

Relevant History:-

10/00882/FUL - Erection of 4 bed dwelling and garage – application was withdrawn on the 30.11.10.

Planning Policies:-

PPS 1: Delivering Sustainable Development - The guidance says that planning should promote sustainable and inclusive patterns of development. PPS1 requires local authorities to deliver development that is located in areas which reduce the need to travel by car and provide access to all members of the community to jobs, health, housing, education, shops, leisure, and community facilities. PPS1 suggests that the focus for development should be existing centres and discourages any new development which would impact negatively on the environment and actively encourages development which reduces the impacts of climate change.

PPS 3: Housing - amplifies the advice set out in PPS1, and particularly says that housing should be developed in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure. The priority for development in such locations should be previously developed land, where appropriate. The amended statement has removed residential garden areas from the brownfield classification. PPS3 also sets out clear advice on determining planning applications, stating that we should have regard to the suitability of a site for housing (including its environmental sustainability) and that we should ensure that proposals are in line with housing objectives and do not undermine wider policy objectives. PPS3 specifically states that “Developers should bring forward proposals for market housing which reflect demand and the profile of households requiring market housing, in order to sustain mixed Communities” (Para 23). In relation to market housing PPS3 states that “One of the Government’s key objectives is to provide a variety of high quality market housing. This includes addressing any shortfalls in the supply of market housing and encouraging the managed replacement of housing, where appropriate. Local Planning Authorities should plan for the full range of market housing. In particular, they should take account of the need to deliver low-cost market housing as part of the housing mix” (Para 25 & 26)

PPS5 ‘Planning for the Historic Environment’ outlines the Government's policies for effective protection of all aspects of the historic environment. Planning has a central role to play in conserving our heritage assets and utilising the historic environment in creating sustainable places. The Government’s overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. To achieve this, the Government’s objectives for planning for the historic environment seek to recognise that heritage assets are a non-renewable resource, recognise that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term and wherever possible, heritage assets are put to an appropriate and viable use that is consistent with their conservation.

PPS 7 - Sustainable Development in Rural Areas - states that many country towns and villages are of considerable historic and architectural value, or make an important contribution to local countryside character. Planning authorities should ensure that development respects and, where possible, enhances these particular qualities. It should also contribute to a sense of local identity and regional diversity and be of an appropriate design and scale for its location, having regard to the policies on design contained in PPS3.

PPG 13 ‘Transport’ - A main objective seeks to reduce the need to travel, especially by car. With regard to rural areas, the guidance makes clear that jobs, shopping, leisure facilities and services are primarily sited at the most accessible locations in the local area. In determining the appropriate strategy for employment in rural areas, the guidance says that it is important to consider the scale, impact and likely catchment area of development, and that the larger the number of staff employed

on site, the greater the need to ensure the development is accessible by public transport, walking and cycling.

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 BE12: Planning permission will not be granted for development within any area shown on the proposals map as a protected open area except where a proposal is in conjunction or associated with an existing use and the development would not adversely affect the intrinsic character of the area.

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.

Melton LDF Core Strategy: seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough, with expectations to produce mixed, integrated housing developments and meet local needs by addressing identified imbalances in housing stock in all locations. Identifying villages by virtue of a hierarchy reflecting their sustainability and, therefore, suitability for development.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority – Objects</p> <p>Wrights Lane is considered unsuitable in design and width to cater for the additional traffic likely to be generated by further development. Furthermore its junctions with both Main Street and Edmondthorpe Road lack adequate, width, radii and visibility splays to cater for increase turning traffic. The site access has extremely restricted visibility splays and vehicles turning out of the access would be a source of danger to users of Wrights Lane.</p> <p>It is therefore considered that the proposal is unacceptable as the increased traffic generated by the proposed dwelling would be likely to create increased dangers for highway users, including pedestrians, to the detriment of highway safety.</p> <p>Before the previous application was withdrawn, the Highway Authority had recommended refusal of that application on the grounds that the site access did not conform to required standards and that Wrights Lane was unsuitable to cater for additional traffic. Also the junctions at either end of Wrights</p>	<p>The access, along with a stone wall and five bar gate had been constructed prior to the submission of this application. Wrights Lane is not a classified road and planning permission was not required providing it was to serve development which did not require planning permission.</p> <p>The previous application was withdrawn following a recommendation for refusal. The applicant had been informed that it may be possible to provide a suitable access on to Wrights Lane but that they would not be able to overcome concerns about Wrights Lane and its junctions. The accompanying Design and Access statement (para. 7.1) states that the visibility splays can be achieved by realigning the entrance wall and hedgerow however this is not shown on the submitted plans. Should members be minded to approve the application a condition will need to be imposed to ensure that the improvements are carried out to the satisfaction of the Highways Authority.</p>

