issues are acknowledged and are addressed in full by the new proposal for the site, as set out below.

The Proposed Development

It was clear from the recent refusal that the LPA would only be supportive of development in this location if it was ancillary to the dwelling, was of a domestic scale, design and character (and used complimentary materials) and which resulted in no new access provision and the retention of the existing hedgerows.

We are therefore proposing a much smaller garage building on the site, which will allow for vehicles to be safely stored on the site (as they are somewhat distanced from the dwelling), with a subservient garden store to the side, to allow for the storage of mowers and tools used in the maintenance of the garden and associated paddock to the south.

The proposed building is clearly domestic in scale and appearance, as can be seen from the submitted drawings, the front elevation of which can be seen below.



The scale of the proposed structure is minimised by having the garden store element to the north, with the gable end facing Crow Lane. The overall scale of the proposed structure, in comparison to that recently refused, can be seen below.

Refused Structure	Proposed Structure	Reduction	% Reduction
Length 18.83m	Length 10.34m	-8.49m	45%
Width 9.83m	Width 6.51m	-3.32m	34%
Eaves 4.87m	Eaves 2.95m	-1.92m	39%
Ridge 6.25m	Ridge 5.88m	-0.37m	6%
Floor Area 185.1m ²	Floor Area 64.12m ²	-120.98m ²	65%

Based on these figures it is clear that the proposed structure is considerably smaller than that previously refused and now represents a building that would be of a appropriate scale for the application site.

The design and detail of the structure is intended to match that of the dwelling, so, whilst little can be done about the separation distance due to the elongate shape of the site, the garage and garden store will be sympathetic to the design of the dwelling and seen as an ancillary structure to it.

The proposed development will utilise the existing (approved) access into to the site, and by setting the building back slightly from the central gravel drive, will allow this area to remain open and unobstructed, thus allowing vehicles to turn within the site and access Crow Lane in forward gear. The siting of the garage will also allow for a small area of hardstanding (gravel) to its frontage, for additional car parking.

No hedges will be removed as part of this proposal and the existing field access to the western end of the garden will be retained and fitted with a new 5-bar gate. Permission is not required for this.

As a householder application, there are no requirements for the proposal to be supported by a Flood Risk Assessment. That said, an FRA was prepared in support of the previous application for this site, which demonstrated that the development proposed at that time (which was much larger) was not at a significant risk of flooding and would not have increased flood risk to others, subject to suggested mitigation being implemented.

Planning Policy

Relevant national Government planning guidance in this case is contained within the **National Planning Policy Framework** (the 'NPPF'), as revised in July 2021 and the Governments' online **National Planning Practice Guidance** (NPPG), which came into force on the 6th March 2014.

The NPPF

The NPPF makes it clear in Section 2 that the purpose of the planning system is to contribute to the achievement of sustainable development. At paragraph 8 it identifies sustainable development as being 'economic', 'social' and 'environmental' whereby all planning proposals should contribute to building a strong, responsive and competitive economy, support strong vibrant and healthy communities and contribute to protecting and enhancing our natural, built and historic environment. **Comment** - The proposed development will effectively help to 'tidy up' the application site, and in this regard will provide a degree of protection to the local environment accordingly.

Paragraph 9 of the NPPF goes on to state that planning decisions should play an active role in guiding development towards sustainable solutions and, in doing so, should take local circumstances into account to reflect the character, needs and opportunities of an area. **Comment** - The proposed development will as improving the character of the area at the same time as making the site more of a sustainable solution for the applicant, so will clearly accord with this part of the NPPF.

Paragraph 11 of the NPPF puts forward the presumption in favour of sustainable development and, in terms of decision making, states that development proposals that accord with an up to date 'development plan' should be approved without delay. **Comment** - It will be argued below that the proposed development will be in

accordance with the 'development plan' and should therefore be approached accordingly.

