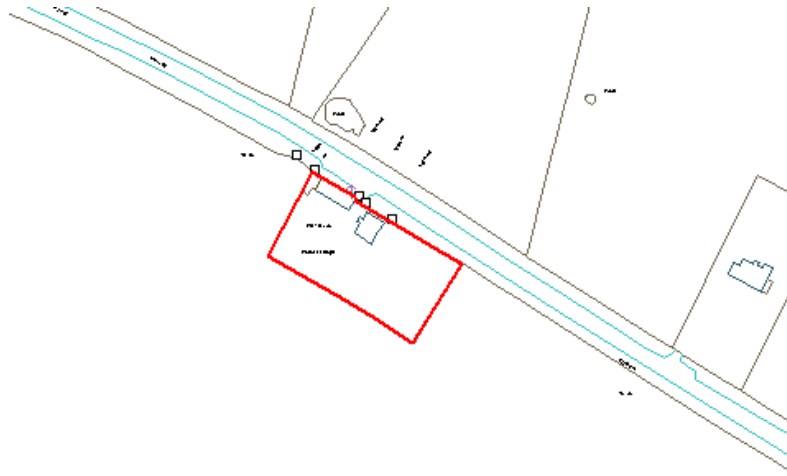


Reference: 12/00159/FUL
Date Submitted: 21st February 2012
Applicant: Mr Duncan Manderson
Location: Pickwell Grange, Oakham Road
Leesthorpe
Proposal: Domestic garage with storage over.



Introduction:-

The application seeks planning permission for the construction of a domestic garage with storage space, to be used for the parking the applicants' vehicles. The site is located within undulating open countryside, and is accessed via the A606 Melton to Oakham Road, the site comprises an existing residential 4 bed dwelling which currently has extant planning permission for a considerable extension to form a 8 bedroom property. There is an existing outbuilding positioned to the front being north east of the site, with its back adjacent to the A606 highway, providing screening and privacy to the residential curtilage of Pickwell Grange and it is to the adjacent boundary within the site that the proposal will mirror the existing outbuilding resulting in a uniformed and courtyard appearance.

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

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

The application is presented to Committee as the recommendation is contrary to the Development Plan.

Relevant History:

06/00616/FUL – Permission was granted for extensions and alterations

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- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: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

11. Conserving and enhancing the natural environment

The planning system should contribute to and enhance the natural and local environment by:

- recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it
- protecting and enhancing valued landscapes, geological conservation interests and soils;

Melton Local Plan (saved policies):

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 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 - 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 LDF (Publication) Core Strategy:

CS13 Countryside - States amongst others, that we will support and protect our countryside by: Protecting the rural environment by requiring development to be of a high standard which respects the character of its location; surroundings, and setting. The form and appearance of development should reinforce its sense of place and take into account the Melton Landscape Character Assessment:-

- Requiring new development to take into account and mitigate its impact on remoteness or tranquillity and the quiet enjoyment of the countryside; and
- Development should be located on land with the least environmental value where alternative appropriate land is not available or suitable.

The Landscape Character Assessment identifies 20 Landscape Character Areas within the Borough, of which particular care must be taken to safeguard the high value placed on them by our community.

- This means new buildings should blend in with and not spoil the countryside.
- New development in the rural areas, for whatever purpose, should be appropriate in scale, design and environmental limitations when weighed against the benefit of the development proposed.
- Negative impacts on sensitive and historic landscapes, including buildings and structures, are generally not acceptable.
- Where such impacts occur we expect suitable mitigation measures to form part of the development package

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority: Have made no observations	Parking and turning facilities remain unchanged within the site. The proposed garaged can be conditioned accordingly for domestic use only It is not considered that the proposal would have a detrimental impact on highway safety.
Parish Council: Have no objections	Noted.

Representations:

The consultation was publicised by way of a site notice being posted at the entrance to the site. To date no letters of representation have been received .

