

Reference: 11/00866/FUL
Date Submitted: 14.11.11
Applicant: Sir David Samworth
Location: White Lodge, Gated Road, Thorpe Satchville, Melton Mowbray
Proposal: Demolition of existing dwelling house and partial demolition of concrete framed barn and erection of new dwelling with extended and remodelled barn.

Introduction:-

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

The site sits wholly within the open countryside, accessed by a gated road linking Ashby Folville and Thorpe Satchville. The site currently houses a modest single storey timber dwelling, large two storey brick stables in a courtyard arrangement with grooms accommodation above, horse walker and large agricultural storage building. Historically, the site contained a former lodge with a range of outbuildings, remnants of the previous footings can still be seen on site. Due to the topography of the area the application site sits within a 'bowl' which limits views of the site from the surrounding area.

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 recommendation is contrary to the Development Plan.

Relevant History:-

06/00353/CL - Certificate of lawfulness for residential use, breach of agricultural tie condition on planning approval 68/1831/19.

03/00430/FUL – Planning permission granted for a revised access and horse walker.

96/00794/FUL – Planning permission granted for the provision of grooms accommodation at first floor of stables with ancillary garage and parking space.

68/1831/19 – Consent granted for the erection of a bungalow with an agricultural occupation condition.

Melton Local Plan (saved policies):

PPS1 'Delivering Sustainable Development' – The guidance sets out the government's planning policies on delivering sustainable development through the planning system. It advocates development which reduces the need to travel and encourages accessible public transport provision to secure more sustainable patterns of transport development. It states that planning should focus development in existing centres and promote the more efficient use of land through higher density and the use of suitably located previously developed land and buildings. The Statement also outlines the Government's commitment to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas.

PPS3 Housing - provides central government guidance for residential development. The general thrust of this policy is that development should be focused in accessible locations and

that brownfield land should be developed in preference to greenfield land releases. With regard to the effective use of land, PPS3 states that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed including land and buildings that are vacant or derelict. It goes on to state however that there is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed.

PPS7 ‘Sustainable Development in Rural Areas’: promotes sustainable development as the core principle underpinning land use planning. It reiterates the objectives in PPG13 regarding modes of travel and that new building development (including residential) in the open countryside away from existing settlements, or outside areas allocated for development should be strictly controlled. All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. It includes encouragement of the re-use of buildings that are appropriately located and suitably constructed for commercial purposes as part of the approach to encourage and diversify the rural economy and suggests that residential conversion may be acceptable for some buildings.

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.

East Midlands Regional Plan

Policy 1 – Regional Core Objectives – to secure the delivery of sustainable development within the East Midlands which includes a core objective to increase the regions biodiversity through the management and extension of existing habitats and to reduce the causes of climate change by minimising emissions of CO₂ by encouraging sustainable development and design.

Policy 2 – Promoting Better Design – states that the layout, design and construction of new development should be continuously improved, including terms of reducing CO₂ emissions.

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.

Policy 39 sets out the Regional priorities for energy reduction and efficiency and states that Local Authorities should promote a reduction of energy usage in line with the ‘energy hierarchy’ and develop policies and proposals to secure a reduction in the need for energy through the location of development, site layout and building design.

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.

Melton LDF Core Strategy: seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough. The Core Strategy also looks at tackling climate change and considered that focusing development within Melton Mowbray we will be directly influencing energy use and emissions by reducing the need to travel and that development in isolated locations, where people rely on the private motor car for their travel needs are poor locations for development, even if other measures are taken to mitigate or adapt to climate change. The Core Strategy states that new development should be of high quality and inclusive design.

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 site is accessed via a gated road which serves one other property; Markham House, a substantial property sitting approx 750 metres to the west. The site is situated wholly within the open countryside between Thorpe Satchville and Ashby Folville. The site is occupied by an equestrian use and has adequate access and parking provisions.</p> <p>The proposal, given its existing uses, will not have a detrimental impact upon the existing highway safety and there is adequate parking provision.</p>
Thorpe Satchville Parish Council –. No comments received at the time of writing.	No comment.
Ecology – No objections subject to conditions.	<p>The application was supported with a Protected Species report which was considered to be satisfactory. Presence of bats was recorded in the roof space of the building to be demolished and compensatory roost space will be required within the new building. This 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 and neighbouring properties consulted. As a result no letters of representation has been received to date.

Other material considerations (not raised through consultation of representation)

Considerations	Assessment of Head of Regulatory Services
<p>Application of Development Plan.</p> <p>Policy 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</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 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 town and village envelopes unless special justification applies. The site has an existing dwelling on the site that was once tied to occupation by an agricultural worker, however a certificate of lawful use was issued relinquishing the site from the tie.</p> <p>The site has historically had a residential use with the former Lodge and outbuildings dating back to early 1800's but the lodge itself having been demolished in the mid 1900's. In 1968 planning permission was granted for the existing bungalow to which this proposal seeks to replace.</p> <p>The Council is aware that existing habitable dwellings in the open countryside may sometimes need to be completely rebuilt in order to achieve modern standards of foundation, design, insulation and so on. However, the Council does not wish to see any policy on replacement dwellings abused. Therefore 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 occupied and maintained but is not of modern construction and is in need of upgrading and therefore is considered to comply with this part of the policy.</p> <p>The existing single storey dwelling occupier a footprint of approximately 100square metres and contains 2 bedrooms, hall, bathroom, kitchen, lounge and store room and sits in an elevated position with a concrete block retaining wall. 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 would have a footprint of approximately 156 square metres and would be two storey. The proposal consists of a substantial 3 bedroom dwelling having separate kitchen, dining room, snug, drawing room, boot room utility/washroom and therefore it cannot be concluded to be of similar scale and size of the existing residential dwelling. Therefore the</p>

