

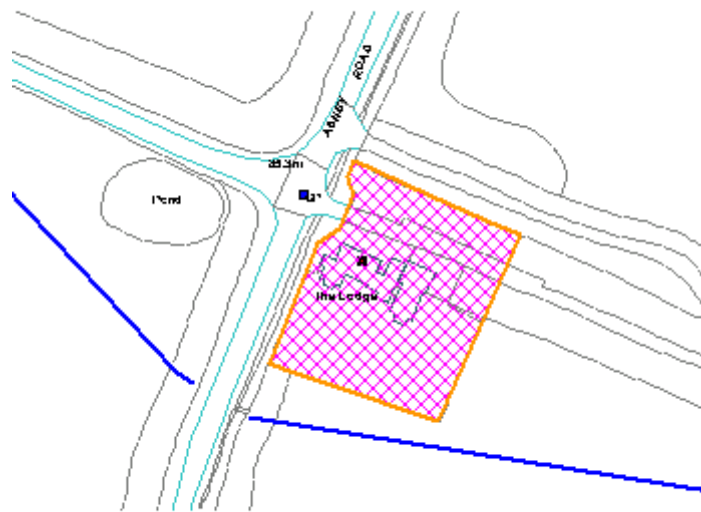
Reference: 16/00202/FUL

Date submitted: 24 March 2016

Applicant: Mr C Shield

Location: The Lodge, Gaddesby Lane, Ashby Folville

Proposal: Conversion, remodelling and extension of single residential dwelling into two separate residential dwellings and part demolition of existing buildings.



Introduction:-

The application comprises the part demolition of the building and the conversion and remodelling of the remaining building to form two separate dwellings. A garage to serve each dwelling is also proposed.

The site accommodates the former lodge to Ashby Folville Manor and is adjacent to the original entrance gates to the Manor. There is countryside on all sides and the site lies within Ashby Folville Conservation Area.

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

- **The principle of an additional dwelling at this location;**
- **Visual impact of the proposal, including on the character and appearance of the Conservation Area and on the setting of the adjacent listed buildings;**
- **The impact on the residential amenities of occupiers of neighbouring properties;**
- **Highway safety;**
- **Ecology.**

The application is to be heard by the Development Committee as the proposal relates to the creation of an additional dwelling in an unsustainable village.

Relevant History:-

There is no relevant history on the site.

Development Plan Policies:

Melton Local Plan (saved policies):

Policy BE1

Policy BE1 allows for development providing that:-

- would harmonise with surroundings;
- would safeguard residential amenity;
- provide adequate space around dwellings;
- adequate access and parking is provided.

Policy OS2

Policy OS2 states planning permission will not be granted for development outside the town and village envelopes except for:-

- development essential to the operational requirements of agriculture and forestry;
- limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside;
- development essential to the operational requirements of a public service authority, statutory undertaker or a licensed telecommunications code system operator;
- change of use of rural buildings;
- affordable housing in accordance with Policy H8

Where such development would lead to the coalescence of existing settlements, planning permission will not be granted.

Policy C15 – states permission will not be granted for development that would have an adverse effect on the habitat of protected species unless no other suitable site is available and the development is designed to protect the species.

It is considered these policies are generally compatible with the aims of the NPPF.

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.

Conserving and enhancing the historic environment

- In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. 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. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.
- In determining planning applications, local planning authorities should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Ashby Folville Parish Council – No objection.	Noted.
<p>The Highway Authority: refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011. Consider access, parking and turning arrangements for each property.</p>	<p>The site is accessed via a drive to the west of the buildings and this access would continue to serve the proposed two dwellings. The access is considered acceptable to accommodate the likely limited increase in traffic accessing the proposed two dwellings. Adequate parking would be provided for each dwelling through the proposed garaging and turning space is available utilising the access drive which is lightly trafficked.</p> <p>It is considered the proposal would be acceptable</p>

	in terms of highway safety and would comply with the above policies.
<p>LCC Ecology: The ecology report submitted in support of this application (Curious Ecologists, February 2016) is satisfactory. No protected species or ecological features of note were identified and no further action is required. Recommend that the applicant follows the recommendations in the report.</p> <p>The proposed development is within 100m of a pond that has a high potential of supporting great crested newts (GCN). However, the proposed development is to take place on existing hardstanding, which is sub-optimal habitat for GCN. Therefore, provided some simple mitigation measures are in place we would consider the likelihood of GCN being impacted by the development to be low. The measures to be followed should include:</p> <ul style="list-style-type: none"> - All materials to be stored off the ground (for example on pallets) to minimise the likelihood of GCN accessing them for refugia. - All spoil/waste materials to be removed from site at the end of each working day (or stored in a skip). - The site should be maintained as sub-optimal prior to the commencement of works. <p>Compliance with this should be required as a condition of the development.</p>	<p>The application includes a Protected Species Survey which concluded the site is of limited wildlife value, bats had not used the building as a roost site and the building was assessed as having low potential for roosting bats. No evidence of birds nests was found and there was no indication of any other protected species on the site being affected by the proposals.</p> <p>County Ecology accepts the findings of the survey and raises no objection. However, as the proposal is within 100 metres of a pond having a high potential of supporting Great Crested Newts mitigation measures are required and can be the subject of a condition.</p> <p>The proposal is considered acceptable in terms of ecology subject to a suitable condition and complies with the policies and NPPF.</p>

Representations

A site notice was posted, the application advertised and neighbouring properties consulted. No comments have been received.

Representation	Assessment of Head of Regulatory Services
No comments received.	Noted.

