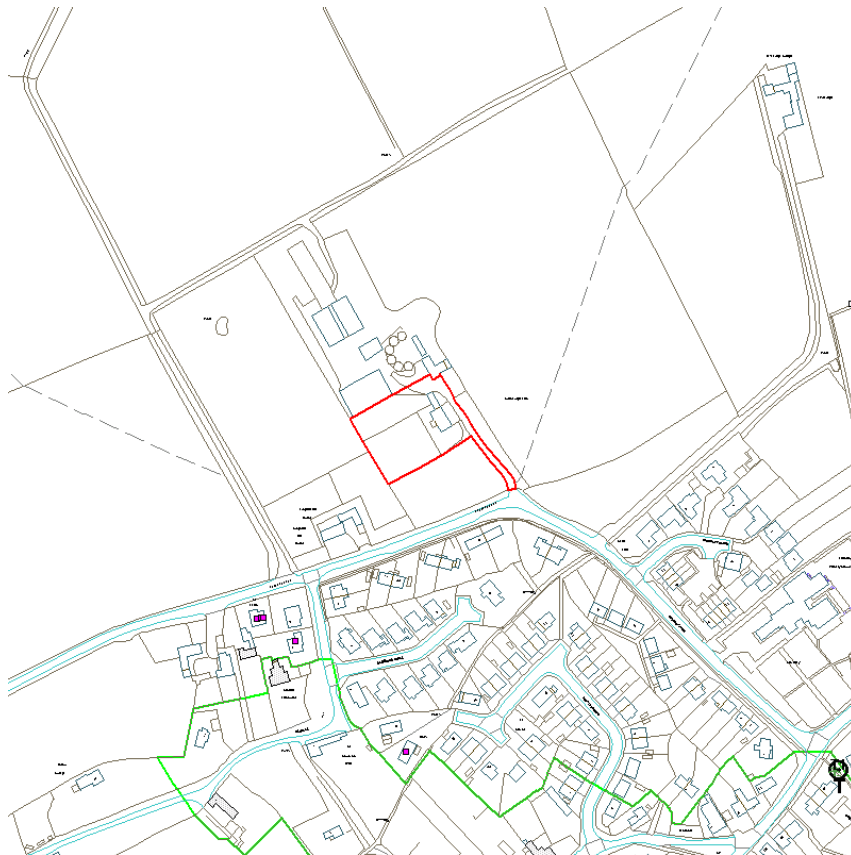


Reference: 13/00513/FUL
Date Submitted: 11.09.13
Applicant: Mr J Orson
Location: North Lodge Farm, Longcliff Hill, Old Dalby
Proposal: New two-storey dwelling and attached garage to replace an existing dwelling



Introduction:-

The application seeks full planning permission for a replacement dwelling in the open countryside and demolition of the existing dwelling.

The site sits within the open countryside off Longcliff Hill to the north of the village of Old Dalby. The site currently comprises of an early 19th Century brick farmhouse, including a 1950s extension, a detached garage, and surrounding agricultural outbuildings on a farm. The application proposes to demolish the existing 19th Century house and construct a replacement dwelling to better serves the needs of the owner and his family, with an aim to achieve a sustainable net carbon neutral building.

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

- **Compliance with the Development Plan**
- **Impact upon the Countryside**

The application is presented to Committee as the applicant is a Ward Councillor.

Relevant History:-

94/0021 - Proposed change of use of outbuildings from residential/ agricultural to industry, permitted

93/00446 - Proposed conversion of redundant farm buildings, refused

93/00104 - Proposed conversion of redundant outbuildings to residential, refused

90/00426 - Proposed development of an equestrian course, permitted

90/00125 - Proposed erection of stables and feed room, permitted

Melton Local Plan (saved policies):

Melton Local Plan (Saved Policies)

Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map except for development essential to the operational requirements of agriculture and forestry, and small scale development for employment , recreation and tourism.

Policy BE1 - Siting and design of buildings: Allows for new buildings subject to criteria including the design harmonising with the surroundings, no adverse impact on neighbouring properties by loss of privacy or outlook, adequate space around and between buildings being provided and adequate access and parking arrangements being made.

Policy C12 states that planning permission will not be granted for the replacement of an existing dwelling outside the town and village envelopes shown on the proposals map unless:

- The replacement dwellings would be of similar size and scale in close proximity to the existing **and in character with its surroundings;**
- The existing dwelling has a lawful residential use or is not so dilapidated as to be incapable of habitable use.
- respecting the quality of the tranquillity, where that is recognised in planning documents

The National Planning Policy ‘Framework’ 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 this 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 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**
- **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:

Delivering a Wide choice of High Quality Homes

- 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.
- Set out own approach to housing densities to reflect local circumstances
- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- 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.
- 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.
- Decisions should not attempt to impose architectural style 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.
- Local Planning Authorities should not refuse planning permission which promote high levels of sustainability because of concerns about compatibility with an existing townscape.

