DATE OF COMMITTEE: 26th May 2016

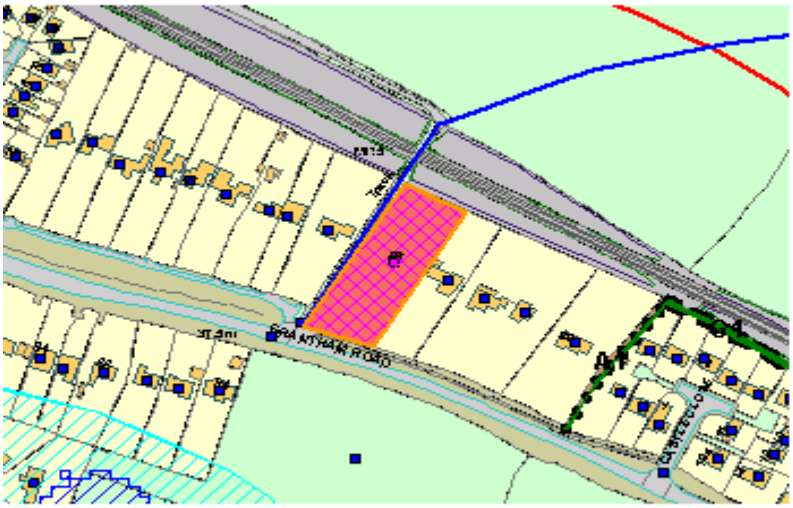
Reference: **16/00114/FUL**

Date submitted: **24 February 2016**

Applicant: **Mr Ross Whiting**

Location: **Eastcote, 91 Grantham Road, Bottesford**

Proposal: **Erection of a garage for Plot 2.**



Introduction:-

The application comprises the erection of a garage to serve Plot 2. The footprint of the building would be 9.5 metres by 6.5 metres with a height of 2.5 metres. The garage would be located to the front of the approved dwelling, set well into the site. The original dwelling has been demolished and work has commenced on the replacement dwellings. The area is characterised by dwellings set well back from the highway with access points onto Grantham Road.

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

- **The visual impact of the proposal;**
- **The impact on the residential amenities of occupiers of neighbouring properties;**
- **Highway safety.**

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

Relevant History:-

There is a detailed history on the site. This includes 15/00035/OUT which approved the development of 2 dwellings and 15/00604/REM which approved the reserved matters for the two dwellings. Permission has been granted under 15/00823/FUL to provide a separate access for each dwelling. 15/00924/VAC approved a variation of condition under 15/00604/REM.

Enforcement Action: 2 Notices have been served relating to:

- **Failure to submit levels required by conditions**
- **Provision of parking and wheel washing facilities within the boundaries of the site.**

The first of these was resolved following the service of the Notice. The second is on going and will remain so as it relates to the entirety of the build process. Further issues have been reported in respect of the height of the fence and removal of hedgerow on the west boundary. However neither of these are dependant of the amendments proposed by this application and will continue to follow their separate course.

Development Plan Policies:

Melton Local Plan (saved policies):
Policies OS1 and BE1

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.

National Planning Policy Framework – Introduces the 'Presumption in favour of Sustainable Development' and states that development proposals should be approved if they accord with the Development Plan, or, if it is out of date or does not address the proposal, approve proposals unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits,
- specific policies in this Framework indicate development should be restricted.

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:

- Proactively support sustainable economic development to deliver homes and business that local areas need;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- deliver sufficient community and cultural facilities and services to meet local needs;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focusing development in locations which are or can be made sustainable.

On Specific issues relevant to this application 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;
- Securing high quality and inclusive design goes beyond aesthetics considerations and should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Bottesford Parish Council: There are many objectionsby the public. All Councillors objected with concerns:	The proposed garage would be set forward of the approved dwelling and would be approximately in line with the garage approved to serve Plot 1. The

The applicant appears to ride rough shed over all planning matters. Although the adjacent garage has been approved there was still concern that the building line is not adhered to. Existing hedge removal (west of site) at the rear of proposed garage was a concern. It was suggested that perhaps the garage should be incorporated into the house.	garage would be approximately 27 metres from the highway. The area is partly characterised by buildings set well into the site with large front gardens separating the dwellings from the highway. Although the proposed garage would be forward of the adjacent dwellings the outbuilding would be a relatively unobtrusive structure when viewed from the public realm by reason of the siting, size and distance from the back edge of the pavement. The garage would be sited with the narrower part of the building running parallel with the front boundary with more oblique views of the front elevation. Furthermore, the height of the garage would be limited at 2.475 metres. It is considered the proposed garage would not be overly dominant on the site or street scene due to the design and siting. Furthermore, it would be approximately in line with the approved garage to serve Plot 1 and a landscaping scheme can be imposed to further integrate the building into the plot. This can also cover the details of the proposed green planted flat roof. It is noted the garage would form part of the boundary with the adjacent footpath. However, this would comprise only a relatively small part of the boundary treatment and would be well set back from the highway. **It is considered the proposal is acceptable in terms of visual amenity and complies with Policies OS1 and BE1 of the Local Plan and the NPPF.**

Representations

A site notice was posted and neighbouring properties consulted. Representations were received from 11 households objecting to the proposal.

