



Planning Development
Newark and Sherwood District Council
Castle House
Great North Road
Newark
Nottinghamshire
NG22 9PS

Our ref: HML/CROWT/23/1909
Your ref:

5th December 2023

Dear Sir/Madam

RE: TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED): FULL RETROSPECTIVE PLANNING PERMISSION FOR THE ERECTION OF A SINGLE STOREY SIDE EXTENSION AT 8 BURGAGE LANE, SOUTHWELL, NG25 0ER (CONSERVATION AREA)

On behalf of our client, Mrs Susanna Crowther, we submit this planning application for your consideration. The application has been submitted via the Planning Portal and, along with this letter, that acts as our 'Planning and Heritage Statement', the plans and documents that make up this submission comprise of:

Set of images
Site Location Plan
Floor Plans

SITE AND SURROUNDING AREA

The application site relates to no. 8 Burgage Lane, which is a two-storey detached Victorian cottage located via a shared access through an underpass which is flanked by two terraced

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8 Burgage Lane, Southwell, NG25 0EG

properties either side, numbers 4 and 6 Burgage Lane, with a connecting room above, belonging to no. 4 Burgage Lane.

The shared passageway, serves the rear of numbers 4 and 6 Burgage Lane and the courtyard area of the site which houses the application property and Themis Villa at the southern end of the area. These properties and the application site are located to the south of Burgage Lane, with the application property itself being located centrally but on the eastern boundary of this area. The application property therefore neighbours Burgage Mews to the east.



Figure 1 – Site Location

The application site is located within the Burgage character area of the Southwell Conservation Area and although not neighbouring, within the vicinity of listed buildings, the closest being the Grade II Burgage Court approximately 40m to the west.

PROPOSED DEVELOPMENT

The proposal subject to this application seeks the retrospective planning permission to regularise the erection of a flat roofed side extension, which currently does not have the benefit of planning approval.

8 Burgage Lane, Southwell, NG25 0EG

The applicant purchased the dwelling in 2020 as seen, including the extension subject to this application. The extension has a length of approximately 3.1m and depth of 2.9m running across the southern (side) elevation of the property, rising to a typical single storey height of approximately 2.4m. The side extension has a red brick finish matching the main dwelling and three windows facing west onto the courtyard area of the shared driveway. The extension remains subservient to the host dwelling due to its modest massing.

PLANNING HISTORY

The application property has a limited planning history with there being no record of any planning applications published on the Newark and Sherwood District Council Planning search portal.

However, an application of significance to this proposal ref. 5680390 to '*Extend and modernise cottage*' that being the neighbouring no.4 Burgage Lane, which as part of the proposals gained permission for a modest single storey rear extension, similar to that at no.8.

PLANNING POLICY CONTEXT

In accordance with section 36(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission should be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan relevant to the assessment of this application comprises the Newark and Sherwood Local Development Framework, Allocations and Development Management Development Plan Document (Adopted July 2013) and the Newark and Sherwood Amended Core Strategy (Adopted March 2019).

The most relevant policies of the Local Development Framework are considered to be:

Policy DM5 – Design

Policy DM6 – Householder Development

Policy DM9 – Protecting and Enhancing the Historic Environment

Policy DM12 – Presumption in Favour of Sustainable Development

Policy DM5 seeks to promote a good level of amenity, through the promotion of sufficient separation distances from neighbouring development to ensure that neither suffers from

8 Burgage Lane, Southwell, NG25 0EG

unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. The policy also states that proposals should have regard to their impact on the amenity or operation of land uses. The local distinctiveness of the districts landscape and character of the built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

Policy DM6 supports proposals for the alteration and extension of dwellings, erection and conversion of curtilage buildings, provided that safe and inclusive access and parking provision can be achieved and there is no adverse impact on the highway, neighbouring users, layout of development within the site, amenity space within the site and that the proposal respects the design, materials and detailing of the host dwelling, respects the character of the surrounding area including the significance and setting of any heritage assets.

Policy DM9 supports development which will secure the continued protection or enhancement of heritage assets where they reinforce a strong sense of place. In conservation areas, proposals should take account of the distinctive character and setting of individual conservation areas reflecting this in their layout, design, form, scale, mass, use of materials and detailing. Impact on the character and appearance of Conservation Areas will require justification in accordance with the aims of Core Policy 14.

