

Reference: 14/00241/FUL
Date submitted: 26th March 2014
Applicant: Mr & Mrs R Turner
Location: Harston Lodge, Grantham Road, Croxton Kerrial NG32 1QQ
Proposal: Erection of outbuilding for hobby purposes



Introduction:-

The application seeks full planning permission for the erection of an outbuilding to the south of an existing dwelling known as Harston Lodge. The site is in the open countryside, outside the residential curtilage of the dwelling, which is located at the end of a single track road accessed from the A607 Melton to Grantham road. To the north of the dwelling are further outbuildings, and the dwelling Brices Barn which is also accessed along the same track. The proposed outbuilding is to be used for storage relating to Harston Lodge, for hobbies and equipment to maintain the land.

It is considered that the main issues relating to the application are:

- **Impact upon the open countryside**

The application is required to be considered by the Committee due to its compliance (or otherwise) with planning policy.

Relevant History:

There is no relevant history at the site.

Development Plan Policies:

Melton Local Plan (saved policies):

Policies OS2 and BE1

OS2 states that planning permission will not be granted for development outside town and village envelopes unless, among other things, limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.

BE1 states that planning permission will not be granted for new buildings unless among other things, they are designed to harmonise with their surroundings in terms of height, form, mass, siting, construction materials and architectural detailing, and adequate vehicular access and parking is provided

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It 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- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: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 establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- Always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it.

On Specific issues relevant to this application it advises:

Conserving and enhancing the natural environment

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority: Suggest that the building, if approved, should be conditioned for personal and private use only.	<p>Noted.</p> <p>The proposed building would be erected on land to the south of the dwelling, using the same access track as the host dwelling and the neighbouring dwelling to the north. Within the site there is a large amount of hard surfaced area for parking and turning.</p> <p>Whilst the access track is not ideal, as there are no passing places within the final approach, the track only serves two dwellings and it is possible to check for other traffic before making the final approach to</p>

	<p>the site. The visibility for turning back out onto the A607 either towards Melton Mowbray or Grantham is good as the road is relatively straight at that point.</p> <p>The proposal itself would provide further garaging for vehicles and machinery in the interests of security.</p> <p>The proposal is considered to meet the objectives of policy BE1 which seeks to ensure that new buildings provide adequate vehicular access and parking.</p>
<p>Parish Council: No comments</p>	<p>Noted.</p>
<p>LCC Archaeology:</p> <p>Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) indicates that whilst no archaeological remains have, as yet, been recorded from the application site, the presence of heritage assets in the vicinity has been noted, including the recovery of an Anglo-Saxon loomweight (HER ref.: MLE6196) and Roman pottery and coins indicative of one or more occupation sites, in the vicinity of Blackwell Lodge (MLE3565 & MLE7973). To the east of the site is The Drift, an ancient trackway of uncertain origin, likely to date from the later prehistoric or Roman periods (MLE5345).</p> <p>It is therefore concluded that the application area has a potential to include heritage assets with an archaeological interest (National Planning Policy Framework (NPPF) Section 12, paragraph 128 and Appendix 2).</p> <p>Appraisal of the development proposals suggests the scheme includes works (e.g. foundations, services and landscaping) likely to impact upon any buried archaeological remains. In consequence, the local planning authority should require the 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 (NPPF Section 12, paragraph 141).</p> <p>To ensure that any archaeological remains present are dealt with appropriately, the applicant should provide for an appropriate level of archaeological investigation and recording. This should consist of a programme of archaeological work, to be conducted as an initial stage of the proposed development. It should include an archaeological soil strip of the development area; any exposed archaeological remains should then be planned and appropriately investigated and recorded. In addition, all services and other ground works likely to impact upon archaeological remains should be appropriately investigated and recorded. Provision must be made within the development timetable for archaeologists to</p>	<p>Noted.</p> <p>The requirements of the Archaeology advisor can be conditioned on any approval granted at the site to safeguard any important archaeological remains present.</p>

<p>be present during these works, to enable the required level of archaeological supervision.</p> <p>A contingency provision for emergency recording and detailed excavation should be made, to the satisfaction of the Local Planning Authority in conjunction with archaeological advisors. The Archaeology Section will provide a formal Brief for the work at the applicant's request.</p> <p>The applicant should, if planning permission is granted, also obtain a suitable written Specification and costings for the archaeological recording from an archaeological organisation acceptable to the Local Planning Authority. This should be submitted to the Archaeology Section, as archaeological advisors to the authority, for approval before the start of development, along with the Local Planning Authority.</p> <p>The Specification should comply with the above mentioned Brief, with the Department's "Guidelines and Procedures for Archaeological Work in Leicestershire and Rutland" and with relevant Institute for Archaeologists "Standards" and "Code of Practice". It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.</p> <p>Therefore, should planning permission be granted a conditions should be imposed to safeguard any important archaeological remains potentially present. This advice has not changed since the amended plans were received in May 2014.</p>	
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Representations:

The consultation was publicised by way of a site notice being posted at the entrance to the site. One neighbour was also consulted. No representations have been received to date.

