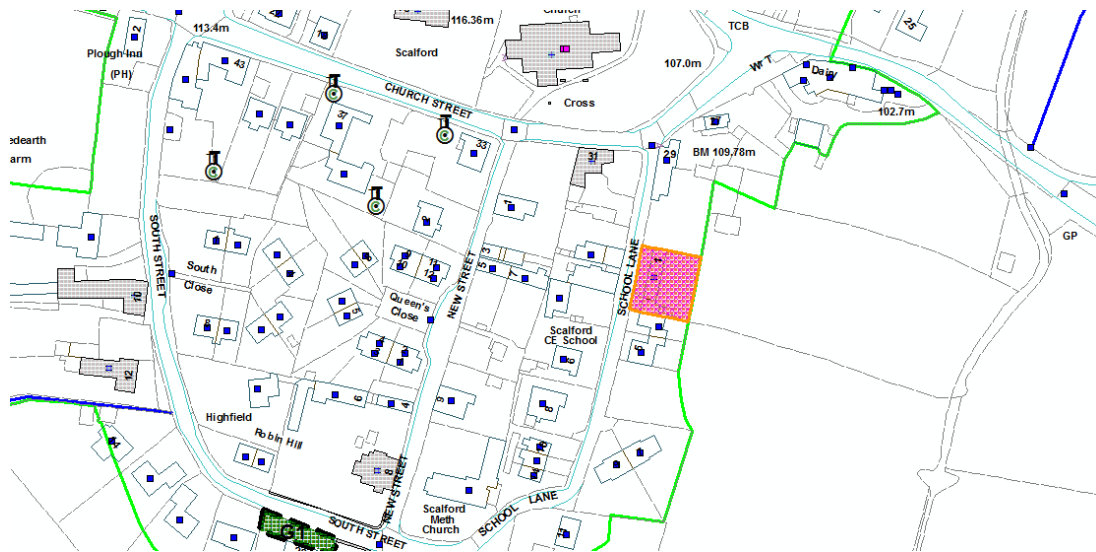


**Reference:** 14/00127/FUL  
**Date submitted:** 26.03.14  
**Applicant:** Ms Jolli Waterland - MWS Property Group  
**Location:** Clemrose Cottage, 1 School Lane, Scalford, LE14 4DT  
**Proposal:** Conversion of dwelling house into 2 dwellings including rear and side extensions also demolition of existing store and garage



**Proposal :-**

This application seeks planning permission for the sub-division and extension of no. 1 School Lane to provide 2 no. three bedroom dwellings. The dwelling lies within the designated conservation area and village envelope and is situated along School Lane, which is a narrow highway. The existing cottage contains three bedrooms and sits facing School Lane with access and parking to the south.

**It is considered that the main issues relating to the proposal are:-**

- **Impact upon the Character of the Area**
- **Impact upon Neighbouring Properties**
- **Impact upon Highway Safety**
- **Meeting housing needs**

The application is to be considered by Committee due to the number of representations received.

**Relevant History:-**

No relevant planning history.

**Planning Policies:-**

**Melton Local Plan (saved policies):**

Policies OS1 and BE1 allow for development within Village 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.

Policy H6: planning permission for residential development within Village Envelopes shown on the proposals map will be confined to small groups of dwellings, single plots or the change of use of existing buildings.

**The National Planning Policy Framework 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- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: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.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- deliver development in sustainable patterns and
- re-using brownfield land.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

**On Specific issues it advises:**

**Delivering a Wide choice of High Quality Homes**

- Set out own approach to housing densities to reflect local circumstances
- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities

- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

**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.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

**Consultations:-**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highway Authority</b> –No objection subject to conditions.</p> <p>These revised observations are made following receipt of the amended plans, received on 3 June 2014.</p> <p>Whilst the proposal is not ideal, in that it will lead to increased traffic using School Lane, the proposal will at least provide some betterment when compared to the existing parking arrangements for the current dwelling. This proposal does provide 2 usable car parking spaces for each property that are clear of the highway. As such it would be difficult to argue that the proposal as amended would create severe harm to road safety.</p>	<p>The proposal was amended following concern that the parking spaces were not adequate and would lead to parking within the highway. Due to the narrow design of the highway this would have created highway safety issues as two cars cannot pass without mounting the pavement. Being sited in close proximity to the primary school this would have created a hazard to pedestrians.</p> <p>The amended proposal now ensures that the four parking spaces comply with the highway standards for parking sizes and this improved situation is considered to offer some betterment when compared to the existing arrangements on the site.</p> <p>The subdivision will increase the parking provisions by two vehicles and this is not considered to be a material increase in traffic movements to warrant a refusal.</p> <p><b>It is not considered that the proposal would have a detrimental impact on highway safety.</b></p>
<p><b>Scalford Parish Council:</b></p> <p>Scalford Parish Council has studied information provided and has no objection in principal to the proposed building, other than to comment that it would be better if the stone outer walls were maintained throughout.</p> <p>The Council does however have grave concerns over the proposed parking arrangement for four cars and the fact it would be necessary in all probability to back out onto a very narrow road opposite a Primary School. If four cars were in the drive at the same time it would virtually impossible to get in and out of at least two of the cars. The exit the drive either forwards or backwards would require come right across the road to execute a right or left turn, virtually mounting the pavement.</p> <p>The Parish Council therefore feel the parking</p>	<p>The property is not listed but does sit within the Conservation Area for Scalford. The stone frontage is to remain in situ with the extension to the side, which includes a covered parking area with room above which will be constructed from stone to match. The end elevation will be rendered. The solid stone rear wall will be removed with the property extended in materials to match, creating four gables. It is considered that the use of stone will ensure that the proposed extension remains in keeping with the character of the Conservation area.</p> <p>In regards to the parking concern amended plans have been submitted to the satisfaction of the highways Authority.</p>

<p>arrangements need revisiting and press for this to be reviewed.</p> <p><b>Amended Plans Comments:</b></p> <p>No improvement in the parking arrangement from a road safety point of view. Because of the narrowness of School Lane it is virtually impossible to exit the property by car without coming very close to the pavement where young children could well be walking. In the Parish Councils view this does not address the basic problem of the children's safety and other pedestrians on the pavement.</p> <p>If this issue can be addressed by a reduction in the parking spaces required, to allow cars leaving the property a better sight of activity on the street and more manoeuvrability when reversing in and out the Parish Council would be happier.</p> <p>At the moment the Parish Council feels that enough thought has not gone into this, and whilst appreciating the applicant wishes to maximise the space available, the Parish Council cannot give this application it's approval.</p>	<p>There is a requirement from the Highways Authority for four parking spaces to serve both properties. This is in accordance with highway standards and a reduction in spaces could lead to parking within the highway which is contrary to the objectives of securing highway safety.</p> <p><b>The Highways Authority are not objecting to the proposal and considers the arrangement to be a betterment to the existing arrangement.</b></p>
<p><b>LCC Archaeology</b> – No objections subject to conditions.</p> <p>The Leicestershire and Rutland Historic Environment Record (HER) shows that the application site lies in an area of archaeological interest comprising the historic settlement core of the village of Scalford (HER ref.: MLE9169. The villages of Leicestershire and the wider English Central Midlands, appear to have evolved alongside their open field systems, during the later 1<sup>st</sup> millennium AD. Buried archaeological evidence, constituting one or more as yet unidentified heritage asset(s) (National Planning Policy Framework (NPPF) Section 12, paragraph 128 and Appendix 2), spanning the period from the earliest evolution of the village to its more recent past can be expected within the development area. Consequently, there is a likelihood that buried archaeological remains will be affected by the development.</p> <p>In accordance with the NPPF (Section 12, paragraph 141), the Local Planning Authority should require a developer to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance.</p> <p>To ensure that any archaeological remains present</p>	<p>Noted. Conditions can be imposed to ensure that appropriate Written Schemes of Investigation are undertaken and submitted for approval.</p>