<p>Lane lacked adequate width, radii and visibility splays. Whilst it may be possible to provide an access on to Wrights Lane that was acceptable the original concerns about Wrights Lane and its junctions could not be overcome.</p>	<p>The Highways Authority has considered the existing access, which would serve the proposed dwelling, unsuitable due to lack of visibility and considers that vehicles turning out of the access could create additional dangers for highway users to the detriment of highway safety. Wrights Lane is considered unsuitable in design and width to cater for the additional traffic, likely to be generated by further development.</p>
<p>Housing Policy Officer – within the Rural East of the borough there is limited need for additional market housing to 2011, the need for additional market housing in the area relates mainly to the need for additional smaller units with a significant surplus of larger sized properties in the area. There are limited opportunities within village envelopes for significant new residential developments and therefore residential developments in the area should contribute towards the creation of a mixed community and have regard to local market housing needs.</p> <p>The application is for a substantial detached property comprising 3 large, double bedrooms. The housing market analysis shows a significant surplus of such larger properties in the area and the proposed property would add to this imbalance.</p> <p>The dwelling proposed by the current application is not supported as it would add to the local imbalance of the market through the further addition of a larger property and as such is considered inappropriate. On this basis the application is recommended for refusal as the local over supply of larger family accommodation would be further exacerbated, contrary to PPS3.</p>	<p>The LDF Core Strategy introduces a significant redirecting of policy requirements in terms of housing provision and it is considered that the Core Strategy, particularly in conjunction with the advice of PPS3 that it is intended to implement at the local level, is of sufficient importance to outweigh the Local Plan. This therefore introduces revised requirements for new development to address housing market imbalances.</p> <p>The resubmitted application has been reduced in size but still represents a large three bed dwelling which does not support the housing needs for the Rural East.</p> <p>The applicants have stated that the proposal will allow them to downsize from their existing dwelling; Thorpeholm, which would become available on the open market. The dwelling has been designed to meet their needs and allows the use of a bedroom as a home office for their own use. They consider that the housing policy relating to meeting the need of the local community as having been met. The supporting information which has been taken from the Council Tax banding shows that there is a mix of dwellings within Wymondham. The applicants have stated that there have been smaller units built in Wymondham since the studies and further smaller units on Edmondthorpe Road have been submitted to the Planning Department and therefore the needs have been met for Wymondham.</p> <p>The housing policy seeks to ensure that the housing needs of the Rural East are met and is not specific to the village of Wymondham. There are limited opportunities for housing development in rural locations and therefore development proposals must support the local needs of the surrounding villages, where development may be more constrained.</p>
<p>Parish Council – No objections</p>	<p>Noted.</p>
<p>Leicestershire County Council Archaeologist – no objection</p>	<p>Noted. The applicants have submitted an Archaeology Report as supporting information for determining the application. The previous</p>

<p>The Officer has checked the site against the Leicestershire & Rutland Historic Environment Record (HER) and do not feel that any archaeological work is required as part of the scheme as the site has already been subject to archaeological investigation.</p>	<p>application was withdrawn following a recommendation of refusal on lack of information in order to assess the impact upon archaeology potential of the site.</p>
<p>Conservation Officer – No objections</p> <p>This is a vacant site adjacent No 4 Wrights Lane. There is an existing gated point of access from the Lane that is ramped due to the difference in levels between the highway and the more elevated site. A stone boundary wall has already been built to the frontage and there has been some planting to the frontage to aid the screening of the site. Whilst it is flat and relatively tidy it is somewhat of a negative element in both the street scene and wider conservation area. In that regard the proposal to develop the site presents the opportunity to address that.</p> <p>The proposed dwelling is located towards the centre of the site and is hence set back from the highway, as are both its neighbouring properties, and it therefore reflects the pattern of development in this part of the conservation area. The design is relatively simple and the choice of materials (natural stone and clay pantiles) respecting the local vernacular. Stone is clearly predominant in the street scene and in that regard the plain stonework of the garage gable which is presented to the highway will add to the array of plain stonework already visible.</p>	<p>The site lies within the Conservation Area which is considered to be a Heritage Asset of significance as advised within PPS5. Therefore development is required to be of high standard and should enhance and preserve the Heritage Asset. The development proposal presents a simple design using construction materials that are typically found in the village of Wymondham. It is considered that the proposal will have a positive impact upon the Conservation Area.</p> <p>Thorpeholm sits within a designated Protected Open Area and it is intended to construct the proposed dwelling on land, which has now been sectioned off from the host building to create a building plot. The land to which this application relates is of little merit and represents a derelict site. Policy BE12 seeks to protect designated Protected Open Areas from development unless it is in conjunction or associated with an existing use and the development would not adversely affect the intrinsic character of the area. It is considered that the land in its present form does not have any value however the land to the south of the host building is manicured lawn and landscaped areas which are open and have a positive contribution to the Conservation Area and is worthy of the protected status. The development would not affect this part of the site.</p>