This 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 para. 12)

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority – No observations.	<p>The proposal seeks to replace an existing residential dwelling, albeit on a larger scale. The existing access will be utilised which is situated on Longcliff Hill.</p> <p>The existing vehicle access to the agricultural outbuildings on the property is to remain.</p>

	The proposal, given its existing uses, will not have a detrimental impact upon the existing highway safety and there is adequate parking provision.
Broughton and Dalby Parish Council The Parish Council has no objection	Noted
Ecology – The ecology report submitted in support of the application (Hillier Ecology, September 2013) identified bat droppings (probably Brown Long-eared bat) within the outbuilding to be demolished. Activity surveys were undertaken and no bats were seen using the building. However, as bats have accessed the building within the past, they are in agreement with the recommendations detailed within section 7 of the report and would request that these are forwarded to the applicant as a condition of the development, should permission be granted.	<p>The application was supported with a Protected Species report which was considered to be satisfactory. Presence of bats in the past has been identified and the recommendations of the report are required to be conditions. Section 7 of the ecology report recommends;</p> <ul style="list-style-type: none"> • that the outbuilding is demolished by hand under the supervision of a licensed bat worker. • Two Kent bat boxes should be installed at suitable locations to mitigate the potential loss of a feeding perch. <p>These can be imposed by means of a condition.</p> <p>It is considered that appropriate mitigation measures can be incorporated within the new development to safeguard protected species.</p>

Representations:

A site notice was posted at the site and adjoining properties consulted. As a result no comments have been received to date.

Other material considerations (not raised through consultation of representation)

Considerations	Assessment of Head of Regulatory Services
<p>Compliance with Policy</p> <p>Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map except for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism.</p> <p>Policy C12 states that planning permission will not be granted for the replacement of an existing dwelling outside the town and village envelopes shown on the proposals map unless:</p> <ul style="list-style-type: none"> • The replacement dwellings would be of similar size and scale in close proximity to the existing and in character with its surroundings; • The existing dwelling has a lawful residential use or is not so dilapidated as to be incapable of habitable use. 	<p>New residential uses are not supported outside of the village envelopes unless special circumstances or justification applies. The site has an existing dwelling along with farm buildings that once formed a working farmstead. The dwelling is however not subject of an agricultural tie.</p> <p>Policy C12 sets out a criterion in order to assess proposals for replacement dwellings. In order to prevent dilapidated buildings or remnants of buildings being replaced by new dwellings there should be a lawful residential use and the building should not be incapable of habitable use. The existing property is currently inhabited and appears to be maintained but is not of modern construction and is in need of upgrading to assist modern day family living and therefore is considered to comply with this part of the policy.</p> <p>The existing dwelling occupies a footprint of approximately 95 m². There is also a single storey extension of 9 m² a basement of 18m² and an attached two-storey garage and store of 81m². Giving a total internal floor area of 395 m². The surrounding agricultural buildings are to remain</p>

	<p>and are not classed as residential and therefore have not been included in the calculated floor area. Policy C12 seeks to ensure that replacement dwellings are of a similar size and scale and in close proximity to the existing property and furthermore that the replacement would be in character with the surroundings.</p> <p>The replacement dwelling consists of a two storey main block with a footprint of 155m² (total of 310m²), single storey kitchen/utility, entry lobby and stair of 129m² and garage of 47m² which would have a combined internal floor area of approximately 486m². The proposed eaves height would be 5.6 metres compared to the existing dwelling which has an eaves height of approximately 5.3m. The dwelling at its highest point will be 7.7 metres to ridge compared to the existing dwelling which is higher at 8.5 metres. The accommodation consists of a reception room, dining/kitchen, sitting room, study, garage and utility at ground floor and four bedrooms, ensuites and bathroom at first floor. There is also a roof terrace at first floor and a outdoor eating area off the ground floor. The outdoor space is linked to the design of the dwelling. The proposal will increase the footprint of the dwelling by approximately 23% and therefore it is considered that the proposal is of similar scale and size to the existing residential dwelling. Therefore the proposal is considered to comply with this element of Policy C12.</p> <p>The proposed dwelling is also proposed to be sited in a similar location to the existing dwelling. It would be sited further to the west but does overlap the location of the existing building. The proposed replacement dwelling has been re-orientated to follow the contours of the landscape and in respect of the relationship to the sun and the views to the east. The agent has stated that the new buildings footprint has been positioned to avoid the location of the basement level of the existing building for practicality of construction and to avoid the need for costly and invasive site works. It is considered that the replacement dwelling whist not on the same footprint is in close proximity and as such can be considered to comply with this element of Policy C12.</p>
<p>Impact on the character of the area (open countryside and streetscene)</p>	<p>The site lies in open countryside outside of the village envelope for Old Dalby and is required to be assessed against local plan policies OS2 and C12. OS2 carries a general presumption against development outside town and village envelopes except in certain instances such as development essential for agriculture and forestry, small scale employment, tourism and recreation development. Policy C12 allows for replacement dwellings and states that planning</p>