Policy DM12 reflects the governments presumption in favour of sustainable development as set out in the NPPF, where proposals will be approved without delay, unless material considerations indicate otherwise.

The most relevant policies of the Amended Core Strategy (Adopted March 2019) are considered to be:

Spatial Policy 1 – Designates the Southwell Area as being a Service Area within the Newark and Sherwood District.

Core Policy 9 – This policy expects new development to demonstrate a high standard of sustainable design that both protects, enhances and sustains local distinctiveness.

8 Burgage Lane, Southwell, NG25 0EG

Core Policy 14 - Development proposals within a conservation area will be supported where they conserve and enhance the character of the setting. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Where adverse impact is identified there should be a clear and convincing justification, including where appropriate a demonstration of clear public benefits

The Southwell Neighbourhood Plan (2015-2026) and Southwell Design Guide are also a material consideration in the determination of this application. The relevant policies of the Neighbourhood Plan are considered to be:

Policy SD1 – Delivering Sustainable Development

Policy DH1 – Sense of Place: All relevant planning applications will be required to demonstrate how they have taken account of the guidance set out within Southwell Design Guide and the Conservation Area Appraisals.

Policy DH3 – Historic Environment: Development proposals within the Historic Town Centre must not negatively impact on the spaces, links or relationships between listed buildings.

The relevant sections of the Southwell Design Guide are:

2) Built Form – this section explains that development should respond to the unique characteristics of the site and its context. Proposals should take the lead from the local vernacular of existing buildings, respecting the use of materials, their colours, sizes and shapes; and should consider how it reinforces the building line and streetscape of the surrounding area. Long blank walls are discouraged.

3) Materials and Detailing – all development should consider the variety and textures of local materials that can be used to inspire the design and form of proposals.

ASSESSMENT

Heritage Impact

Paragraphs 194 and 195 of the 2023 National Planning Policy Framework (NPPF) requires that applicants describe the significance of any heritage assets affected by development proposals, including any contribution made by their setting, and that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal, taking account of the available evidence and any necessary expertise. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Section 16 of The National Planning Policy Framework (paragraphs 189 –208) sets out the policies for conservation of the historic environment. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

In their guidance note, Historic Environment Good Practice Advice in Planning Advice Note 3 –The Setting of Heritage Assets' (Second Edition, December 2017), Historic England set out a stepped approach to assess the impact a development may have on the setting of any heritage assets. This approach includes the identification of heritage assets that may be affected, assessment of the significance of their setting and the impact of the development in it and exploring ways to maximise enhancement and avoid or minimise harm.

In terms of assets that might be affected by the proposal, the subject site lies within the Southwell Conservation Area. The closest Listed Building is Burgage Court to the east. Given the nature and scale of the proposal, there are no other nationally listed buildings within sensitive proximity. Analysis of the Heritage Environment Record (HER) shows no other identified heritage assets. Burgage Mews to the immediate east of the site is noted as an Unlisted Building of Local Interest or Non-Designated Heritage Asset.

The Southwell Conservation Area, comprising the Minster Church, the historic commercial centre of King Street and Queen Street, the Burgage and the former hamlets of Easthorpe and

8 Burgage Lane, Southwell, NG25 0EG

Westhorpe, was designated as a Conservation Area in 1968 and extended in 1970 and 1993. The subject site lies within the historic Burgage area of the Town and Conservation Area. Despite there being many superb Listed Structures within the Burgage area, it is the park like setting that characterises the area. According to the Conservation Area Appraisal, Burgage Lane, of which the subject site is accessed from, was formerly called Back Lane and served the backs of the Prebendal houses on Church Street providing access to the fields behind.

In summary, due to the very modest nature of the proposal and other surrounding built form, there are no listed buildings within immediate proximity at risk of any harm to their setting. The main assessment comes by way of the impact of the proposed development on the Southwell Conservation Area and locally listed buildings.

Policy DM9 of Newark and Sherwood Allocations and Development Management DPD (July 2013) states Development proposals should take account of the distinctive character and setting of individual conservation areas including open spaces and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing.

