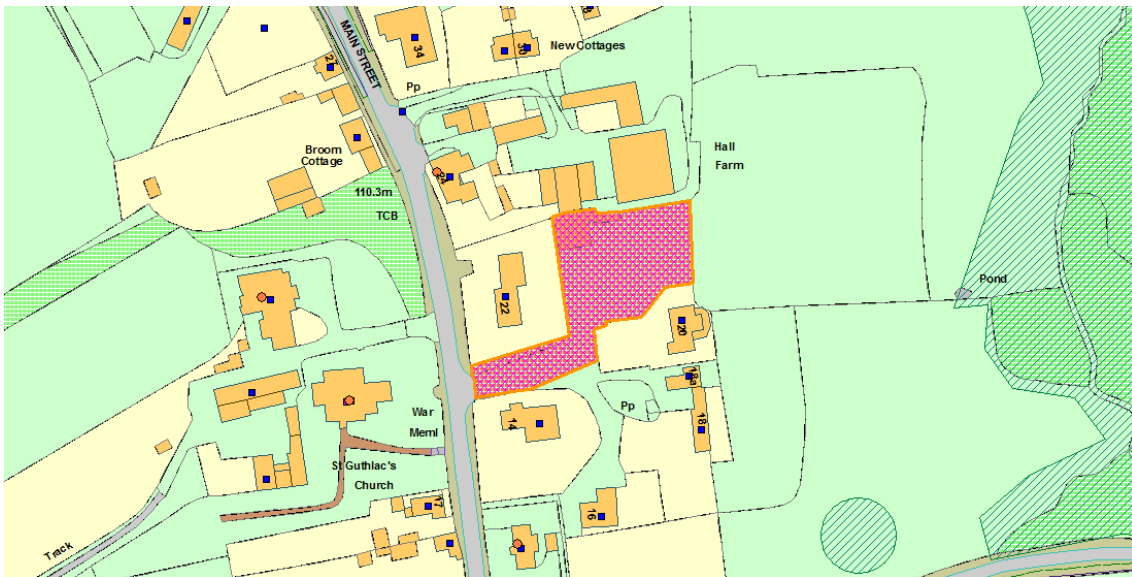


Reference: 16/00360/FUL
Date submitted: 23rd May 2016
Applicant: Mr Mike Booker
Location: AH & FW Booker, 20 Main Street, Branston, Grantham
Proposal: Proposed single storey dwelling and small commercial workshop



Introduction:-

The application site is located within the village envelope and conservation area for Branston, which is approximately 10 miles to the north east of Melton Mowbray. The site appears to be vacant, but is previously developed with a large concrete apron, and is separated from the open countryside to the east by a natural stone wall. There are existing residential dwellings to the west and south, and buildings associated with Hall Farm to the north. The farmhouse for Hall Farm is situated to the north west of the application site, and is a Grade II listed building.

It is considered that the main issue relating to the application is:

- **Whether the site represents a sustainable location for a new dwelling**
- **The impact of the commercial workshop on the residential amenity of neighbouring dwellings**
- **The impact of the proposal on heritage assets**

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

Relevant History:

Application 15/00955/FUL for the construction of new single storey dwelling with additional vehicle repair workshop and car parking was refused on 27th January 2016. There were two reasons for the refusal – the location of the dwelling was considered to be unsustainable, and there were concerns relating to the impact upon residential amenity of the proposed commercial workshop.

Development Plan Policies:

Melton Local Plan (saved policies):

Policies OS1, BE1

OS1 states that planning permission will only be granted for development within the 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 proposed use would not cause loss of amenity by virtue of noise, smell, dust or other pollution;
- The development would not cause unused loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity;
- Satisfactory access and parking provision 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.

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. Policy OS2 has been judged to be out-of-date in recent planning appeals as it has been considered to be a restrictive housing policy, particularly when assessing the impacts of housing proposals adjacent to existing settlements, as in this planning application.**

It establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

On Specific issues relevant to this application it advises:

Supporting a prosperous rural economy

Paragraph 28 of the Framework encourages local planning authorities to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. In particular it states that local plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings, and well-designed new buildings.

Delivering a wide choice of high quality homes

Housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 55 advises that to promote sustainable development in rural area, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

Conserving and enhancing the historic environment

Paragraph 131 states that in determining planning applications, local planning authorities should take account of:

- 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

At paragraph 132 the NPPF states that 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.

Paragraph 137 offers further advice for development within the conservation areas, and within the settings of heritage assets, and states that local planning authorities should look for opportunities for new developments in these areas to enhance or better reveal their significance. Where proposals preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset, they should be treated favourably.

As stated above, s38(6) requires determination to be in accordance with the Development Plan unless other material considerations indicate otherwise. This is reinforced by paragraph 11 of NPPF. These form the relevant Development plan policies and they remain extant.

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states at section 72 that there is a general duty with respect to Conservation Areas in the exercise of planning functions. Section 72(1) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.