<p>are dealt with appropriately, the applicant should provide professional archaeological Attendance for inspection and recording during the groundworks for the proposed development. A contingency provision for emergency recording and detailed excavation should be made, to the satisfaction of your authority in conjunction with your archaeological advisors in this Department's Historic &amp; Natural Environment Team (HNET). HNET will provide a formal Brief for the work at the applicant's request.</p>	
<p><b>LCC Ecology:</b> No objection</p> <p>The ecology report submitted in support of the application (Arbtech, March 2014) found no evidence of bats within the building, but considered the building to be of a medium potential to support roosting bats, based on a number of gaps within the tiles/mortar. The emergency report states that whilst bats were found to be active during the surveys, none were seen emerging from the building and it was therefore concluded that this building is not being used as a bat roost. No further action is required, but it is recommended that the applicants attention is drawn to the recommendations in the report.</p>	<p>Noted. Conditions can be imposed to ensure that protected species remain protected.</p>

**Representations:**

A site notice was posted and neighbouring properties consulted. As a result 7 letters of representation from 7 separate households objecting and offering comments to the proposal has been received to date. Following amended plans no further comments have been received;

<b>Representation</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highway Safety:</b></p> <p>Increase in parking will create hazards to the school children.</p> <p>The road is narrow and parking in the road would cause dangers to pedestrians.</p> <p>School Lane is a very busy not only at the start and end of the school day but during the day with school children travelling to the village hall for lunch and PE lessons.</p> <p>The proposed parking is directly opposite the school which will cause dangers to school children and parents with vehicles reversing out onto the lane.</p> <p>Increase in car movements would represent a</p>	<p>The existing dwelling has parking available on site in the form of a garage but has little space in front of the garage to accommodate a second car. There is a requirement for a three bedroom property to have two 'useable' spaces to discourage on street parking.</p> <p>The sub division of the property provides improved parking provisions for the existing dwelling and will increase the parking provision by two spaces for the additional dwelling. <b>The Highways Authority has not objected to the amended proposal and considers that there will be some betterment to the existing parking arrangements.</b></p>

<p>serious hazard to the school children - given that parents are advised that they must park on Church Street (for example) and walk their children up School Lane to the school as parking outside the school would both block the road and be hazardous.</p> <p>Space for 4 cars will pose an increased risk to the children at the village school opposite.</p> <p>There has been no vehicles at the property for many years, and the potential for an extra 4 vehicles to increase the volume of traffic poses a very real threat to the safety of the children travelling to and from school.</p>	
<p><b>Other Matters.</b></p> <p>There is no pressing reason why the existing single dwelling needs to be converted into two dwellings. There are better sited development sites in the village and with the recent development at Scholars Field there is plenty of similar sized housing available to meet demand.</p>	<p>Scalford lies within the Rural North of the Melton Borough where there is a strong need for smaller market housing such as 2 bedroom houses and 2-3 bedroom older people/downsizing accommodation. There are limited opportunities within village envelopes for significant new residential developments and therefore residential developments in the area should contribute towards the creation of a mixed community and have regard to local market housing needs.</p> <p>The existing dwelling is a modest three bedroom cottage and has a small kitchen area and downstairs bathroom. It is proposed to subdivide the property and extend to the side and rear to create an additional modest three bedroom property, both designed to assist with modern day living. Whilst the additional three bedroom dwelling does not provide an exact match to support the housing needs in the area, the size is not so excessive as to add to the over-supply of large executive housing. The net floor space is approx. 82 square metres which is comparable with that applied for a two bedroom dwelling size.</p> <p>The proposal provides additional housing in the village of Scalford and will support the services on offer at the village (school, shop, pub) The development is considered to comply with the local plan policies OS1, BE1 and H6 and there are no reasons why the proposal should not be supported.</p>

**Considerations not raised through Representations.**

Representation	Assessment of Head of Regulatory Services
<p><b>Design:</b></p>	<p>The proposal seeks to extend the existing dwelling to the rear and the side. The front elevation of the existing dwelling will remain unchanged. The new portion of the property has been design with the same porch and window detailing, in order to remain in character with the site. The covered</p>