Section 11 of the NPPF relates to 'Making Effective Use of Land' and, at paragraph 119, states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding improving the environment and ensuring safe and healthy living conditions. Section a) of paragraph 120 states that planning decisions should encourage multiple benefits from urban and rural land. **Comment** – The clearance of this site, and the provision of a small garage and garden store, will ensure that the land is used effectively and efficiently, thus showing full compliance with this part of the NPPF.

Section 12 of the NPPF relates to 'Achieving Well-Designed Places' and acknowledges that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 127 states that planning decisions should ensure that developments: function well and add to the overall quality of the area, are visually attractive appropriately landscaped, sympathetic to local character, have a strong sense of place and are safe, inclusive and accessible. **Comment** – We are comfortable that, as a proposed building that will serve the existing dwelling and which will have a domestic appearance, the development proposed would be sympathetic, attractive and will, as a result, help to improve and maintain the character and appearance of this edge of village location.

The National Planning Practice Guidance.

The NPPG provides an informative section on 'Design' and goes into detail on why good design matters and what it achieves. Paragraph 004 of this section states that development proposals should reflect the requirement for good design set out in national and local policy and Councils are required to take design into consideration, giving weight to outstanding or innovative designs which help to raise the standard of design more generally within the area. **Comment** – We are certain that proposed development will serve to enhance the visual appeal of the character appearance of this part of the applicants garden, through the removal of the containers and surface level storage, and replacing them with a purpose-built, domestic structure. We believe that the proposed development would be an ideal solution for this site as it will be appropriately designed for its location, screened by natural hedges, and will be compliant with national planning guidance and local planning policy alike.

The NPPG goes on to examine how buildings and the spaces between them should be considered and states that developments should be considered in relation to adjoining buildings, streets and spaces along with the topography of the area, the general pattern of building heights as well as views, vistas and landmarks. The main thrust of this part of the NPPG (paragraph 024) is to ensure that new and existing buildings relate well to each other. **Comment** – We are of the opinion that the proposed structure is designed to relate well to the existing dwelling and will not have any detrimental impacts on any particular view, vista or landmark.

The 'Development Plan' in this case is formed by the **Core Strategy DPD** (2019) and the **Allocations and Development Management DPD** (2013), along with any relevant **Supplementary Planning Documents**.

The Core Strategy

Policy SP3 of the Core Strategy provides the Councils general advice on 'Rural Areas' and states that, beyond the 'principal villages' proposals for new development will be considered in relation to location, scale, need, impact and character. The policy seeks to control new development in the open countryside, restricting it to uses that require a rural setting. **Comment** – It is clear that there is a need for the proposed development so as to regularise parking and garden storage issues at the site. In achieving this, the location, scale and character of the proposed structure are entirely appropriate for this garden location, and it is argued that the proposal will have no adverse impact on the general character and appearance of the area as a result.

Policy CP9 provides the Council's policy on sustainable design and requires all new development to (*inter alia*) achieve a high standard of design and layout that is appropriate in terms of form and scale, efficiently uses the land and which reduces opportunities for crime. **Comment** - The proposed development has been designed to address the above issues, especially from a security point of view and, for these reasons, it is considered that the proposed development will be compliant with Policy CP9.

The Allocations and Development Management DPD

Policy DM5 relates to 'Design' and is a criteria-based policy against which all new development shall be assessed in relation to access, parking, amenity, local distinctiveness and character, trees and biodiversity, crime and disorder, ecology, unstable land and flood risk. **Comment** – In specific response to each of these matters, our comments would be as follows:

Access – The policy requires safe and inclusive access to new development. The proposed development will be served by the existing access into the site, which was approved by the Council in January 2015 and which has been constructed on site.

Parking – The proposed development will provide safe and secure car parking on the site for the applicant at the same time as keeping the existing driveway clear for tuning purposes.

Amenity – The proposed development will be suitably spaced from the dwelling that it will serve and will be well screened from public vantage points by the natural hedge to the southern side of Crow Lane.