Representation	**Assessment of Head of Regulatory Services**
Visual Impact The development is inappropriate as supported by previous appeal decisions, the proposal would be inconsistent with the distinctive layout with the settlement pattern and harm the appearance of the street scene. The proposed garage would break the building line and lead to the garage wall abutting the footpath. The rural aspect of the site would be affected. Landscaping has been removed allowing the garage to be in full view. The proposed garage would not be screened from the road and would be an eyesore If approved it would make it difficult to resist similar developments which would erode the character of the area. The Council has previously refused permission for buildings in front gardens along this stretch of road and	It is noted an application to site a dwelling in the front garden was refused and dismissed on appeal. However, the current proposal is substantially different from that scheme as it relates only to an outbuilding and not a separate dwelling. As such, the current proposal would have a substantially lesser impact on the visual character and appearance of the site and streetscene compared to the previous refusal. The garage would have a subordinate character and is not comparable to the previously refused scheme as the established building line of the dwellings would be maintained. A landscaping scheme can be imposed to ensure the garage would be well integrated into the site and to reduce further the visual impact.

both were dismissed on appeal with the Inspector referring to the well established building line. Drainage Greenery has been removed from the site and surface water now surrounds the front wall, running into the neighbour's ditch. A long term drainage solution needs to be found before considering further development. Due to excavation there is potential for movement of clay soil. Ownership The ownership of the land needs to be clarified to cover maintenance and liability of those using the footpath.	As each planning application is dealt with on its merits there is no precedent. In terms of drainage it is not considered surface water run-off would be significant as the proposed green planted roof would restrict runoff onto the remainder of the site. The applicant has confirmed the proposed development would take place on land within their ownership. **It is considered the proposal would be visually acceptable and not lead to additional drainage problems within the site. The proposal is considered on its own merits and would not set a precedent for further development on adjacent sites.**

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
Application of Development Plan and other planning policy <u>Policies OS1 and BE1</u> 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; • development harmonises with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing; • the development would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight or daylight; • adequate space around and between dwellings is provided.	The proposal relates to the erection of a garage and the key issues are therefore the visual impact, the relationship between the proposal and neighbouring properties and highway safety.
Visual Amenity **<u>Policy OS1</u>** states permission will be granted for development where the form, character and appearance of the settlement is not adversely affected and the form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality. **<u>Policy BE1</u>** states permission will be granted for development where the form, character and appearance of the settlement is not adversely affected.	The visual impact of the proposal has been discussed above. **The proposal is considered to be acceptable in terms of visual amenity and complies with the above polices relating to visual amenity.**

Residential Amenity Policy OS1 states development should not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; Policy BE1 allows for development providing that (amongst other things):- • The development would not adversely affect occupants of neighbouring properties;	The proposal would be set a significant distance from neighbouring properties and this would ensure there would be no undue adverse impact on the residential amenities of any neighbouring property. **The proposal would be acceptable in terms of residential amenity and would comply with the above policies.**
Highway Safety Policy OS1 states permission will be granted for development where satisfactory access and parking provision can be made available. Policy BE1 states permission will be granted where adequate vehicular access and parking is provided.	The proposal would provide additional parking provision to serve the approved dwelling and would use the existing access. **The proposed access is therefore considered acceptable in terms of visibility and complies with the above policies.**

Conclusion

The proposal relates to the erection of a garage and the proposal is considered acceptable in terms of visual and residential amenity and highway safety. Conditions can be imposed to ensure the site is developed satisfactorily. The proposal complies with the above policies and NPPF.

RECOMMENDATION:- Approve, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. The development hereby approved shall be built in accordance with the following plans: 1:1250 Location Plan, 1:500 Block Plan and A4 Elevation Plan.

3. Within two months of the date of this permission, a plan showing a detailed soft and hard landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include details of:

   (a) any existing trees, shrubs, hedges, water bodies to be retained and measure of protection in the course of development;
   (b) new tree and shrub planting, including plant type, size, quantities and locations;
   (c) other surface treatments;
   (d) any changes in levels or contours;
   (e) boundary treatment;
   (f) details of the green planted roof.

4. The approved landscaping scheme shall be carried out within one year of completion of the development and any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.

5. The development shall be carried out in accordance with the details as specified in the application.

Reasons:

1. To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and to enable the Local Planning Authority to review the consent if a further application is made.

2. For the avoidance of doubt.

3. To ensure that the Local Planning Authority can exercise proper control over the visual appearance of the area and in the interests of visual amenity.

4. To ensure that the Local Planning Authority can exercise proper control over the visual appearance of the area and in the interests of visual amenity.

5. To ensure that the Local Planning Authority can exercise proper control over the visual appearance of the area and in the interests of visual amenity.

Officer to contact: **Mr Joe Mitson** **Date: 10.5.2016**