Representations:

A site notice was posted and neighbouring properties consulted. As a result 26 letters have been received, supporting the proposal and one letter objecting, on the following grounds:

Representation Supporting the Proposal	Assessment of Head of Regulatory Services
<p>Character of the area:</p> <ul style="list-style-type: none"> • Good use, of what has become a redundant piece of land. • The design is in keeping with other properties in the area. • The reuse of the land will introduce landscaping which will benefit the area whilst screen the development. • The materials proposed will complement the surrounding built environment. • The plot is ideal as an infill building plot. • A smaller property would look odd on the 	<p>The site is designed as Protected Open Area within the Local Plan and was formerly residential garden area to the host dwelling. The applicants have separated the land by erecting a close boarded fence which in effect has created a ‘plot’ of land. A Discussions paper was published in 2005 and a meeting wit the Parish Council was held in the October 2005 regarding designated Protected Open areas with a view of removing some of the areas from designation. This part of the site was one of those areas however no formal consultation was carried out so the designation still stands.</p>

<p>reasonable size plot and would be out of character with the other larger dwellings on the lane.</p>	<p>It is considered that given that the site has little merit as a protected open area as it lacks any amenity value, an appropriate size dwelling could enhance the area and make a positive contribution to the Conservation Area.</p>
<p>Housing Considerations:</p> <ul style="list-style-type: none"> • The housing policy seeks to stop individuals from building dwellings for their own needs. • Will provide an opportunity for the current owners to downsize so that they can remain in the village. • Will add to the mix of dwellings available in the village. • Large family dwellings are still needed in the village if families are to be encouraged to come to the village to support the services. • The size and scale is appropriate to the demand of housing within the village • Will free up a larger property for another family to move into the village, which would support the services within the village. • Recent Development in the village has addressed the need for 2 bedroom properties. • Development at the Manor Gardens provides a mix of house types and the proposal for a three bedroom dwelling would not unbalance the housing mix available within the village. • Recent developments within the village have addressed the shortfall in smaller units. 	<p>The application proposes a market house dwelling although it's to serve the applicants own needs a personal permissions can not be given without special justification. It is therefore required that the proposal is consider as a market dwelling which could be available on the open market. It therefore should meet the identified local need for the Rural East.</p> <p>The existing mix of housing in the Borough, together with population and household formation forecasts, shows that in order to create a more sustainable and balanced housing market a bias in favour of small units will be required to address current shortfall and future need.</p> <p>To allow information to be provided at a more local level the Borough has been divided into five sub-areas by grouping wards in which the housing market show levels of self-containment. The application site is situated within the village of Wymondham in the Rural East sub-area. Utilising data obtained from a housing needs assessment survey and taking account of planned moves of existing households; demand from existing and new household formation; and, supply and demand created by migration the housing stock analysis shows that in the Rural East the private market is subject to an oversupply of houses with both three and four or more bedrooms with two bedroom houses showing a shortfall.</p> <p>The application has placed an emphasis on the type and size of dwelling built in Wymondham over recent years. This assumption does not give a true representation of the local housing market which covers a larger area than a single village. To focus on a single village introduces potential distortions to any figures involved and results cannot be considered statistically reliable. The Rural East sub-area has been identified, through robust studies (David Couttie 2008 and SHMA 2009), as the local market within which Wymondham would fall. Furthermore, the limited number of development sites which are available in the rural parts of the Borough ensure the housing need, in terms of size, which they address, should not be limited to a single village.</p>