Local Distinctiveness & Character – The proposed development, as a structure that is domestic in scale and design, will not be harmful to the wider landscape in which it is to be located and will therefore have no detrimental impact on the character and appearance of the area in general.

Trees & Biodiversity – There are no trees within the application site and, in addition to the storage containers on an area of open garden land, the proposal will have no impact whatsoever on local biodiversity. Bat/Bird boxes can easily be provided.

Crime & Disorder – The proposed development will create a secure structure site for the storage of the applicants cars and garden machinery, so will be far more secure than the open storage areas that currently exist on the site.

Ecology – The proposed development will not result in any issues in relation to

Unstable Land – This part of the garden is highly unlikely to be unstable or contaminated in any way as it is mainly open and laid to grass.

Flood Risk and Management – The site is only partly within a Flood Zone and will only be used for ancillary residential purposes. With the proposed building being suitably drained, it will not result in flooding elsewhere in terms of surface water.

For all the above reasons it is considered that the proposed development accords with the provision of Policy DM5 of the Allocations and Development Management DPD.

Policy DM6 relates to ‘Householder Development’ and seeks to ensure that such development has no adverse impact on the highway network, has no adverse impact on neighbouring users, is acceptable in terms of local and residential amenity, is respectful in terms of design and materials, and is respectful in relation to the character of the surrounding area and the open character of the surrounding countryside. **Comment** – The proposed development, which will serve the residential use of the host dwelling of Crow’s Nest, will accord with all of the above requirements so as to ensure that it is compliant with Policy DM6 of the Allocations and Development Management DPD.

Policy DM8 relates to ‘Development in the Open Countryside’ and serves to strictly control new development in the open countryside. **Comment** - None of the criteria listed are directly relevant to the development proposed, which is actually within the residential curtilage of the host dwelling and will have the appearance of an ancillary residential building.

Policy DM12 focusses on the ‘Presumption in Favour of Sustainable Development’ and suggests that the Council adopts a positive approach to the consideration of development proposals which reflects the presumption in favour of sustainable development contained within paragraph 11 of the NPPF. The Development Plan should be the starting point for decision making. **Comment** – We have shown above that the proposed development would be in accordance with the provision of the Development Plan, the NPPF and the NPPG, and therefore also accords with Policy DM12 of the Allocations and Development Management DPD.

Conclusion

The above paragraphs show that the proposed development is wholly in accordance with the national planning guidance set out in the National Planning Policy Framework and the National Planning Practice Guidance.

At a local level, it is clear that the proposed development complies with the relevant policies within the adopted ‘Development Plan’. For these reasons, it is considered that the proposed development is wholly compliant with both national planning guidance and local planning policy.

With no other material considerations to indicate that the development should be resisted, and in accordance with paragraph 11 of the NPPF and Section 38(6) of the PCPA 2004, it is respectfully requested that the development is '*...approved without delay*'.

The application has been submitted electronically and comprises of copies of the following document and plans in addition to this letter. All drawings are by Kev Robinson Architectural Services:

- Planning application forms and site ownership certificates*
- Site location plan and existing block plan at 1:1250 & 1:500 scales*
- Site Location plan and proposed block plan at 1:1250 & 1:500 scales*
- Proposed plan and elevations at 1:200 scale*
- Sectional detail at 1:50 scale*

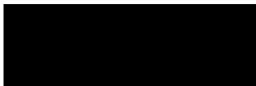
*Denotes an online submission via the Planning Portal

As a 'householder' submission, the fee for this planning application is [REDACTED]. This fee will be paid by the applicant at the time of the submission of the application via the Planning Portal.

I trust that this application is complete and can be registered without delay.

I look forward to the receipt of your acknowledgement of the registration of the application in due course and it would be appreciated if you could keep me informed on the progress of the application as it moves forwards.

Yours sincerely.



Matt Hubbard
PG Dip TP, MRTPI
Director

Encs - Drawings and Documents as Listed