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
Policy Considerations: <ul style="list-style-type: none"> • Development outside of town and village Envelopes. 	The proposal to erect a domestic garage to the size, scale and location specified is to be considered against the saved policy OS2 which carries a general presumption against development outside town and village envelopes except in certain instances. If a proposal for development within the countryside is acceptable in principle it will also be considered against more detailed criteria contained in other policies of the plan which relate specifically to the activity. For residential extensions, in this instance, policy C11 is applicable and states that planning permission will be granted for extensions and alterations to existing dwellings outside the town and village envelopes provided the size, scale, form, design and construction materials are in keeping with the dwelling and locality.
<ul style="list-style-type: none"> • Scale and Design 	Positioned within the residential curtilage, the proposed garaging would provide parking for 4 cars

	<p>with storage and occupy a footprint of 122sqm being a mirror image of the adjacent outbuilding on site. Although the proposal may be considered excessive and therefore considered a departure from the Development Plan, the development which is could be wholly constructed as 'permitted development' but for the height of the proposed roof.</p> <p>The site is remotely nestled within the the land and topographically depressed in undulating open countryside, and will sit within a group of existing buildings, positioned to the rear, sitting low and screened to the A606 by the existing building together with a mature boundary hedge and native trees. Its size is not envisaged to be significantly detrimental to the appearance and rural character of the open countryside but being discretely located, respects the character of its location; surroundings, and setting as specified within the Melton LDF (Publication) Core Strategy: CS13 Countryside.</p> <p>When considering the proposed development within the context of the site, the proposal would be subordinate and in keeping by virtue of its size, scale, location and construction materials, therefore harmonising with that of its surroundings and although contrary to the development plan these material factors are considered to ameliorate its position within the open countryside and outweigh a strict application of the development plan in this instance.</p> <p>When considering the scale and mass of the development and whether it is in keeping with the surroundings, the topography of the area is considered to be a relevant factor. This part of the landscape has a sharp hilly topography, rising dramatically to the south west and north east with a gentler slope to the north east and south west. This in effect creates a bowl with limited views of the site. The size and scale of the proposed garaging needs to be read in context with the whole site including the existing buildings.</p> <p>Guidance within the NPPF states that Local Planning Authority should recognize the intrinsic character and beauty of the countryside The proposal also being judged against planning principle 11 protecting and enhancing valued landscapes. It is not considered that this proposal is in conflict with the NPPF because of its design and screened site position, within a topographically low, countryside location</p>
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Residential Amenity	Situating in a remote location, there will be no impact upon residential amenities as this is open countryside with minimal surrounding residential amenity
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Conclusion

The proposed footprint of the building except the height of the roof would fall within the realms of permitted development rights and would not require formal planning permission, which could result in a large flat roof building of the same scale. The design is considered to be appropriate to its use and its size and scale is considered acceptable within the context of the site of those existing buildings.

The proposal lies within the open countryside and although considered contrary to the Development Plan, there are material considerations that outweigh the perceived harm whereby the proposal would not appear incongruous in the rural landscape and open countryside and is not therefore considered to have a detrimental impact upon the visual amenity of the area or the surrounding open countryside, as defined in Policies OS2, BE1 and C11 of the Adopted Local Plan. It is considered that due to the above factors the proposal is considered acceptable and as is 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 All external materials used in the development hereby permitted shall be of the same type, texture and colour as those used in the existing buildings on site, 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
- 3 The garage hereby approved shall be used solely for domestic purposes incidental to the existing dwelling house being that of 'Pickwell Grange' and shall not be used for any other purpose including business or commercial use unless a specific grant of express planning permission from the local planning authority is first approved.
4. The development shall be constructed in accordance with the plans hereby approved i.e:
 - 25611/03 Elevations and sections
 - 25611/02 site location
 - 25611/00 site location

Reasons :-

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure a satisfactory standard of external appearance.
- 3 In the general interests of highway safety
4. For the avoidance of doubt

Contact: Deborah Dowling

Date 10th April 2012