Other material considerations (not raised through consultation of representation)

Consideration	Assessment of Head of Regulatory Services
Design	<p>Amended plans were requested following the initial submission which showed a larger, taller building further away from the existing house.</p> <p>The revised plans show the building still adopting an (albeit) smaller L-shape, but moved closer to the dwelling, sited to the north of the proposal. The overall footprint of the building has been reduced by approximately 30%, from 294sm to 203sqm. The ridge height has also been reduced from a maximum of 5 metres to 4.2 metres. The revised building would be located 6 metres from the dwelling, whereas the original proposal located the building 25 metres from the dwelling.</p> <p>The building has been designed to have a more traditional agricultural feel, with green corrugated</p>

	<p>sheeting to the upper parts of the walls and the roof. The lower walls will be constructed of clipsham stone, with red brick quoins to the corners and windows. The two larger openings will have roller shutter doors, and the windows and pedestrian access door will be constructed of timber.</p> <p>Following the receipt of amend plans it is now considered that the building relates well to the existing dwelling and further agricultural buildings to the north of the site. Whilst the proposal is still considered to be large in scale, the ridge height has been reduced, and the proposed materials would help the building to blend in well in the countryside location and the buildings locally.</p> <p>Therefore, the building is considered to meet the objectives of policy BE1 which seeks to ensure that new buildings are designed to harmonise with their surroundings in terms of height, mass, form, siting, construction materials and architectural detailing.</p>
<p>Application of the Development Plan Policies</p>	<p>Melton Local Plan policy OS2 allows for limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.</p> <p>The proposed building is outside of the residential curtilage, to the south of the dwellinghouse. Whilst the building is considered to be for recreational use, it is not considered to be small in scale, and is therefore contrary to policy OS2.</p> <p>The applicant has stated that the building is required for storage of vehicles that he keeps for hobby purposes (classic cars and motorbikes), and also for the storage of machinery for the maintenance of the land surrounding the dwelling. It is considered that the proposal meets with the objectives of policy BE1 with regards to the design (as discussed above). The application is not considered to be farm diversification; therefore there are no relevant exception policies to OS2 to apply in this case.</p> <p>The NPPF does not offer any particular advice in relation to this type of application, as it does not relate to economic development in the rural area. The NPPF states that where relevant policies of the development plan are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Policy OS2 is considered to closely comply with the overall aims and objectives of the NPPF towards the provision of sustainable development, but as stated above, it does not offer any particular advice in relation to this type of application.</p>

	<p>Planning law requires that applications for planning permission are determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, the proposal is considered to comply with policy BE1, but not policy OS2 of the Melton Local Plan. Members are invited to consider whether a departure from policy is justified in this case.</p>
<p>Impact upon the open countryside</p>	<p>The proposed building will be located to the south of the dwelling, screened relatively well to the east by trees planted on site. There are further buildings to the north which are taller than the proposed building, and this structure would be viewed within the group of existing buildings from all viewpoints.</p> <p>Further to the south there are more agricultural buildings and associated dwellings located approximately 200m from the application site. To the west there are trees which provide a good level of screening to the site from further afield. The site is relatively high, but on a plateau and is no higher than most of the surrounding land.</p> <p>The proposal is not considered to have a negative impact upon the open countryside, and is considered to blend in well with the other buildings on site, and would be viewed as a collection of buildings in this area. The land is not a recognised Site of Special Scientific Interest (SSSI), nor is it an Area of Outstanding Natural Beauty (AONB) Therefore the proposal is considered to meet the objectives of the NPPF which seeks to protect and enhance valued landscapes.</p>
<p>Amenity & Residential Privacy</p>	<p>The building is approximately 200 metres to the north of the nearest residential dwelling not associated with the site.</p> <p>A building of this type and size is not considered at this distance to have a negative impact upon the residential privacy and amenity of this neighbour, and as such would comply with the aims and objectives of policy BE1 in this respect.</p>

Conclusion

The proposal lies within the open countryside, outside of the residential curtilage to the south of the existing dwelling. As such, policy OS2 applies which only allows for small scale developments in the open countryside for recreational purposes. The building is considered to be large in scale, with an overall footprint of 203sqm and is therefore considered to be contrary to policy OS2. The building is however considered to meet the overall objectives of policy BE1 which seeks to ensure that planning permission is not granted for new buildings unless they are designed to harmonise with their surroundings in terms of height, form, mass, siting, construction materials and architectural detailing. It is also considered that adequate vehicular access is provided to the site. The location of the building is close to other buildings, having the appearance of a collection of outbuildings surrounding a farm dwelling and is relatively well

screened by other buildings and planting. Therefore, on balance it is not considered that the proposal would have an adverse impact on the open countryside and is recommended for approval. Members are invited to consider whether a departure from policy is justified in this instance.

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. This decision relates to the approved amended plan numbered A1-20-05-2014, and the amended site location plan received at these offices on 4th June 2014.
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details
4. The outbuilding hereby approved shall be for the sole private use of the occupier of Harston Lodge and shall not be leased, sold or hired, nor should a business be run from the site.
5. 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. The scheme shall include an assessment of significance and research questions; and:
 - o The programme and methodology of site investigation and recording
 - o The programme for post investigation assessment
 - o Provision to be made for analysis of the site investigation and recording
 - o Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - o Provision to be made for archive deposition of the analysis and records of the site investigation
 - o Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
6. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 5.
7. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 5 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt; the initial proposals being considered unsatisfactory.
3. To ensure a satisfactory standard of external appearance.
4. In the interests of highways safety.
5. To ensure satisfactory archaeological investigation and recording.
6. To ensure satisfactory archaeological investigation and recording.
7. To ensure satisfactory archaeological investigation and recording.

Officer to contact: **Mrs Sarah Legge**

Date: 13th June 2014

