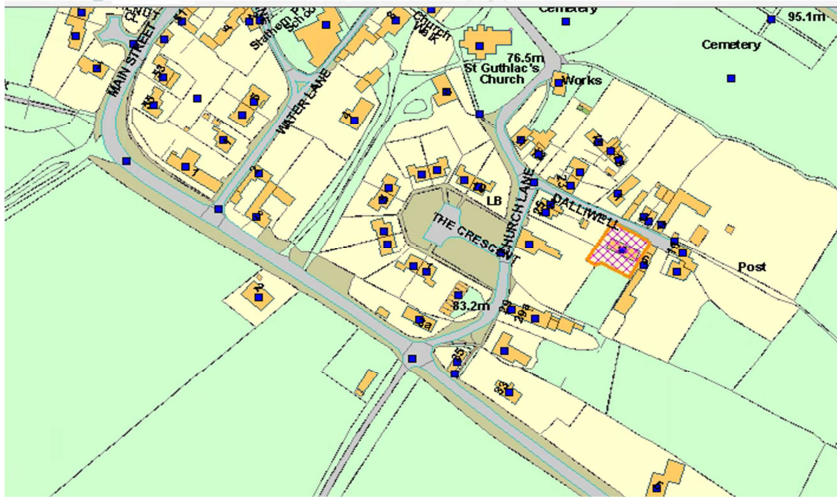


Reference: 16/00426/FUL
Date submitted: 17 June 2016
Applicant: Mr and Mrs Bembridge
Location: Woodville 4 Daliwell Stathern.
Proposal: Demolition of bungalow and replacement with 2 storey property.



Introduction:-

The application seeks planning permission for the demolition of one single storey dwelling and for the replacement with one two storey dwelling. The application site lies within the village envelope for Stathern and on a brownfield site between numbers 2 and 6 Daliwell. There is a mix of style and types of dwellings in the area, the site is within Stathern Conservation Area.

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

- **Impact upon the Character and Conservation of the Area**
- **Impact upon Neighbouring Properties**
- **Compliance with Policy**

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

Relevant History:

No relevant planning history.

Development Plan Policies:

Melton Local Plan (saved policies):

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.

Policy H6 – Planning permission for residential development within Village Envelopes shown on the proposals map will be confined to small groups of dwellings, single plots or the change of use of existing buildings.

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- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: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. .

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 businesses 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;
- Recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
- 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.
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land).
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

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

- There is a requirement to maintain a five year land supply of deliverable sites. Taking into account windfall sites provides compelling evidence that such sites have consistently become available. Where there has been a persistent under supply a further 5% is required.
- Local Authorities are to set out their own approaches to densities to reflect local circumstances.
- 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.
- To promote sustainable development in rural areas, 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.

- 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.
- Avoid new isolated homes in the countryside unless there are special circumstances.

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> <p>The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.</p> <p>Consider sustainability issues, ensure all details of access and parking comply with current standards</p>	<p>Noted.</p> <p>The existing and alterations to access meets the highways standards, with both vehicular and pedestrian movements being facilitated by this access.</p> <p>It is not considered the replacement dwelling at the site would cause any additional highways dangers.</p> <p>The site area marked on the plans shows an area large enough to provide a replacement dwelling with plenty of off road parking that would ensure that vehicles would not need to park on the road.</p> <p>It is not considered that the proposal would not cause any highways safety issues.</p> <p>As such, the proposal is considered to meet the requirements of policy BE1 of the Melton Local Plan.</p>