<ul style="list-style-type: none"> • Development at Gretton Court has satisfied the low cost housing for the village but there is still a need for bungalows 	<p>The application refers to market housing and not low-cost housing. The recommendation for refusal is based on the size of the dwelling proposed rather than the cost at which the dwelling would be marketed. The proposal is for a two storey dwelling not a bungalow, which would be looked upon more favourably and support the housing needs for the area.</p>
<p>Wider Benefits:-</p> <ul style="list-style-type: none"> • The construction of the dwelling will provide job opportunities to local tradesmen. • The applicants are active and valued members of the community and should be allowed to remain in the village by building a modest dwelling to suit their own needs. • Freeing up a larger family home will attract younger families to the area which will support the school and keep the village shop going. 	<p>The Local Development Framework seeks to protect rural villages from inappropriate large executive housing following on from research and evidence which found that the borough has a surplus of larger dwellings. Applications for larger dwellings are no longer supported by the Council.</p>

Representation Objecting to the Proposal	Assessment of Head of Regulatory Services
<p>Validation Issues –</p> <ul style="list-style-type: none"> • The block plan submitted does not show the adjoining neighbours. Members of the public and Members will therefore not have a true representation of the impact upon neighbouring properties. The application should not have been validated. 	<p>Local planning authorities are reminded of the need to take a proportionate approach when validating proposals and to only request information if the information submitted is not adequate or clear to assist with determining the proposal.</p> <p>The submitted location plan clearly shows the location for development, identifying the site by the red outline, whilst the site plan shows the footprint of the dwelling and dimensions in relation to the application site. It is considered that the information provide is sufficient to be able to assess the impact upon neighbouring properties. Officers and Members have the benefit of a site visit prior to determining any proposal.</p>
<p>Out of Character with the Area –</p> <ul style="list-style-type: none"> • The size and shape of the plot is at odds with other neighbouring properties and will lead to a cramped appearance on the streetscene. 	<p>The properties on the west side of Wrights Lane consists of two dwellings both sitting in extensive plots. The application site is between the two properties but still represents a larger than average plot. Along the east side of Wrights lane the plot sizes are more modest and more comparable to the application site. It is not considered that the development would represent cramped development due to still occupying a large plot with adequate separation distances from the neighbouring dwellings. The streetscene would not be unduly affected.</p>

<ul style="list-style-type: none"> • The site is designated Protected Open Area. Discussions have taken place to remove the area but this has not gone through public consultation so the designation still stands. • The design has no ‘local distinctiveness’ and is a typical estate house which does not enhance or preserves the Conservation Area. • The development would amount to ‘garden grabbing’ and will be harmful to the character of the area. 	<p>A discussion paper was circulated in 2005 in relation to the Protected Open Areas across the borough. Within the village of Wymondham discussions had taken place in regards to keeping or removing some of the designations however this has not progressed any further and policy BE12 is still relevant. Policy BE12 seeks to protect designated Protected Open Areas from development unless it is in conjunction or associated with an existing use and the development would not adversely affect the intrinsic character of the area. It is considered that the land in its present form does not add any value and represents a derelict site. Development in this location can only enhance the area. It is considered that there are sufficient grounds to depart from the local plan in this instance.</p> <p>The design is relatively simple and has been reduced in size from the previous application which was withdrawn. The street comprises of a mixture of size and style of dwellings and the proposed design will not be out of keeping with the area given that there is a variety. The principle elevation will face on to the highway with the attached garage presented gable end facing on to the street. PPS3 and PPS5 seeks to ensure that development is of good quality design which includes construction materials.</p> <p>The layout and choice of materials (natural stone and clay pantiles) is considered to respect the local vernacular along Wrights Lane. Stone is clearly predominant in the street scene and the construction materials are considered acceptable in this location and will not unduly affect the designated heritage asset that being the Conservation Area.</p> <p>The application site was formerly part of the residential curtilage to the host building which occupies an extensive plot. This part of the site has been separated by the erection of a close boarded fence and has a different character to the landscaped garden to the south of the dwelling. PPS3 has removed residential garden from the ‘brownfield’ classification which deters development where the character of the area would be unduly altered by development proposals. It is considered that given the existing character of the site, which represents a brownfield plot due to its lack of landscaping, development on this land would not have a harmful effect.</p>
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Other considerations not raised through representation.

