

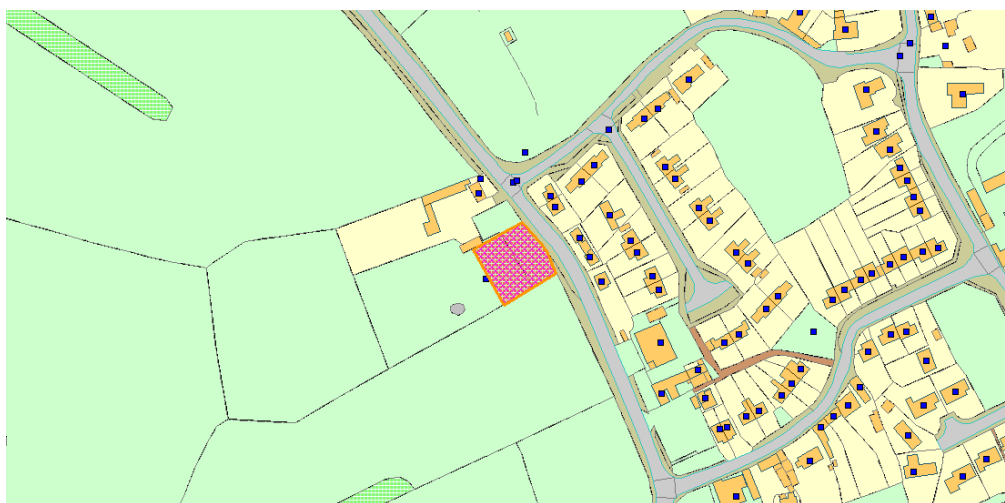
Reference: 16/00137/FUL

Date submitted: 8th March 2016

Applicant: Mr Martin Ellis

Location: Land adjacent to 61 Nottingham Road, Nether Broughton.

Proposal: Full planning consent for development of two single storey bungalow residences, with associated car-parking and hard landscaping; formation of domestic gardens to same.



Introduction:-

The application seeks full planning consent for the development of two single storey bungalow residences, with associated car-parking and hard landscaping; formation of domestic gardens.

Mill House is a grade II listed building and the proposal relates to the development of a greenfield site adjacent to it. A certificate of lawful use was granted in 2000 to continue to use part of the site as residential garden area to residence of Mill House but the application does not fall within the defined curtilage of Mill House and is now in an overgrown state. The site is bound by A606 to the east, screened by a mature hedge row, which also defines the boundary to the south.

It is considered that the main issues arising from this proposal are:

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area**
- **Impact upon residential amenities**
- **Sustainable development.**

The application is required to be considered by the Planning Committee due to the level of representations received.

Relevant History:

00/00066/CL – Proposed continued use of land as a garden
00/00519/FUL – Refused – Proposed outbuilding for garage garden implement store and animal feed store.
04/00366/FUL – Approved – Proposed single storey extension to rear of existing dwelling
04/00367/LBC – Approved – Proposal to construct a single storey extension to the rear of the existing dwelling.

15/00085/FUL – Refused – Proposed 2 x single storey bungalow residences, with associated car-parking and hard landscaping; formation of domestic gardens to same.

Development Plan Policies:

Melton Local Plan (saved policies):

Policies OS1, BE1

OS1 States that planning permission will only be granted for development within village envelopes where;

- 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 the character of the locality;
- The development would not have a significantly adverse effect upon the historic built environment or nature conservation features including trees;
- The development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity;
- Satisfactory access and parking can be made available.

BE1 states that planning permission will not be granted for new buildings unless among other things, they are designed to harmonise with their surroundings, they would not adversely affect the amenity of neighbours and there is adequate access and parking provision.

Policy C8 was not saved.

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 the 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 building
- take account of the different roles and character of different areas, promoting the vitality of main urban areas, protecting Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- encourage the effective use of land by reusing land that has been previously developed (brownfield)

On Specific issues relevant to this application it advises:

Promoting sustainable transport

- Safe and suitable access to the site can be achieved for all people
- Development should be located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport

Delivering a Wide choice of High Quality Homes

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA's should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.
- 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.
- Planning decisions 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 Natural environment

- Encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

Conserving and Enhancing the Historic environment

- Recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 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, and;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

The 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 paragraph 12).

