

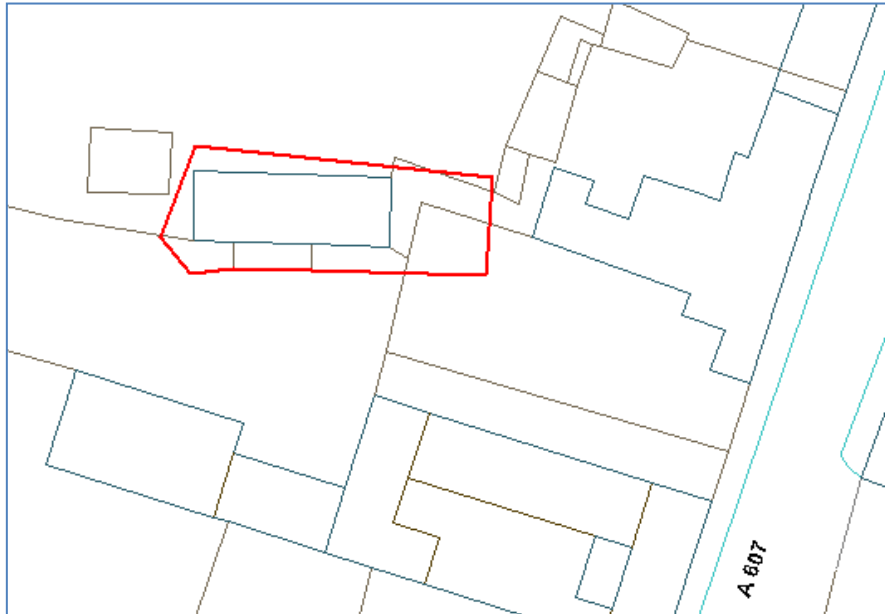
Reference: 12/00074/FUL

Date Submitted: 09.11.10

Applicant: Mrs Sue Duffin

Location: Church Farm, 10 Melton Road, Waltham On The Wolds, LE14 4AJ

Proposal: Alteration to Cow Shed



Introduction:-

This application seeks amendments to a previous planning permission on a former farmyard site for the erection of three new two-storey dwellings (two 2 bed semi-detached and one 3 bed detached) and the conversion of a single storey outbuilding (the Cowshed) to form one 2 bed bungalow. This application is for alterations solely to the Cowshed.

The former cow shed is currently under renovation and during the build process an error was made upon setting out the building which has led to a regularisation being required. The amendments sought to the extant planning permission are:-

- Various alterations to window and door openings
- Re-siting of one rooflight and removal of a further 3 rooflights
- Slight reduction in ridge height
- Extension of the building 2m towards the west of the site (outside the village envelope)
- Alterations to internal layout

The site is located on the edge of the Village Envelope and within the Conservation Area for Waltham on the Wolds. Conservation Area consent has previously been granted for the clearance of the majority of the agricultural buildings which currently occupy the site. The site has an area of approximately 2500 square metres.

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:-

10/00655/DIS - Discharge of conditions 2 (materials), 3 (Contamination), 4 (Archaeology), 5 (Tree Planting), 8 (Boundary Treatments) relating to Planning Approval 08/00551/FUL

09/00650/VAC – Removal of Affordable Housing Contribution. Granted on the 16th October 2009.

08/00551/FUL - Planning permission granted for Alterations to existing outbuilding, three new build houses, conversion of existing pig sty to residential dwelling and alterations to existing farmhouse.

08/00552/CON - Conservation Area consent granted for the demolition of the majority of agricultural buildings on the site.

10/00731/FUL – Building of 3 new homes and the refurbishment and alteration of the existing cow shed into a 2 bed dwelling.

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 – No observations	Access and parking arrangements have not altered from the previous approval.
MBC Conservation Officer – The alterations are minor and has no objections	Noted
Parish Council – resolved that the development of the Cow Shed was outside of the Village envelope and as such was against the Parish Council’s policy to allow such development.	The previously approved application 10/00731/FUL approved the partial incursion of land outside the village envelope. This application seeks to regularise a setting out error during construction of

	<p>the site which has led to the layout of the cow shed being altered slightly. The proposal extends the development 2 metres towards the west of the site in an area which lies outside the village envelope.</p> <p>It is not considered that the small extension harms the character and appearance of the conservation area or the countryside location.</p>
--	--

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 surrounded by a number of residential properties 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 converted Cow shed's roof height has been reduced by 40 cm on the southern elevation. Three conservation roof lights have been removed on the northern elevation, and the style of several windows have been altered. The dwelling has been moved 2 metres outside the village envelope to the west.</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>The cow shed, which is currently under conversion, has previously been approved. Application 10/00731/FUL approved a sun room on the south elevation which extended beyond the village envelope by 2 metres but was still within the former farm yard complex and residential garden as already approved.</p> <p>This application seeks approval for the extension of the dining/sitting room area by two metres to the west in addition to the sunroom on the south elevation.</p> <p>The residential curtilage to the Cowshed has a 2 metre wide strip to the South, covering approximately 20 sqm in total, which extends beyond the village envelope boundary to allow access to the property and provide a small area of amenity space. This area previously formed part of the farmyard and was once hardsurfaced. When considering the previous application (10/00731/FUL) it was considered that the use of this area does not represent an encroachment into undeveloped agricultural land. The objective of the policy is to protect the countryside and it is considered that the further addition to the west does not result in a detrimental impact to the character and appearance of the open countryside and is accordingly considered acceptable..</p>

Highways:	No objection The proposal is considered acceptable in terms of highway safety.
Compliance (or otherwise) with Planning Policy	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.

Conclusion

Planning permission currently exists for the site, all pre-commencement conditions have been discharged and the development has commenced. The cowshed conversion lies within the village envelope of Waltham on the Wolds and thus benefits from a presumption in favour of development under policies OS1 and BE1 and the NPPF. The site also falls within the Conservation Area and the development offers an enhancement of the site overall. The changes proposed seek approval for a small alteration in the footprint of the cowshed along with some window alterations and reduction in roof height to the property. The addition to the west encroaches beyond the village envelope by 2 metres. However, for the reasons outlined in the report it is not considered that this extension would encroach upon the undeveloped countryside.

The amendments sought are 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. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995 as amended (or any Order revoking and re-enacting that Order) in respect of the dwelling hereby permitted no development as specified in Classes A-E, shall be carried out unless planning permission has first been granted by the Local Planning Authority.

The reason for the condition is:-

1. To enable the Local Planning Authority to retain control over future extensions in view of the form and density of the development proposed.

Officer to contact: **Mrs Karen Jensch**

26th March 2012