

Committee date: 19th December 2013

Reference: 13/00685/FULHH
Date submitted: 23.10.13
Applicant: Miss Chloe Dolby
Location: The Wickets, 7 Granby Lane, Plungar
Proposal: Two storey extension to an existing domestic dwelling to provide accommodation for a disabled person



Proposal :-

This application seeks planning permission for a two storey extension to an existing domestic dwelling to provide accommodation for a disabled person and for the raising of an existing garage roof to a height of 5.3 metres. The site is located within the village envelope and projects by 4.3 metres into a Protected Open Area on Granby Lane in Plungar.

The application involves the raising of the existing double garage roof by 37cm in order to house a specially adapted car. It also involves enlarging the property in order to create additional rooms for two carers; a specialist bedroom for the applicant a hydrotherapy pool with changing room, plant room and two stores. Outside the property a sensory garden area is proposed along with a level surface trampoline and lazy swing. A patio area would surround the property.

The applicant suffers from cerebral palsy and has severe disabilities as a result. She is wheelchair dependent for all practical and functional mobility and requires constant carer support. She requires specialist bathroom and changing facilities with suitable room for carer assistant. All the accommodation needs to have sufficient area for wheelchair circulation space without the need to move furniture.

The additional living space would be suitable for the applicant, her family, visitors and carers' use and would consist of:

1. A dining area suitable for the applicant, her family, visitors' and carers' use
2. A kitchen of sufficient size for an area of rise and fall worktop, suitable for wheelchair use.
3. A physiotherapy room of sufficient size for the accommodation and use of specialist equipment with an adjacent store for small activity specific equipment.
4. A day room suitable for the applicant to use for therapy and educational purposes
5. Specialist bedroom facilities to accommodate a range of wheelchair accessible furniture, whilst allowing a wheelchair to be easily manoeuvred. An assistive hoist system would also be required for transferring the applicant both within the room and to the en-suite specialist bathroom.
6. Specialist bathroom and changing facilities, with an assistive hoist system for transferring the applicant between the sanitary and bathing facilities.
7. Carer living space, kitchenette, bedroom and en-suite within close proximity to the specialist facilities for 24 hour carer support.
8. Bedrooms suitable for the accommodation of the applicant's immediate family
9. A store room for bulky items required due to the applicant's disability along with a dedicated space for a wheelchair recharging station.
10. Utility and drying area
11. A WC for family, visitor and therapist use
12. Hydrotherapy pool to assist the applicant with her physical therapy treatment. This would also require a plant room and storage facilities abutting the pool with a changing area and toilet for the applicant, visiting therapists and carers to use. An assistive hoist system is also required for transferring the applicant between the changing facilities and hydrotherapy pool
13. Covered access to the front of the property, protecting the applicant whilst transferring both to and from a specialised adapted vehicle.
14. The garage roof to be raised in order to accommodate an specialised adapted vehicle with wheelchair access
15. An external play area with a rubberised safety surface suitable for the applicant and her family to use. This would include a level access trampoline and lazy swing.

Access to the property needs to be level with ramps, landings and raised footpaths to gain wheelchair ingress and egress from the dwelling.

The accommodation proposed is required by the applicant to suit all of her accommodation needs and requirements without the need for adaptation or extension.

The adaptation is proposed to enable the applicant to live a more full life and, as she gets older, to have a degree of independence.

It is considered that the matters for consideration are:

- Impact upon neighbouring properties
- Impact upon character of the area
- Whether the location of the proposed extension is acceptable in view of the 'protected open area' status of part of the site.
- Whether the size of the proposed extension is acceptable

The application is presented to the Committee because of the potential conflict with Policy BE12 (Protected Open Areas within village envelopes)

Relevant History:-

04/00413/FUL - Proposed demolition of existing house and rebuilding – permitted 20.07.2004
05/00348/FUL - New detached garage with office space over – refused 18.5.13
06/00961/FUL – Detached double garage – permitted – 6.12.06

Planning Policies:-

The National Planning Policy introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict the NPPF should prevail. It also offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- Chapter 7 – Requiring Good Design

On Specific issues it advises:

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Melton Local Plan (saved policies):

Policies OS1 and BE1 allow for development within Town Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.
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Policy BE12 does not allow for development within any area shown on the proposals map as a Protected Open Area except where a proposal is in conjunction or associated with an existing use and the development would not adversely affect the intrinsic character of the area.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority – No objection,	It is considered that the proposal meets the objectives of policies OS1 and BE1 in relation to highways safety, and that suitable access and parking at the site is available.
Parish Council – object - Although sympathetic to the needs of the family they feel that the extension would be too large.	The size of the extension is considered in more detail below.