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority: No objection subject to conditions</p> <ul style="list-style-type: none"> • Visibility splays of 2.4 metres by 60 metres shall be provided in each direction out of the proposed site access on to Main Road. • The shared private drive shown serving the site shall have a minimum width of 4.25 metres with minimum 0.5 metre wide clear margins on each side for at least the first 5 metres behind the highway boundary and have a drop crossing • Shared private access drive and turning space shall to 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. • Any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 5 metres behind the highway 	<p>Noted.</p> <p>It is not considered the addition of 2 further dwellings at the site would cause any additional highways dangers.</p> <p>The access is set back from the highway to allow vehicles to stop clear of the highway when accessing the site. Subject to additional works there will be good visibility from the access in both directions, with wide visibility splays.</p> <p>The site area marked on the plans shows an area large enough to provide the dwellings with plenty of off road parking that would ensure that vehicles would not need to park on the road, and could turn around on site to prevent reversing into the highway.</p> <p>It is not considered that the proposal would cause any highways safety issues. As such, the proposal</p>

<p>boundary and shall be hung so as not to open outwards.</p> <ul style="list-style-type: none"> • Drainage shall be provided within the site such that surface water does not drain into the Public Highway • The car parking and any turning facilities shown within the curtilage of each dwelling to be provided • Turning facility shown serving the dwellings provided, hard surfaced and made available for use within the site 	<p>is considered to meet the requirements of policy BE1 of the Melton Local Plan.</p>
<p>Parish Council:</p> <p>Request that Highways are asked to find a positive way to deal with the safety of the access. In the event of this requirement being met the PC have no objections to the development which would provide two needed bungalows in the Parish.</p>	<p>Noted</p>

Representations:

The application was advertised by way of a site notice at the application site. As a result of the consultation 2 letters of support were received.

Consideration	Assessment of Head of Regulatory Services
<ul style="list-style-type: none"> • The buildings are designed to complement the adjacent building of 61 Main Road. • Replacement of previous agricultural buildings. • Retention of trees ensures character is preserved. • Materials are appropriate for the area. • Previous ancillary buildings would have been located out of the village envelope. • The development does not constitute a brand new development on agricultural land or greenbelt. • Supportive of small development. • Properties will add to the housing stock. • Visibility is good at the location of the proposed access point. 	<p>It is agreed by the Local Planning Authority that the design of the dwellings and the materials to be used in construction subject to the submission of samples are appropriate for this development.</p> <p>In terms of ancillary buildings being located outside of the village envelope, these are new dwellings and are therefore classed as a new development and are not ancillary to the host dwelling, they will form separate additional dwellings.</p> <p>Small development which contributes to the housing stock is a material consideration, but not solely dependent on sustainability and is explained later on in the report in more detail.</p>
<p>Impact on Heritage Assets</p> <p>The application site is located within proximity to one Grade II listed Building, Mill House, approximately 20m north-west. There are remnants of ridge and furrow earthworks visible within the site and surrounding area and the built landscape in proximity to the application site is characterised by pantile roofs and red brick construction.</p>	<p>Historic England have set out guidance on setting issues in their 2015 publication ‘<i>The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3</i>’</p> <p>Guidance set out in the document (page 11) relevant to this application is as follows:</p> <p><u>Assessing the effect of the proposed development</u></p> <ul style="list-style-type: none"> • <i>The form and appearance of the development</i> • <i>Prominence, dominance, or conspicuousness</i>

- *Competition with or distraction from the asset*
- *Dimensions, scale and massing*
- *Proportions*
- *Visual permeability (extent to which it can be seen through)*
- *Materials (texture, colour, reflectiveness, etc)*
- *Architectural style or design*
- *Introduction of movement or activity*
- *Diurnal or seasonal change*

The Conservation Planning Officer advises that the above attributes of the proposal, neither independently or cumulatively, negatively impact on the setting of the listed Mill House with significant effect.