	<p>permission will not be granted for the replacement of an existing dwelling outside the town and village envelopes unless :-</p> <ul style="list-style-type: none"> • The replacement dwellings would be of similar size and scale in close proximity to the existing and in character with its surroundings; • The existing dwelling has a lawful residential use or is not so dilapidated as to be incapable of habitable use. <p>Whilst the dwelling is larger than the existing dwelling and of different architectural style it is not considered necessary for the new dwelling to replicate what it is to replace. An assessment is required to determine more whether the replacement due to size, scale, mass and construction materials would have a negative impact upon the countryside.</p> <p>Factors relating to the specific site are taken into consideration such as the screening, boundary treatment, topography, previous developed and built up area. The land slopes to the south/south east and rises to the west up Longcliff Hill. The property will sit on elevated land when view from the east, however, the proposal is for a two storey dwelling with a strong boundary to the eastern boundary and would be mitigated by the continued rise of the land to the west. On balance it is not considered that the modern design approach, scale and mass would have a negative impact upon the countryside.</p> <p>The replacement dwelling is sited on Longcliff Hill off an access track. The dwelling is some distance from the highway, approximately 47 metres, and sits in its own surroundings. The dwelling is not read in relation to the existing properties on Longcliff Hill as it appears in isolation as an individual property. There is a mixture of styles and variety of properties on Longcliff Hill. While the design is considered to be unique for this location it is not considered that it would have a detrimental impact on the surrounding properties on Longcliff Hill. The proposal would not have a negative impact on the streetscene.</p>
<p>Design</p>	<p>The building has been designed with the primary element to reflect a pair of Dutch barns with simple rectilinear forms and a gently curved roof. This is intended to be rural in appearance to fit with the isolated location of the site and surrounding farm buildings. The elevation facing the street is a two-storey brick wall with no openings to match the current street elevation.</p>

	<p>The new building is intended to be constructed from brick so as to be in keeping with the traditional appearance of the surrounding buildings. The proposed dwelling has also been designed to link in with the site and landscape surrounding the site.</p> <p>It is considered that the design of this dwelling is unique and is not considered to be in keeping with the surrounding properties in the area. However, the NPPF states that decisions should not attempt to impose architectural style 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. The design of the building reflects elements of rural buildings and the surrounding farm land and in this respect if considered to reinforce local distinctiveness. The design is considered to be innovative and original and is in line with the requirements of the NPPF.</p> <p>As well as its unique design the dwelling has been designed to be a sustainable development. The intention within the design is to minimise the carbon footprint of the new building, utilising passive and active design strategies to achieve a self-sufficient energy dwelling. The main elements of the proposal as set out in the detailed application are;</p> <p><i>Local Materials:</i> <i>Where possible the proposals will seek to use local, natural, and/or sustainably produced materials to minimise the embodied energy use in the design.</i></p> <p><i>Passive Solar Design:</i> <i>-Increased glazing to southerly elevations, with overhanging eaves to control excess solar gain during summer</i> <i>-Limited glazing apertures to northerly elevations</i> <i>-High levels of insulation</i> <i>-Specialist solar control glazing systems</i> <i>-High thermal mass to store and slowly release heat</i></p> <p><i>Whole House Ventilation and Heat Recovery:</i> <i>It is intended that the house will utilise a form of ventilation designed to create a healthy internal environment whilst reducing heat loss through the building fabric such as a mechanical heat recovery ventilation system. This, in conjunction with a high efficiency heating system, will minimise energy use.</i></p> <p><i>Solar panels:</i></p>
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	<p><i>A bank of photovoltaic solar panels is proposed on the roof terrace above the Kitchen, behind a parapet to be concealed from view. This is intended to generate sufficient electricity to enable the house to achieve the net carbon neutral goal, feeding back into the grid during periods of excess.</i></p> <p><i>Low maintenance: Durable materials such as brick, lightweight concrete, and metal roofing, and natural surface finishes will be used to minimise the required ongoing maintenance and consequent resource use.</i></p> <p><i>Rain-water harvesting: The client will investigate the potential for rain-water harvesting for reuse on the site in order to limit the water resource usage of the development.</i></p> <p>In addition to the sustainable elements of the proposal the new dwelling is to be built in accordance with Lifetime Homes design criteria. It will also include a platform lift for wheelchair and ambulant disabled access. All areas of the house are at the same level to provide easy access throughout the property.</p> <p>The proposal represents a unique and innovative design which replicates some traditional built form with high-quality modern construction and accommodation that will aim to increase the sustainability of the residence and provide an accessible, energy neutral house.</p> <p>The NPPF advises that Local Planning Authorities should not refuse planning permission which promotes high levels of sustainability because of concerns about compatibility with an existing townscape. Whilst the design may be considered not to replicate the traditional forms of architecture the area it does attempt to reflect the local rural area, the levels of sustainability should be given significant weight in the determination of the application and the lifetimes homes standards.</p> <p>Overall it is considered that the design is acceptable. It is considered to be innovative and original whilst reflecting the rural area, the proposal is supported by the principles of the NPPF.</p>
<p>Impact upon residential amenities.</p>	<p>To the south west of the site lies the closest residential property which is some 50 metres from the proposed replacement dwelling.</p> <p>There are a number of windows on the east elevation of the property but these are not considered to be affected by the proposal due to the distance separations involved and the windows</p>