	<p>parking with room above is not typical of the immediate area but is not considered to detract from the overall design as a pair of stone cottages. The design to the rear of the property brings a different character to the cottage as it presents gable additions in order to provide sufficient habitable space for the future occupiers. The solid rear wall is to be removed and large glazed doors inserted at ground floor level, with small windows to the first floor to serve the bedrooms. Overall the design and use of stone within the construction ensures that the design will not have a negative impact upon the character of the area and complies with the development plan policies.</p> <p>The cottage is not listed but due to age is considered as a heritage asset as promoted within the NPPF. The sensitive additions ensure that the property is brought up to current building regulations assisting with sustainable development techniques whilst providing dwellings suitable for small families and modern day living.</p>
<p><b>Impact upon neighbouring properties:</b></p>	<p>The application site sits within the residential area of the village, with residential dwellings to the north, south and the village school to the west. The rear of the properties overlooks open countryside and therefore the rear extension will not have any impact upon any residential amenity. There will be little change to the relationship of the neighbouring property to the north and west however the side extension will result in the built form being closer to the gable end of the property to the south. At present the single storey garage is built right up to the boundary and this will be demolished to make way for parking spaces. There are no windows on the gable end of either property and it is therefore considered that an acceptable relationship will remain and there will be no loss of amenity to any neighbouring property.</p> <p>The village school sits opposite the site and is built on the back edge of the pavement. Whilst concerns have been expressed by the school this is not in relation to the design but from the increase in traffic movements an additional dwelling will bring. At present there is the garage and entrance opposite the school, there will be no change to the current use happening in this location but an extra dwelling will bring additional requirements to the parking arrangements. The Highways Authority has no objection to the proposal and considers that the proposal brings improvements to the existing arrangement through securing better parking provisions to that currently on offer at the site. It is therefore considered that the proposal would not have a detrimental impact upon the school.</p>

<p><b>Application of the Development Plan Policies:-</b></p> <p>The site sits 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>Policy H6 allows for infill development of single and small groups within the village envelope.</p>	<p>The proposal seeks to sub-divide an existing modest dwelling to create two dwellings to comply with current building regulations. The proposal is capable of complying with the local plan policies given that the design is suitable and an acceptable relationship with neighbouring properties is achieved. Whilst highways safety is a concern to local residents the Highways Authority has no objection to the proposal given that there are considered to be some benefits to the existing arrangement. It is considered that the development complies with the local plan policies and promotes sustainable housing growth as stipulated within the NPPF.</p>
<p><b>Compliance (or otherwise) with Planning Policy</b></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>The NPPF seeks to boost the economy and house supply to meet local housing needs. This proposal is considered to meet those objectives.</p>

### Conclusion

The application site lies within the village envelope and thus benefits from a presumption in favour of development under policies OS1, BE1 and H6. The proposed development has been designed to have a limited impact on adjoining properties, and is considered capable of reflecting the character and appearance of the surrounding area; and complies with highway requirements. The house type proposed meets the requirements of the Borough's housing needs in providing modest three bedroom accommodation of which there is a shortfall in the area. The NPPF seeks to boost significantly housing growth in sustainable location of which Scalford is considered as a sustainable village within the Local Development Framework. Accordingly, the proposal is recommended for approval subject to conditions.

### **RECOMMENDATION:- Approve, subject to the following conditions:**

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in strict accordance with plan drawing nos. Scalford/04 revision A submitted on the 3<sup>rd</sup> June 2014.
3. No development shall start on site until representative samples of the materials to be used in the construction of all external surfaces have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access or parking areas.
5. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.
6. The car parking facilities shown serving each dwelling shall be provided, hard surfaced and made



available for use before the dwelling is occupied and shall thereafter be permanently so maintained and remain available for car parking.

7. Before first occupation of each dwelling, its access drive/parking space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.
8. Before building works commence, all walls, fences, vegetation on or within 2.0 metres of the edge of carriageway across the entire site frontage that exceeds a height of 600mm above the level of the adjacent carriageway, shall be removed or reduced so that it does not exceed a height of 600mm above the site frontage. Once provided the frontage shall thereafter be permanently so maintained with nothing erected or allowed to grow with 2 metres of the edge of the carriageway that exceeds a height of 600mm above the level of the adjacent carriageway.
9. No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing.
10. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation.
11. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995 as amended (or any Order revoking and re-enacting that Order) in respect of the replacement dwelling hereby permitted no development as specified in Classes A, B, C with the exception of C.1. (c) (ii), D or F shall be carried out unless planning permission has first been granted by the Local Planning Authority

Officer to contact: **Mrs Denise Knipe**

**Date 8th July 2014**