<p>Parish Council:</p> <p>The Parish Council raised no objections to the original submission, following the receipt of amended plans, the following comments were received.</p> <p>The Council has looked at this amended application last night at our Parish Council meeting and would like to register their objection.</p> <p>Daliwell is a very narrow lane leading to a public footpath and there are only 10 homes on this road. The houses are individually designed with the exception of two joined cottages and are more traditional in design as would be expected in a conservation area. Although the footpath leads to other Leicestershire Wildlife Trust nature reserve, there are no agricultural buildings in this immediate area. The only barns visible from the road that appears to be the inspiration for the design, are on Tofts Hill which are derelict, in a field surrounded by other fields, and are not within sight of this property so the design would not blend in. The pictures used in the design and access statement showing barns within the area also clearly shows that the majority are of brickwork in design and of those that are not are just outbuildings/workshops in a garden which can be removed whereas a house cannot.</p> <p>Although the council had reservations about the original design they did not object as the building had some elements of brickwork to the front and rear which would blend it in better with the surrounding buildings which are brickwork and/or ironstone and that the old bungalow was not attractive.</p> <p>This new design where the brickwork has been replaced with more dark cladding would look totally out of character with the surrounding buildings and somewhat oppressive on a narrow road. The design is much more suited to an area of open fields with plenty of land between properties if they are trying to capture an agricultural feel. Therefore it contravenes policy B1 particularly part A which states that the buildings are designed to harmonise with surroundings in terms of height, form, mass, siting construction materials and architectural detailing and OS1 particularly regarding A – the form, character and appearance of the settlement is not adversely affected and B – the form, size, scale, mass materials and architectural detailing of the development is in keeping with the character of the locality. Also BE2 is applicable relating to development within a conservation area and preserving or enhancing the traditional character of the area.</p>	<p>Noted</p> <p>The proposal reflects that of an individual design and does not try to replicate those of its surroundings which are varied in form.</p> <p>The existing brick built bungalow does not contribute to the conservation status of the area and its removal is not objected to by the Local Planning Authority.</p> <p>One of the recurring themes in the Stathern Conservation Area statement is that it is the irregular collection of buildings and space that creates the character in that area, while another focus is on the local materials.</p> <p>Whilst the dwellings immediately bounding the site are predominantly of traditional design, the village of Stathern is rural in nature, surrounded by open countryside.</p> <p>The amendments to the design follow from in depth discussions with the Councils Conservation Officer, whose comments can be found later in the report.</p>
<p>Conservation Officer</p> <p>Initial comments</p> <p>With regards to the front elevation, discussions were held and discussed the idea of a brick style plinth with timber above, thereby imitating surrounding outbuildings</p>	<p>These comments are noted and supported.</p>

<p>– however at present the submission provides for roughly three quarter reclaimed brick with one quarter timber façade. It is the opinion of the Conservation Officer that this design leads to a clash of styles within the chose palette of materials; the number of brick courses are no longer read as a plinth (which would be around 5-10 courses within outbuilding design) and correspondingly the timber work is not read as the predominant material on the façade. The lack of apertures within the timber work, combined with the minimal fenestration pattern at ground level has the effect of creating a monolithic pattern in which the two materials do not correspond with each other.</p> <p>It is suggested that the brickwork is reduced to the effect of a plinth, and the timber is increased to a level in which it may imitate the aesthetic of an agricultural outbuilding, with a more dynamic fenestration pattern. Conversely, a reduction in the amount of timber work, with a more dominant reclaimed brick façade would also be considered acceptable, with an increase in the fenestration proposal to break up the brickwork.</p> <p>With regards to the rear elevation, the symmetrical composition of continuous glazing, timber work and glass is considered to be imbalanced. The elevation does not reference an outbuilding style, with timber work having a similar effect of clashing with the reclaimed brick. It is suggested that either material is employed to a predominant effect, in this case a largely reclaimed brick façade with dynamic fenestration pattern is considered to be acceptable.</p> <p>Additional comments following amended drawings being submitted to the LPA.</p> <p>The revised submission now adequately responds to its immediate surroundings in a Conservation Area where timber clad outbuildings predominate. The fenestration pattern and rhythm of front and rear elevations now present a contemporary design which draws upon the palette of materials within the local vernacular. As such the design is considered acceptable in accordance with Paragraph 131 of the NPPF, in taking account of the desirability of new development making a positive contribution to local area distinctiveness.</p>	
<p>Planning Archaeologist</p> <p>We have checked the site against the Leicestershire and Rutland Historic Environment Record (HER) and do not feel that any archaeological work is required as part of the scheme.</p>	<p>Noted</p>
<p>Senior Planning Ecologist</p> <p>Initial comments</p> <p>The Bat Survey submitted in support of the application (EMEC Ecology, March 2016) noted one bat dropping in</p>	<p>Noted</p>

<p>the loft space of the building to be demolished. No other evidence of bats was recorded and the building was not considered to support a bat roost. However, we note that from the building description that a cavity wall is present. Would there be any opportunity for bats to be using the cavity wall and therefore a roost not identified during the internal inspection survey? It would be useful if the ecologist could comment on this, prior to the determination of the application.</p>	
<p>Additional information was submitted to the LPA demonstrating that there is no opportunity for bats to utilise the cavity wall and no further objection is raised from the Ecologist.</p>	

Representations:

The application was advertised by way of a site notice at the application site. As a result of the consultation a total of 9 letters of objection were received, along with 9 letters of support, it should be noted that multiple letters of objection have been received from 11 individual households.

Revised plans were submitted and the amended consultation date for the submission of comments is 26.09.2016, additional representations relating to the amendments will be presented verbally to the committee.