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</p> <p>The Local Highways Authority refers the Officer to the Standing Advice. It is suggested that there could be surfacing improvements to the existing access onto Main Street (i.e. hard bound surfacing for the first 5 metres to reduce loose gravel / stones being deposited into the highway).</p>	<p>Noted.</p> <p>The site is accessed from Main Street via an existing shared driveway which is not made up of a hard bound material. The application shows parking of two spaces for the dwelling, which is sufficient to meet the likely requirements for a dwelling of that size, and there is plenty of space around the workshop to deal with the likely use of it.</p> <p>There are no particular parking problems in the area. The addition of a single dwelling in this location, subject to the imposition of certain conditions relating to surfacing and availability of parking spaces, is considered to meet the overall objectives of policies OS1 and BE1 of the Melton Local Plan.</p>
<p>Parish Council: Support</p> <p>The Parish Council give Mr Booker unanimous support for the application to go forward and believe that the</p>	<p>Noted.</p>

development of the site would improve and enhance the area substantially.	
<p>Historic England: No Objection</p> <p>The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.</p>	Noted. The impact of the application on the conservation area is discussed in full below.

Representations:

The application was advertised by way of a site notice at the application site and eight neighbours were informed. An advert was also placed in the local press. As a result of the consultation 9 letters of support and 1 objection were received.

Consideration	Assessment of Head of Regulatory Services
<p>Appearance and Heritage</p> <p>The current site stands out as an unattractive blot in an otherwise beautiful landscape. The development of the dwelling and workshop would vastly improve the area</p> <p>The design of the dwelling would be an improvement to the site, with natural stone and slate construction it would integrate well into its surroundings and the village as a whole.</p> <p>The design is attractive and understated.</p>	<p>Noted.</p> <p>Branston is an ironstone village, and the application site is accessed from Main Street, opposite the church. The application site is previously developed land, which would reuse an empty concrete apron area which has no purpose at present.</p> <p>The proposed dwelling is single storey, with a total of three bedrooms, one with ensuite and built in wardrobe. There is a family bathroom and a large open plan kitchen / dining / living room with utility room off. The dwelling would have its principal elevation facing towards the west, with the main entrance door under a roof canopy.</p> <p>The dwelling has a simple design, with two gables facing east, creating a relatively attractive roof line, with a large glazed section to the living area in the gable end. The overall height to the ridge would be 5.8 metres, and the height to the eaves would be 2.5 metres. The eaves are overhanging, giving the dwelling a more traditional appearance.</p> <p>There are design features such as stone quoins on the corners of the dwelling, and it is proposed to be constructed of natural ironstone to blend in with the principal material of the village. The roof would be natural slate, with two small velux style windows set into the west elevation over the front door. There would also be three velux windows in the south elevation over the living / kitchen / dining space,</p> <p>The proposed workshop would be located to the west of the dwelling, approximately 2 metres from the proposed principal elevation, on a north / south axis. The workshop would be 10mm higher than the proposed dwelling, but the eaves height would be the same. It would have a footprint of 12 metres by 8 metres. The proposed materials for the workshop are the same as those proposed to be used in the construction of the dwelling.</p>

	<p>In terms of appearance, the relationship between the proposed dwelling and the proposed workshop is very close, and not ideal, however it ensures that the workshop will be under the close control of the owner / occupier of the dwelling in terms of the potential impact upon residential amenity.</p> <p>Whilst the site is within the conservation area, it is not a protected open space, nor is the area an important gap within the streetscene of Main Street.</p> <p>It is considered that the siting, design and appearance of the dwelling would be in keeping with the architectural styling and materials of the village and the conservation area, and would enhance the overall appearance of the conservation area in accordance with paragraphs 131-134 of the Framework. The proposal would not harm to the significance of the conservation area, nor the listed building to the north west of the application site. It is considered that the proposal would lead to an enhancement of the immediate area and make a positive contribution to the local character and distinctiveness.</p>
<p>Sustainability</p> <p>It's important for small villages like Branston to be sustainable, with a lively community, young families and some high quality, limited development. This would be good for the village.</p> <p>The development would enhance the community and ensure that villages such as Branston remain sustainable and enriched.</p> <p>The village has no material facilities or public transport so is an unsustainable development location.</p>	<p>Noted.</p> <p>In terms of sustainability, Branston has a village hall, a pub and restaurant, church and cookery school. The proposed garage would carry out repairs on cars and lawn mowers.</p> <p>Whilst the village does not rank particularly highly in terms of sustainability, the site is brownfield, previously developed land and is a small unallocated infill plot. The site is within the village envelope, and it is considered on balance, that the development of the site to provide a single dwelling with a commercial workshop would provide a further service to the residents of Branston and surrounding villages.</p> <p>The proposal would allow for a new family to move into the village (Mr & Mrs Booker's existing home) which has the potential to increase local spending power and sustain existing facilities.</p> <p>It is considered that the proposal conforms with the overall objectives of sustainable development as promoted by the Framework.</p>
<p>Impact on Residential Amenity</p> <p>At present the site is an ugly storage space, filled with equipment and piles of materials. A dwelling in this location would improve the residential amenity of the area.</p>	<p>Noted.</p>