Representations:

Two neighbouring properties were consulted, as a result no objection letters have been received

Considerations not raised through Representations.

Representation	Assessment of Head of Regulatory Services
<p>Application of the Development Plan Policies:-</p> <p>The site lies within the village envelope where residential development is supported. Policies OS1 and BE1 seek to ensure that development respects the character of the area and that there would be no loss of residential amenities and satisfactory access and parking provisions can be complied with.</p> <p>The site is within the village envelope but is allocated as Protected Open Area under Policy BE12 of the Local Plan. Policy BE12 prevents development unless it would protect the inherent quality of the open space and is functionally linked to existing uses.</p>	<p>As stated above, the development is considered to accord with the relevant criteria contained with Policy OS1 and BE1 of the adopted Melton Local Plan. The proposed development would be a building of significant size (representing an 89% increase in size) and would lie partially within the area allocated under BE12. It is proposed to be associated with the dwelling and in this respect is considered to meet the first test of Policy BE12.</p> <p>The property is located within a large plot and the proposed extension would be located to the south-east of the site but set back from the boundary with Granby Lane by 30 metres. Accordingly it is not considered that the proposal will adversely affect the intrinsic character of the area and therefore it also meets the second test of Policy BE12.</p>
<p>Compliance (or otherwise) with Planning Policy</p>	<p>As stated above, the development is considered to accord with the applicable Local Plan policies. In this instance, the policies are not considered to conflict with the NPPF and as such there is no requirement to balance the regimes against one another.</p>
<p>Impact upon the character of the area:</p>	<p>The proposed extension would lie partially within a Protected Open Area to the east of the site. It would measure 10.7 metres in additional width and 21.3 metres in length. The property is a one and a half storey bungalow and the proposed height of the extension would be to the same roof height as the existing dwelling. Melton Local Plan Policy BE12 does not allow for development within any area shown on the proposals map as a Protected Open Area except where a proposal is in conjunction or associated with an existing use and the development would not adversely affect the intrinsic character of the area.</p> <p>It is considered that the extension in this location would not have a detrimental impact upon the character of the area and would be associated with an existing use thus meeting the objectives of Melton Local Plan policy BE12. The proposal, though representing a 4.3 metre infringement into the Protected Open Area, would not be detrimental to the intrinsic character of the area as there would remain an open view of 23 metres in width to the south-east of the property looking towards the south-west of the site.</p> <p>The proposal also involves an alteration to the</p>

	<p>existing detached double garage. This would consist of raising the existing roof by 37 centimetres in order to give additional height for the specialist car that is required for the applicant's use. This would not impact upon the view approaching the site from either the north or south of the site on Granby Lane as the additional height would be minimal.</p> <p>The extension is required for the applicant's needs as a disabled person and although a large addition, it is considered to be in keeping with the dwelling and the character and appearance of the area.</p>
Impact on Residential Amenity	<p>There are several properties to the south-east of the site whose rear gardens act as a boundary to the application site. There would be a distance of 47 metres from these properties to the proposed extension and this is considered acceptable in terms of residential amenity.</p> <p>Numbers 4b, 6 Granby Lane are located opposite the site and their outlook would not be compromised because the proposed extension would be located opposite the garden areas between these two properties rather than directly in front of the houses.</p> <p>The additional height of the garage (i.e. 375mm) would not have an impact on residential amenity).</p>
Design and Materials	<p>The proposed extension has been carefully designed to enhance the host property. The materials would match the existing dwelling.</p>

Conclusion

The application site lies within the village envelope and thus benefits from a presumption in favour of development under policies OS1, BE1.. The site is capable of being developed without compromising the existing residential amenities of neighbouring properties and a suitable access is available along with a large area for parking within the site. The proposed extension is large and would encroach into the Protected Open Area, however, it is not considered to be sufficiently detrimental to the intrinsic character of this area to warrant a refusal. Having regard to the exceptional circumstances of the applicant and the need for the accommodation the proposal is considered acceptable and is recommended for approval subject to conditions.

RECOMMENDATION:- Approval subject to conditions:-

1. The development shall be begun before the expiration of three years from the date of this permission
2. The extension should be built strictly in accordance with the plans submitted to the Local Planning Authority on 23rdOctober 2013 (PO3 Rev A).
3. All external materials used in the development hereby permitted shall be of the same type, texture and colour as those used in the existing building.

The reasons for the conditions are:-

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt
3. To ensure a satisfactory standard of external appearance.

Officer to contact: **Mrs Karen Jensch**

Date: 5th December 2013