Consideration	Assessment of Head of Regulatory Services
<p>Impact on the Conservation Area and character of the area.</p> <ul style="list-style-type: none"> - I question whether the proposed building is in keeping with the other properties in the area. - I am wondering if the height of the proposed garage could be reduced as it seems very high just to house cars. - Unfortunately the vernacular chose is more akin to East Anglia and the South East - The garage impacts too much on the street scene. The artist impression fails to show the whole of the garage and hence does not demonstrate fully its impact. - I have always understood that in planning terms garages, carports and the like should generally be set back from the front face of the building to avoid dominating the street scene and increasing the ‘mass’ of the house. This is too confined a site to adopt this approach and a garage sited where the existing carport stands would be an improvement. This would also make egress a much easier manoeuvre. - Again in planning terms I have always understood that hard standing should not normally cover more than 50% of the front garden area. - The proposed black timber cladding is oppressive and, apart from a few agricultural buildings and the old garage (hidden from general view) at the Red Lion, is little used I the village. - This is a brick and stone village. - Corrugated sheeting is a popular finish for barns and industrial-style projects but I think it 	<p>Paragraph 60 of the National Planning Policy Framework states that</p> <p>“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness”</p> <p>In this instance the applicant has chosen to reflect the rural nature of the village and sought to use materials that would have previously been contained within the location.</p> <p>Paragraph reinforces the introduction of contemporary design within a location by stating</p> <p>“In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.”</p> <p>The existing bungalow is not of any architectural merit and its removal would not be detrimental to the location, by replacing the dwelling with a modern contemporary design it is considered that the proposal would assist in raising the standard of design more generally in the area.</p> <p>Paragraph 64 of the National Planning Policy</p>

<p>inappropriate within a residential part of a conservation area of a village which is now, in the main, pantile and slate roofed.</p> <ul style="list-style-type: none"> - The black roofing (I am uncertain of the weathering qualities of this material) will create a stark outline against the sky. - The raised section of the roof does not follow the natural ground fall. - The fenestration to the rear of the property seems excessive – presumably compensating for the limited internal light from the North elevation. The oppressive appearance is aggravated by the insertion of dark wood panelled sections. I wonder how appropriate this is being sited so close to and overlooking a Grade II Listed Building. - In your ‘Opportunities and Constraints for Stathern’ you require: “any new development.... Be constructed in natural materials appropriate to its location and should have regard to the scale, siting and detailing of existing surrounding development.” “Existing highway boundary features should be retained”. The current wicket fencing is the last remaining section Daliwell. - The building is in a conservation area but the proposed design has little in common with existing buildings in the lane or in the village generally. Dark wood and corrugated iron are not part of the residential building materials of the area. - The proposed building will have no positive advantages to Daliwell and could destroy a treasured village asset. - The materials proposed are like none of the materials used in this area. To compare the use of wood and corrugated metal to dilapidated agricultural barns and an old skittle alley elsewhere in the village is false. - The design, the size and materials of the proposed building are a personal desire and have no consideration for the surroundings or environment of the Conservation area in which it is situated. - Whilst it could be argued that the proposed design is different and exciting, it is on the wrong plot in the wrong place. - A second storey would overpower the 2 small scale cottages opposite which are some way below the proposed building. - The main examples of a barn theme are the old ramshackle barns on Tofts Hill – where there is a proposal to demolish them. - We would not object were it not for the dark wood garage. <p>Comments following amended plans being submitted to the Local Planning Authority.</p> <ul style="list-style-type: none"> - In general I welcome a proposal to introduce an example of ‘polite’ architecture with a nod to the 	<p>Framework is noted where it states “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”. However in this instance the proposal is not of poor design and by replacing a standard designed bungalow with a modern designed dwelling it will improve the quality of an area.</p> <p>Paragraph 137 of the National Planning Policy Framework asks that “Local Planning authorities should look for opportunities for new development within Conservation Areas and world Heritage Sites within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably”.</p> <p>The Stathern conservation Area appraisal makes reference in many places to the area having mature trees and open countryside. The wooden clad dwelling is a nod to the rural landscape that lies beyond the built up part of the village and whilst it is acknowledged that the majority of the dwellings in this location are traditional and of brick and stone, the proposed contemporary design has been given much thought and is a result of lengthy discussions with the Conservation Officer.</p> <p>Originally the proposal contained a mix of brick and wood, however by combining the two elements, the proposal has no distinct design and does not sit in the realms of either being traditional nor contemporary.</p> <p>The proposal is considered to sit well amongst the surrounding dwellings, and whilst not traditional in style it will not be significantly detrimental nor would it cause severe harm to the Conservation Area.</p>
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<p>‘vernacular’ in Daliwell. It could be a positive addition to the variety of the properties in the lane. I object more strongly to the new plans. The intention of the revision seems to be to make it less like a residential property and more like the 2 black barns (one outside the village) which are likely to disappear in the not too distant future.</p> <ul style="list-style-type: none"> - The amended plans (to me) are a waste in that the proposed building will be almost wholly clad in dark wood. I find this offensive. - The roof remains again a dark corrugated material. - This house still does not fit into the street scene. - The proposed house has a large open frontage and will dominate the small cluster of houses on Daliwell. - It will stand out being very different and will in no way enhance the street scene. 	
<p>Residential Amenity</p> <ul style="list-style-type: none"> - Please can it be made certain that the garden boundary doesn’t come out any further than the legal boundary. - The height of the new development will add to the increasingly overbearing enclosure of a narrow country lane already compromised by the enlargement of no 23 Church Lane. 	<p>It is acknowledged that there will be some impact by the addition of a second floor to the dwelling, however the site is bounded by predominantly two storey dwellings. Given the separation distance and the well positioned windows there is not considered to be any significant detrimental impact to occupants of neighbouring dwellings in terms of loss of light or privacy.</p>
<p>Highways</p> <ul style="list-style-type: none"> - The lane is very narrow and we already struggle to access our small holding with the cars parked on the opposite side of Daliwell. There has already been formal complaints made to the highways department and police on this matter. - I am concerned that whilst the present bungalow is being demolished and the new one built we need to be sure that the lane will not be obstructed in any way. It is a very narrow lane and we need access with large vehicles 24 hours a day. - Daliwell is one of the narrowest highways in the county a cul de sac with a width including the pavement of only 11 feet. 	<p>The Local Highway Authority have not raised any objections to the proposal, there is existing and will remain adequate parking for the proposed dwelling, ensuring that occupants do not have to park on the road side.</p>
<p>Other issues</p> <ul style="list-style-type: none"> - The planning notice was not positioned close to the site. - The present mantra is REDUCE REUSE RECYCLE if this is the case why demolish a bungalow although in need of updating will further reduce the possibility of affordable housing for a young family or those of any age IN NEED of single storey living accommodation. 	<p>The planning notice was placed at the nearest point to the development, and all properties that share a common boundary with the proposal will have received a letter informing them of the proposal.</p> <p>The existing bungalow does not contribute to the local character of the area where dwellings are predominantly two storey in nature, no objections are raised by the LPA to the demolition of the existing bungalow.</p>

