

Reference: 12/00078/FUL

Date Submitted: 01.02.12

Applicant: Mr Paul Shaw

Location: Plot 2, Manor Farm, Towns Lane, Goadby Marwood

Proposal: Amendments to new single storey dwelling to plot 2 forming part of previously approved applications 08/00019/FUL; 08/00454/FUL and 10/00383/FUL



Introduction:-

This application seeks amendments to previous planning permissions for the erection of a single storey house previously approved under applications 08/00019/FUL, 08/00454/FUL and 10/00383/FUL

The proposal involves the alteration of the building to include:

- Various alterations to the internal layout of the proposed dwelling
- Various alterations to windows and doors
- Extension of the building in a north-easterly direction to form a garden room, thus encroaching further outside the village envelope
- Reduction in height of plot 2 by 2.2 metres

The site is located on the edge of the Village Envelope and within the Conservation Area for Goadby Marwood.

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

- **Compliance with the Local Plan**
- **Impact upon the character of the Conservation Area**

The application is presented to the Committee due to previous Committee involvement and the recommendation comprises a departure from Local Plan policy.

Relevant History:-

05/00627/OUT - Conversion of brick barn and erection of 2 dwellings, formation of new drive to new dwellings – refused 01.02.2006

05/00628/CON - Convert existing redundant brick barn to dwelling and erection of two additional dwellings – Approved 01.02.2006

08/00019/FUL –Erection of 1 single storey dwelling, 1 two storey dwelling and 1 three storey dwelling with demolition of redundant farm buildings – Approved 13.03.2008

Development commenced without ‘pre-conditions’ being approved and a further application was submitted:-

08/00454/FUL - Demolition of redundant farm buildings and erection of one single storey dwelling, one two storey dwelling and one three storey dwelling – Approved 02.02.2009

10/00383/FUL - Amendments to Plot 2 - single storey house forming part of previously approved applications 08/00019/FUL and 08/000454/FUL

Planning Policies:-

The National Planning Policy Framework was published 27th March 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 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. It also offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

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

- deliver development in sustainable patterns and
- re-using brownfield land.

On Specific issues it advises:

Housing in rural areas -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.

Historic Environment - Great weight should be given to the heritage asset’s conservation. The more important the asset, the greater the weight. Where harm is caused to an asset, this should be weighed against public benefits.

East Midlands Regional Plan (March 2009)

Policy 3 – relates to the distribution of new development and states that development in rural areas should;

- maintain the distinctive character and vitality of rural communities;
- shortening journeys and facilitating access to jobs and services;
- strengthening rural enterprise and linkages between settlements and their hinterlands; and
- respecting the quality of the tranquillity, where that is recognised in planning documents

In assessing the suitability of sites for development priority is given to making best use of previously developed and vacant land or under-used buildings in urban or other sustainable locations, contributing to the achievement of a regional target of 60% of additional dwellings on previously developed land or through conversions.

Melton Local Plan (saved policies):

Policies OS1 and BE1:-

- the form, character and appearance of the settlement are 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 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 :- residential development within village envelopes will be confined to small groups of dwellings, single plots or the change of use of existing buildings.

Policy OS2 :- states that planning permission will not be granted for development outside the town and village envelopes except for, amongst other things, development essential to the operational requirements of agriculture and forestry and limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.

Policy C11 – states that planning permission will be granted for extensions and alterations to existing dwellings outside the town and village envelopes shown on the proposals map provided the size, scale, form, design and construction materials are in keeping with the dwelling and locality.

Melton Core Strategy Publication DPD: seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough, with provision/contribution of 40% affordable housing from all developments, and expectations to produce mixed, integrated housing developments and meet local needs by addressing identified imbalances in housing stock in all locations. The strategy identifies villages by virtue of a hierarchy reflecting their sustainability and, therefore, suitability for development. Waltham on the Wolds is now identified as a Rural Centre that has a good range of local community facilities and regular public transport and provision will be made for development within the existing built form. The document seeks new development to use land and buildings that have already been used, particularly where it is under used, vacant or derelict. Not all land and buildings that have already been used are in locations which are suitable for development.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority – The parking and turning shown on the amended plans submitted on 20 March 2012 is acceptable	Noted. The proposed access and parking arrangements are considered acceptable in accordance with Highway Authority standards.
MBC Conservation Officer – In general terms these changes do not adversely affect design nor the Conservation Area setting of this new build.	Noted
Parish Council – resolved that the development would be outside the village envelope and they felt that they could not support the application.	The previously approved application 10/00383/FUL approved the partial incursion of land outside the village envelope. This application seeks to extend a small section of the building outside the village envelope by 3.1 metres.

	It is not considered that the small extension harms the character and appearance of the conservation area or the countryside location.
--	--

Representations:

A site notice was posted and neighbouring properties consulted. No letters of representation have been received.

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Impact on adjoining properties: The site is to the north of other newly built residential properties (as part of the original development) and adjacent to 5 Towns Lane and the impact upon their residential amenities should be assessed in the context of Policies OS1, BE1 and C11 of the adopted Melton Local Plan.</p>	<p>The principle of the development has been considered acceptable with the previous granting of planning permission. The changes to the proposed scheme are for plot 2 only and plots 1 and 3 remain unchanged. The roof height of the plot 2 would be reduced by 2.2 metres. Several windows and doors would be altered in size and number. A garden room to the dwelling has been added which would extend 3.1 metres outside the village envelope to the north-east but the changes do not detract from previous assessments with regards to overlooking.</p> <p>The alterations proposed are all considered to be minor in nature and the dwelling is not considered to have a detrimental impact upon the residential amenities of adjoining properties.</p>
<p>Impact on Character and Appearance of the Area:</p> <p>A small proportion of the residential curtilage to the converted building would be situated outside the village envelope.</p>	<p>Plot 2 has previously been approved with a large proportion of the kitchen/dining and living room along with the whole of the rear garden extending beyond the village envelope. This application requests permission for a small sun-room to be attached on to the kitchen/dining room which would extend further beyond the village envelope by 3.1 metres but would still be within the residential garden area as already approved.</p> <p>The objective of the policy is to protect the countryside and it is considered that the further addition to the north-east does not result in a detrimental impact to the character and appearance of the open countryside and is accordingly considered acceptable.</p>
<p>Compliance (or otherwise) with Planning Policy</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>

Conclusion

Planning permission currently exists for the site. The changes proposed seek approval for a small alteration in the footprint of plot 2 along with some window and door alterations and reduction in roof height to the property. The addition to the north-east encroaches beyond the village envelope by a further 3.1 metres. However, for the reasons outlined in the report it is not considered that this extension would encroach upon the undeveloped countryside.

It is considered that the proposal would not have a detrimental impact on either residential amenity or the streetscene and satisfactory access and parking can be provided within the site and there are no concerns regarding highway safety

The amendments sought are therefore considered to not alter the Council's position on impact upon the Conservation Area, impact upon residential amenities or impact upon the character of the area and the proposed changes are therefore considered acceptable.

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.
The reason for the condition is:-
2. Alterations should be constructed entirely in accordance with the plans [231 2/002B](#) and [231 2/04D](#) as submitted to the Local Planning Authority on 20 March 2012
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

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.

Officer to contact: **Mrs Karen Jensch**

15th April 2012