The agricultural outbuilding plan form and palette of materials proposed correspond to the rural vernacular architecture of Nether Broughton; the low ridge heights remain subordinate to the listed Mill House; the deep setback from the main A606 road ensures that Mill House remains the dominant presence from the streetscene;

Finally there is sufficient distance and screening between the development site and the listed building to ensure that views to /from Mill House are not setting not significantly impacted

On a separate note, there is a single storey 'stable range' extension that adjoins Mill House that was approved in 2004 under 04/00366/FUL and 04/00367/LBC. This extension, a poor facsimile of the original building style in unsympathetic building materials, is considered to be a harmful to the listed building in terms of its setting, particularly from the view looking West towards Mill House and arriving into Nether Broughton from the North along the A606.

Therefore the construction of an additional set of outbuildings, sufficiently conditioned to ensure the correct palette of materials and plan form is employed in the construction, will go a certain way to diminishing the impact of the 2004 extension. Historic England's 2015 guidance (page 4) states that:

Cumulative change

'Cumulative change Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset...Enhancement may be

	<p><i>achieved by actions including: introducing a wholly new feature that adds to the public appreciation of the asset.'</i></p> <p>It is the considered that, if designed in an appropriate manner with the right building materials, represents enhancement of the site by serving to diminish the negative accretions of the 2004 extension. Therefore a discharge of condition on materials is recommended before any commencement of works.</p>
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Other Material Considerations Not Raised In Consultations:

Consideration	Assessment of Head of Regulatory Services
<p>Lack of a 5 year Land Supply</p> <p>The Council does not have a five year land supply and therefore the local plan is silent in regards to housing policy and therefore the guidance within the NPPF takes clear precedence.</p> <p>The NPPF seeks to boost housing supply and requires provision of a 5 year supply of housing land plus 5% 'headroom'. Melton's most recent analysis concluded that this is not being met and the available supply is substantially below 5 years. Para 49 of the NPPF states that "Housing Applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."</p>	<p>Whilst the Borough does not have a 5 year land supply at present, the NPPF does not state that housing developments should be approved 'at any price' and that the supply of housing surpasses all other considerations.</p> <p>It is considered that, on the balance of the issues, there may be some benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply.</p> <p>This therefore needs to be balanced against any 'negative' issues such as the sustainability of the site.</p>
<p>Isolated development</p>	<p>The location of the proposal is detached from the core of the village. A non-negotiable segregation is formed by the A606. This causes significant impact to the proposal and would lead to an isolated development that would be detached from the existing built up form of the village.</p>
<p>Amenity</p>	<p>To the northeast is a detached dwelling and a pair of linked semi-detached properties. The proposal would be sited sufficient distance away from these properties so as not to have any adverse impact upon the residential amenities.</p> <p>To the northwest is Mill House, there are no windows on the southwest elevation of the dwelling and a small obscurely glazed window is proposed on the rear elevation of the nearest unit. It is not considered that the residential amenities of either dwelling would be unduly affected.</p>

Conclusion

It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

The Borough is deficient in terms of housing land supply more generally and this would be partly addressed by the application, smaller units are in demand within the Borough and the proposal presents the single storey smaller units that help to meet identified local needs.

Nether Broughton is considered to be a sustainable location for housing having access to various facilities and a regular bus service.

It is considered that balanced against the positive elements are the site specific concerns raised in this report, particularly the development of housing that is segregated to the main core of the village.

In conclusion it is considered that, on balance of the issues, the proposal is considered to offer public benefit when assessed as required under the guidance in the NPPF in terms of housing supply. The balancing issue is considered to be development within an unsustainable location, segregated from the core of the village by the A606.

The issue of development within this location and the separation between the proposal and the core of the village is considered to be of significant harm.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would significantly and demonstrably outweigh the benefits; it is considered that permission is cannot be granted and accordingly the application is recommended for refusal.

RECOMMENDATION: Refuse, for the following reasons:

- 1 In the opinion of the Local Planning Authority the proposal would lead to an unsustainable extension to the village of Nether Broughton that would be detached from the village being sited in open countryside. The A606 that bounds the site further hinders this connectivity to the village which cannot be mitigated against. The proposal is considered to be contrary to the local plan policies OS2 and BE1 and the NPPF in promoting sustainable development.

Officer to contact: **Miss Louise Parker**

Date: 27th June 2016