Setting is not a heritage asset itself: its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance (GPAN3 – The Setting of Heritage Assets). In this instance, the proposed development, refers retrospectively to the construction of a modest single storey kitchen extension. The subject site lies within the Burgage area of the Southwell Conservation Area and to the west of Burgage Mews a non-designated heritage asset. The small extension is constructed to the southern elevation of the main dwelling is modest in scale and is completely screened from view into the Conservation Area by all the surrounding built form. Furthermore, in between the subject site and the non-designated heritage asset is a significant brick boundary wall and this, alongside topographical level changes, means the subject site sits lower and hidden behind the boundary wall and has no relation or inter visibility with the neighbouring asset.

In conclusion, the modest extension causes no harm to the setting of the Southwell Conservation Area and any local or nationally significant buildings within it and therefore accords with paragraph

8 Burgage Lane, Southwell, NG25 0EG

199 of the National Planning Policy Framework, where great weight should be given to the asset's conservation, and the policies of the Newark and Sherwood Development Framework relating to protecting the historic environment.

Impact upon Neighbouring Properties

As previously described, the application site shares a number of properties, numbers 4 and 6 Burgage Lane to the north, under which access to the application site is gained and of most significance to this application, Themis Villa located to the south, closest to the flat roofed extension subject to this application. The application site also sits on the western boundary of Burgage Mews which is sited to the east. The application site is not listed and does not neighbour any listed buildings but is situated within the Southwell Conservation Area.

The extension has been built on the southern, side elevation of the application dwelling and remains subservient to the original host dwelling. The extension is set back from the principle, western elevation of the dwelling and the modest nature of extension, being single storey and flat roofed prevents any overbearing (See Figure 1). These factors also prevent any overbearing impacts upon Themis Villa to the south as can be seen in the site images included at Appendix 1. There is a small brick boundary wall and large gate separating the application site from the main built form of Themis Villa, as well as a small gap between the extension and boundary wall, which provides a degree of screening and sufficient distance of approximately 3.5m clearing. The amenity of Themis Villa and its occupants is therefore uninterrupted.

As a result of the modest nature of the side extension and topography, views of the development can not be achieved from the Burgage Mews to the east. Additionally, as a result of the extension being set back from the principal western elevation, views of the scheme are impossible upon entrance from the shared drive between no. 4 and 6 Burgage Lane and only becomes visible when passing the main dwelling itself. As a result, views from no. 4 Burgage Lane are limited and views from no. 6 are indifferent from that prior to the extensions construction. The street scene of Burgage Lane is therefore unaltered.

8 Burgage Lane, Southwell, NG25 0EG

The extension makes use of a red brick which is sympathetic to the design of the host dwelling and has three windows installed on the western elevation of the extension, helping to prevent a long characterless blank wall. The side extension is therefore compliant with policies DM5, DM6 and DM12 of the Local Development Framework, Core Policies 9 and 14 of the Amended Core Strategy and DH1 of the Southwell Neighbourhood Plan.

CONCLUSION

As established in the above paragraphs, the side extension maintains the character of the host dwelling, is in keeping with the neighbouring properties and prevailing historic character of the Southwell Conservation Area, whilst having no detrimental impact upon neighbouring amenity or amenity within the site and internally within 8 Burgage Lane itself. This retrospective planning application is therefore in accordance with the local planning policies as listed in the above paragraphs and national planning policies as set out within the NPPF.

We commend this application to you and trust that you are able to support this retrospective application, however, should any matters arise that require further information we would welcome the opportunity to respond. We look forward to the receipt of your confirmation of the validation of the application in due course.

Should you have any further queries in respect of the proposal please do not hesitate to contact me.

Yours faithfully



Haydn Lee MPlan
Graduate Planner



8 Burgage Lane, Southwell, NG25 0EG

APPENDIX 1 – SITE IMAGES



Figure 2 – Side extension at 8 Burgage Lane



Figure 3 – View north towards no. 4 and 6 Burgage Lane



Figure 4 – Extension and Themis Villa

8 Burgage Lane, Southwell, NG25 0EG



Figure 5 – View from extension towards 4 Burgage Lane



Figure 6 – View from site entrance

8 Burgage Lane, Southwell, NG25 0EG



Figures 7 and 8 – Single storey extensions at 4 and 6 Burgage Lane