	<p>proposal fails to comply with this element of Policy C12. However, in considering the merits of this application, historically it has been proven that the former lodge was of a substantial size and did have a footprint of 150 square metres with the accommodation arranged over three floors. Whilst this in itself is not a reason to depart from the policy; as the buildings have long since been demolished, it does help to assess the historical character of the area. The site is still occupied by a number of outbuildings and the former courtyard of stables which were once part of the collection of buildings associated with the former lodge. The existing prefabricated timber shingle clad bungalow is out of context with the rest of the site and is at odds with the historical landscape and appears incongruous due to its appearance.</p> <p>The proposed dwelling would be sited on the footprint of the former lodge and would take the form of a double pile farmhouse in the tradition of the early 19th century, constructed of crop faced Clipsham limestone. Square in plan, each principal elevation is in three bays above a projecting plinth with a further projection at the eaves to complement the oversailing soffit of the roof. Fenestration is provided by weight balanced vertical sliding sash windows in small panes, enclosed by ashlar stone dressings and the principal entrance is served by a limestone entrance porch, whilst the north elevation has a modest enclosure. The roof pitch matches that on the stables and will be of cast stone 'conservation' slates. The preferred materials are similar to those at Thorpe Satchville Hall. The overall design is considered to comply with policy BE1 of the Local Plan.</p> <p>The dwelling will be constructed using modern sustainable techniques and will be built to fulfil Life Time Home requirements, an objective of the Core Strategy. It is proposed to set the dwelling lower down by 1 metre to improve the connection with the rest of the site and to allow the new two storey structure to settle into the landscape. This would also allow for a level access from the western part of the site and incorporates a low retaining structure and bank to the east and south boundaries which could be constructed from materials to match the dwelling.</p> <p>A further element of the proposal seeks to demolish, in part, and remodel the existing agricultural building to the northwest of the site, reducing its footprint by 200 square metres. The barn at present is large, having an overall length of 26 metres by 14.4 metres in width with partial enclosed elevations. The remodelling of the barn will see half of the barn demolished and remodelled into an L-shape plan formation which</p>
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	<p>will be used as parking for the replacement dwelling as well as for storage. The heights remain unaltered.</p> <p>When considered the scale and mass of the replacement dwelling 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 north, east and south and a gentler slope to the west towards Markham House. This in effects creates a bowl with limited views of the site except from the public footpath to the north and from the bridge over the disused railway to the east. The size and scale of the dwelling needs to be read in context with the whole site and not as a stand alone dwelling. It will be read with the landscape in the back drop and not against a sky line when viewed from the site.</p> <p>It is considered that although the dwelling is not of similar size to the existing dwelling it will be in context with the overall site and has been designed to be sensitive within the landscaping of which it will be absorbed. PPS 7 seeks to ensure that development in rural areas are well design and in keeping with its location being sensitive to the character of the countryside and local distinctiveness. It is not considered that the proposal will have a detrimental impact on the open countryside. The historical assessment of the proposal is one that is unique to this site and could not be easily replicated elsewhere and in this instance, due to the factors above the proposal is considered acceptable.</p>
<p>Sustainable Development:</p>	<p>The dwelling is to be constructed to comply with sustainable code level 4 which is above Building Regulation requirements. Modern technologies such as air and ground sourced heat pumps, rainwater recycling and both passive and active solar technologies are to be utilised within the new build.</p> <p>If the sustainable coding is required as part of the consideration by the Committee in order to depart from the development plan it is suggested that a condition be imposed requesting a copy of the approved coding certificate prior to occupation of the development.</p>
<p>Impact upon residential amenities.</p>	<p>The site lies within the open countryside with the applicants dwelling being located to the west of the site. It is considered that there will be no impact upon any residential amenities due to the remote location.</p>

Conclusion

The proposal seeks planning permission to replace a modest dwelling contained within a group of historical and modern farm buildings, along with alterations to an existing large barn. The dwelling is a substantial new build which will be constructed to comply with sustainable coding and Life

Time Homes which would reduce its impact upon the environment and meet the needs of future generations. This would be a vast improvement upon the current dwelling which has no architectural merit and has no sustainable credentials due to it being in a prefabricated form. The landscape is capable of absorbing the development due to the topography and will not have a detrimental impact upon the countryside location, furthermore the remodelling of the large barn will reduce the overall footprint of the site and the proposed design will enhance the overall appearance of the site. It is considered that due to the above factors that the proposal should be allowed and the recommendation seeks a departure from the local plan.

RECOMMENDATION: Permit

1. The development shall be begun before the expiration of three years from the date of this permission.
2. 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
3. Prior to any demolition works taking place, temporary bat roosts shall be provided within the site. Prior to completion of the dwelling a purpose built bat loft shall be provided within the new dwelling in accordance with the recommendations contained at para. 6.2 of the submitted Ecology Report by EMEC Ecology.

The reasons for the conditions are:-

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. To safeguard protected species.

Officer to contact: **Mrs Denise Knipe**

Date: **17th January 2011**