	<p>are serving a car port and outbuilding. There are two window on the east gable end of the building, however, these are separated by outbuildings and a larger distance separation.</p> <p>To the south of the proposal lies dwellings on Longcliff Hill. These properties are over 60 metres from the proposal and separated by the highway.</p> <p>To the north and east is farmland and farm buildings.</p> <p>Therefore, it is not considered that the proposal would have a detrimental impact on the amenities of adjoining properties.</p>
<p>Application of Development Plan and National Policy.</p>	<p>The NPPF seeks to boost housing growth with a presumption in favour of sustainable development whilst making efficient use of brownfield land. It also emphasis the need to provide housing to meet local needs and promotes design as a key factor for connection of people and places.</p> <p>The dwelling would be sited on the edge of the village of Old Dalby which is considered to be a sustainable location with good access to services. The redevelopment would be on the site of the existing dwelling and as such reusing brownfield land. It is considered that the proposal complies with the objectives of the NPPF which attracts significant weight when considering the proposal.</p> <p>The application needs to be considered in terms of the Development Plan as a whole and the NPPF is required to be balanced against the need for Local Planning Authorities to support the delivery of housing. It is considered that the NPPF is not in conflict with the local plan policies which supports replacement dwelling in countryside locations and seeks to safeguard the character of the area and impact upon residential amenity.</p>

Conclusion

The proposal seeks planning permission to replace an existing farm dwelling. The dwelling, whilst representing an increase in size and slightly different orientation and location is considered to comply with Policy C12 of the adopted Melton Local Plan. It will be constructed to comply with Life Time Homes and using sustainable development techniques which would reduce its impact upon the environment and meet the needs of future generations. The landscape is considered to be capable of absorbing the development and will not have a detrimental impact upon the wider countryside location. The proposed modern design whilst not reflective of the local style of the village is considered to be innovative and original in accordance with the NPPF. The replacement dwelling would not have an adverse impact on adjoining residential properties or highway safety. It is considered that proposal is in accordance with the requirements of the Local Plan and the NPPF and is therefore recommended for approval.

RECOMMENDATION: Permit, subject to the following conditions;

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development shall be carried out in accordance with the plan drawing nos. 01(A), 02(A), 03(A) submitted on the 16th August 2013
3. No development shall start on site until all external materials to be used in the development hereby permitted have been agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.
5. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development 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 Local Planning Authority gives written consent to any variation.
6. Works must only proceed in accordance with the recommendations detailed within the Bat, Bird and Barn Owl Survey Section 7.0 (Hillier Ecology Limited, September 2013), including supervised demolition and bat boxes as submitted details dated 11th September 2013.

Reasons:-

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 satisfactory landscaping is provided within a reasonable period.
5. To provide a reasonable period for the replacement of any planting.
6. In the interest to preserve protected species.

Officer to contact: **Mrs Jennifer Wallis**

Date: **24th October 2013**