Other Material Considerations Not Raised In Consultations:

Consideration	Assessment of Head of Regulatory Services
<p>Application of the Development Plan Policies:-</p> <p>The site sits within the village envelope where residential development is supported. Policies OS1 and BE1 seek to ensure that development respects the character of the area and that there would be no loss of residential amenities and satisfactory access and parking provisions can be complied with.</p> <p>Policy H6 allows for infill development of single and small groups within the village envelope.</p>	<p>The proposal seeks to provide a modest detached dwelling and is capable of complying with the local plan policies given that the design is suitable for the reasons set out above and an acceptable relationship with neighbouring properties is achieved. Whilst highways safety is a concern to local residents the Highways Authority has no objection to the proposal, subject to conditions. It is considered that the development complies with the local plan policies and promotes sustainable housing growth as stipulated within the NPPF.</p>
<p>Sustainability and Local Plan Compliance</p>	<p>As stated above, the development is considered to accord with the applicable Local Plan policies. In this instance, the policies are not considered to conflict with the NPPF and as such there is no requirement to balance the regimes against one another.</p>
<p>Melton Borough Council Housing Needs</p>	<p>The NPPF recognises that housing should meet the needs of present and future generations (para 10). It continues to recognise the importance for local planning authorities to understand the housing requirements of their area (para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in para 110-113, in seeking to ensure that housing mix meets local housing need. The Council's work on housing needs has identified a need for small units to address both the current shortfall and future demographic and household formation change which will result in an increase in small households and downsizing of dwellings.</p> <p>The proposed dwelling would be relatively of a relatively modest scale, comprising a 3 bedroom unit as such it is considered to meet with the housing needs of the Borough.</p> <p>The NPPF seeks to boost the economy and house supply to meet local housing needs. This approval as stated above is considered to meet those objectives.</p>

Conclusion

The application site lies within the village envelope and thus benefits from a presumption in favour of development under policies OS1, BE1 and H6. The proposed development has been designed to have a limited impact on adjoining properties, and whilst of an innovative contemporary design it is considered capable of reflecting the character and appearance of the surrounding area; and complies with highway requirements.

The house type proposed meets the requirements of the Borough's housing needs in providing a modest three bedroom accommodation of which there is a shortfall in the area. The NPPF seeks to boost significantly housing growth in sustainable locations of which Harby is considered as a sustainable village within the Local Development Framework. Accordingly, the proposal is recommended for approval subject to conditions.

RECOMMENDATION: Approve, subject to the following conditions:

1. Time Limit
2. Materials
3. Car Parking
4. Drainage
5. Removal of Permitted Development Rights

Officer to contact: **Miss Louise Parker**

Date: 15th September 2016