<p>Workshops can create a lot of noise from vehicles coming and going, engines starting, doors banking etc which is incompatible with a residential area. In this location such disturbances will be very noticeable.</p>	<p>The applicant has agreed that there would only be 1 employee at the garage, and the opening hours would be 8am to 6pm every day. This could form part of a planning condition if the application is approved, with the workshop being closed on Sundays and Bank Holidays to ensure that residential amenity is not adversely impacted by the proposal. It is considered that the noise that could be generated at such a workshop by one employee between the hours of 8am – 6pm Monday to Saturday would be compatible with a residential area. The workshop can also be conditioned that it should not be sold separately to the dwelling.</p> <p>Therefore, it is considered that the impact upon residential amenity would be negligible and comply with the overall objectives of policy BE1.</p>
<p>Economic Development</p> <p>The proposed garage is a much-needed service for locals</p> <p>The garage will bring some employment to the village</p> <p>It is inappropriate to create new commercial premises in a village / conservation area.</p>	<p>Noted.</p> <p>Mr Booker operated a commercial repair garage on the site for around 22 years and is aware of the present demand for such a facility in the village.</p> <p>The Framework is highly supportive at paragraph 28 of economic growth in rural areas, particularly in promoting the development of local services in villages. It is noted that the site is within the conservation area, however it is a previously developed, brownfield site and the development would enhance the overall appearance of the conservation area. Subject to conditions as discussed above, the times of operation can be restricted to be compatible with the village / residential area.</p>
<p>Highways Safety</p> <p>The dwelling will only create a small increase in traffic, but the workshop could create a much bigger and uncontrolled increase in traffic going in and out of a residential cul-de-sac and on Main Street.</p>	<p>Noted.</p> <p>The size of the workshop is not considered to cause significant movements to the detriment of highways safety due to the size of it and the opening hours suggested by the applicant.</p> <p>The Local Highways Authority have not objected to the proposal, and as such, it is considered to meet the overall objectives of policies OS1 and BE1 in regards to highways safety.</p>
<p>Other Considerations</p> <p>Allowing the dwelling will enable the Bookers to remain in the village close to their family.</p> <p>The application states that the workshop is associated with the dwelling, however the applicant states that the dwelling is for his own use, but the workshop is for the use of someone else – why are they associated?</p>	<p>Noted.</p> <p>Mr Booker is now retired, and intends that the proposed garage would be operated and managed by a younger person, providing some local employment. The garage would remain in his ownership.</p>

Other Material Considerations Not Raised In Consultations:

Consideration	Assessment of Head of Regulatory Services
<p>Policy Considerations</p> <p>The application is to be assessed against the NPPF and saved policies OS1 and BE1 of the Melton Local Plan.</p>	<p>The proposed dwelling and workshop are located approximately 25 metres from the rear elevation of the neighbour to the west of the application site. This separation distance is considered sufficient to ensure the residential privacy and amenity of this neighbour.</p> <p>The neighbour to the south of the proposed dwelling is approximately 10 metres from the proposed south elevation. There are no habitable windows overlooking the site, and as such it is not considered that the proposed dwelling would cause undue loss of residential privacy and amenity to this neighbour. To the north of the application site there are buildings associated with Hall Farm which would not be adversely impacted by the proposal.</p> <p>The proposal is therefore considered to comply with the overall objectives of policies OS1 and BE1 of the Melton Local Plan.</p>

Conclusion

The site is within the designated village envelope and conservation area for Branston. Branston is not considered to be a suitable location for new housing due to the lack of services and facilities for residents; therefore, further housing would increase the use of the private car.

The dwelling would however be located on a previously developed site, which is an infill plot within the village envelope. The proposal would also lead to the provision of a small commercial garage / workshop to provide facilities to the residents of this village and others in the locality. Whilst the location of the proposed dwelling is not ideal in terms of sustainability, it is considered on balance that the proposal can meet the objectives of both policies OS1 and BE1 of the Melton Local Plan, with regards to residential privacy and amenity, and the Framework in terms of providing sustainable development that conserves and enhances the historic environment. As such, the proposal is recommended for approval, subject to conditions.

RECOMMENDATION: Approval, 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 permission relates to the approved plans received at these offices on 23rd May 2016.
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 garage / workshop hereby approved shall not be sold separately to the dwelling.
5. The workshop / garage hereby approved shall only be open during the hours of 08:00 to 18:00 Monday to Saturday.
6. Prior to occupation of the dwelling hereby approved, the parking shown on the approved plans shall have been provided, hard surfaced and be available for use in perpetuity.

7. Prior to first occupation of the dwelling, the access driveway from Main Street shall have been re-laid in a hard bound surface for the first 5 metres beyond the highways boundary.

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.
3. To ensure a satisfactory standard of external appearance.
4. To ensure the residential amenity of neighbouring dwellings.
5. In the interests of residential amenity.
6. In the interests of highways safety.
7. To reduce the amount of deleterious materials deposited onto the highway in the interests of highways safety.

Officer to contact: **Mrs Sarah Legge**

Date: 29th July 2016