Representation	Assessment of Head of Regulatory Services
Impact upon neighbouring properties:	The proposal is to the north of the host building and will sit on elevated land. The existing close boarded

	<p>fence is to be replaced with a stone wall. A small bedroom window is proposed at first floor level and there is an existing window on the host building serving small bedroom. The separation distance from the host building to the proposed dwelling is approximately 18 metres which is less than the recommend separation distance of 21 metres from window to window. However the proposed dwelling has been off set from the host so that no overlooking can be created. It is considered that the arrangement is acceptable and will not reduce the residential amenities of the neighbouring property.</p> <p>To the north of the site is a large detached dwelling which backs on to the application site and has principle windows at ground and first floor level. A bathroom window is proposed at first floor which will be obscurely glazed. Windows on the ground floor will serve the utility room and dining room and will be screened by the existing close boarded fence. It is considered that due to the design and separation distance there will not be an adverse impact upon the residential amenities of the neighbouring property.</p> <p>To the rear of the site (west) is a detached property which sits at an angled between the Edmondthorpe Road and the application site. The separation distance is in excess of the current standards and due to the positioning of the neighbouring dwelling no overlooking can be created ensuring that the residential amenities are not affected.</p> <p>Across the highway (east) is a two storey dwelling which sits on the lower land level facing onto the highway. The principle elevation of the proposed dwelling contains windows at first and ground floor level and is set approx. 17.5 metres into the site. The front boundary consists of a low level stone wall with beech hedge above. Views into the site will be limited from the opposite dwelling as a result of existing landscaping.</p> <p>The topography of the site is higher than the land to the south by more than a metre in some parts. The land is to be levelled out which will reduce the land level but it will still be higher. The proposed height of the dwelling is at approx 8.5 metres sloping to eaves height of approx. 4.6 metres. The host dwelling Thorpeholm has a finished roof level which will be higher than the proposal which ensures that the dwelling will not be overbearing within the streetscene.</p> <p>The proposal is considered to comply with the development plan policies OS1 and BE1 and will</p>
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	<p>not have an adverse impact upon the residential amenities of any of the neighbouring properties. This is due to the design, bulk and mass being in keeping with the surrounding properties.</p>
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Conclusion

The application site lies within the village envelope and thus benefits from a presumption in favour of development under policies OS1 and BE1. The proposed development has been designed to have a limited impact on adjoining properties, and is considered capable of reflecting the character and appearance of the surrounding area. Although it would represent the new introduction of a building on land currently designated as Protected Open Area, views into the site would be improved as the dwelling would introduce landscaping which would have a positive impact upon the site and the Conservation Area. The dwelling as proposed is not considered to support the Borough’s housing needs as an open market dwelling however it has been designed specifically for the needs of the applicants with the opportunity to downsize and would freeing up a family home for new residents to the village. The proposal would result in the creation of a substandard access on to Wrights Lane which lacks adequate visibility splays and due to the narrowness of the lane the intensification of the highway is not supported. Accordingly the proposal is considered to be detrimental to highway safety and is recommended for refusal on these grounds.

RECOMMENDATION:- Refuse for the following reason:-

1. In the opinion of the Local Planning Authority the proposed development would, if approved, result in the intensification in use of a substandard access on to Wrights Lane. This access lacks adequate visibility splays and therefore vehicles turning out of the access could create additional dangers for highway users to the detriment of highway safety. Wrights Lane is considered unsuitable in design and width to cater for the additional traffic likely to be generated by further development and its junctions with both Main Street and Edmondthorpe Road lack adequate, width, radii and visibility splays to cater for increase turning traffic. The proposal is therefore considered to be contrary to OS1 and BE1 of the adopted Melton Local Plan.

2. In the opinion of the local planning authority the proposed type of house does not address the imbalance of stock type and size of dwellings required to reflect the housing needs of the area. The Housing Stock Analysis conducted in 2006 clearly demonstrates that there is a surplus of larger private market homes and a significant lack of smaller sized properties within Melton Borough and the rural west of the Borough. Accordingly the proposal fails to contribute to a sustainable and balanced housing market and is therefore considered to be contrary to PPS3 and the Melton LDF Core Strategy (Preferred Options).The large executive detached home proposed in this application cannot be supported as it would exacerbate the current imbalance of larger housing stock in the local housing market contrary to the aims of PPS3.

Officer to contact:

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4th March 2010