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Application of Development Plan and other planning policy</p> <p><u>Policy OS2</u> states permission in the open countryside will be limited to certain types of development including development essential for the operational requirements of agriculture.</p> <p><u>Policy BE1</u> allows for development providing that (amongst other things):-</p> <ul style="list-style-type: none"> • The buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing; • The buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight or daylight; 	<p>The site is beyond the village envelope on land classed as countryside where Policy OS2 seeks to restrict development. However, the building is existing and the proposal relates to the conversion of the structure to form an additional dwelling. The building was the former lodge to Ashby Folville Manor and has been extensively altered and extended historically.</p> <p>Local and national policies seek to secure residential development in the most sustainable locations and these locational factors also need to be balanced with the consideration of a number of other factors which include the need for housing.</p> <p>The site is set a significant distance from the village boundary and is considered to be relatively isolated from the centre of the village. Local Plan policies</p>

<ul style="list-style-type: none"> • Adequate space around and between dwellings is provided. 	<p>OS1 and OS2 are saved although recent appeals have made it clear they are out of date when considering the supply of the housing by their restrictive relevant in seeking to countryside and to prevent residential development in unsustainable locations.</p> <p>Ashby Folville is not considered to be a sustainable village as it has limited community facilities and occupants are heavily dependent on the private motor vehicle to travel to services and facilities. As such the principle of additional housing in such locations is generally not supported, unless material considerations outweigh the unsustainable nature of the site and settlement. These factors can include securing heritage enhancements and it is also acknowledged that the Council does not have a five year housing supply. It is also noted the proposal largely relates to the conversion of an existing building.</p> <p>The proposal would demolish part of the building and remodel the remaining building to form two separate dwellings. Although this would result in the creation of an additional dwelling in an unsustainable location significant weight can be given to the enhancement of the heritage assets.</p> <p>The proposal would remove some of the unsympathetic additions and the remodelling would result in a significant enhancement of the building. Areas of flat roofs and a dominant double garage would be removed. Overall, the proposals would lead to a significant improvement in the visual amenity of the building and would enhance the character and appearance of the Conservation Area.</p> <p>On balance therefore, it is considered the gain through the visual enhancement of the building would outweigh the creation of an additional dwelling in this unsustainable location.</p>
<p>Heritage Assets</p>	<p>As discussed above the site is within the Conservation Area with listed buildings in the locality and the Council has a duty to preserve and enhance the designation. S.66 relates to listed buildings and s.72 relates to Conservation Areas.</p> <p>The proposal would result in a visual enhancement of the site and street scene through the removal of the more unsympathetic later additions and the remodelling of the building. Details including materials, boundary treatment and design details can be controlled by conditions to ensure a high quality development.</p> <p>There are listed buildings in the locality and these include the church and Manor. Although the application site is a significant distance from these properties the lodge has a historic link to the Manor through the former use as the lodge and the enhancement of the building would benefit the</p>

	<p>setting of nearby listed buildings.</p> <p>The proposal is therefore considered to enhance the character and appearance of the Conservation Area and protect the setting of the adjacent listed buildings and complies with the requirement under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990.</p>
Residential Amenity	<p>The site occupies a relatively isolated location with no nearby neighbouring properties. The proposed works and creation of an additional dwelling would therefore not have a detrimental impact on residential amenity. Adequate amenity would be provided for the two dwellings to be created.</p> <p>It is considered the proposal could be carried out without undue harm to the residential amenities of occupiers of neighbouring properties and provide adequate amenity to future occupiers of the proposed dwellings.</p>

Conclusion

The proposal relates to the part demolition of the current building and the remodelling and alteration of the remaining building to form two dwellings. Although Ashby Folville is not a sustainable village the proposed scheme would have benefits including the enhancement of the Conservation Area. The proposal relates to the conversion of the existing building rather than a new build and would represent a significant visual improvement. The recommendation is very much on balance with significant weight given to the issue of sustainable development through the NPPF. However, in this case the benefits of the scheme are considered to outweigh the sustainability issue. The proposal is also acceptable in terms of residential amenity and highway safety and would safeguard the heritage assets. As such the proposal is recommended for approval.

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: 630.001, 630.501, 630.502, 630.503, 630.504 and 630.505.
3. No development shall take place until samples of the materials to be used on all external elevations and roofs of the development have been submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
4. Within one month of the commencement of works on site, 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 and water bodies to be retained and measures for their protection in the course of development;
 - (b) new tree and shrub planting, including plant type, size, quantities and locations;
 - (c) other surface treatments;
 - (d) fencing and boundary treatments;
 - (e) any changes in levels or contours.
5. 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

6. No development shall commence until full details of all new windows, doors, dormer windows and the garage doors have been submitted to and approved in writing by the Local Planning Authority. Such details shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The development shall be carried out in accordance with these approved details and retained as such thereafter.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any order revoking and re-enacting the Order with or without modification) no development falling within Schedule 2 Part 1 Classes A-F and Part 2 Class A shall be erected/carried out without the prior permission of the Local Planning Authority.
8. The car parking and garaging facilities shown serving each dwelling shall be provided, hard surfaced and made available for use before the associated dwelling is first occupied and shall thereafter be permanently so maintained.
9. The development hereby approved shall only be carried out in accordance with the mitigation measures contained in the Protected Species Survey February 2016. In addition, during construction and demolition all materials shall be stored off the ground (for example on pallets) to minimise the likelihood of GCN accessing them for refuge, all spoil/waste materials shall be removed from site at the end of each working day (or stored in a skip) and the site should be maintained as sub-optimal prior to the commencement of works.

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 materials used and the appearance of the building when completed, in the interest 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.
6. To ensure a satisfactory appearance of the development which does not detract from the fabric and character of these rural buildings or the countryside setting.
7. To safeguard the appearance of the development and the privacy and living conditions of nearby residents.
8. To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.
9. To ensure the safeguarding of protected species.

Officer to contact: **Mr Joe Mitson**

Date: 11.05.2016