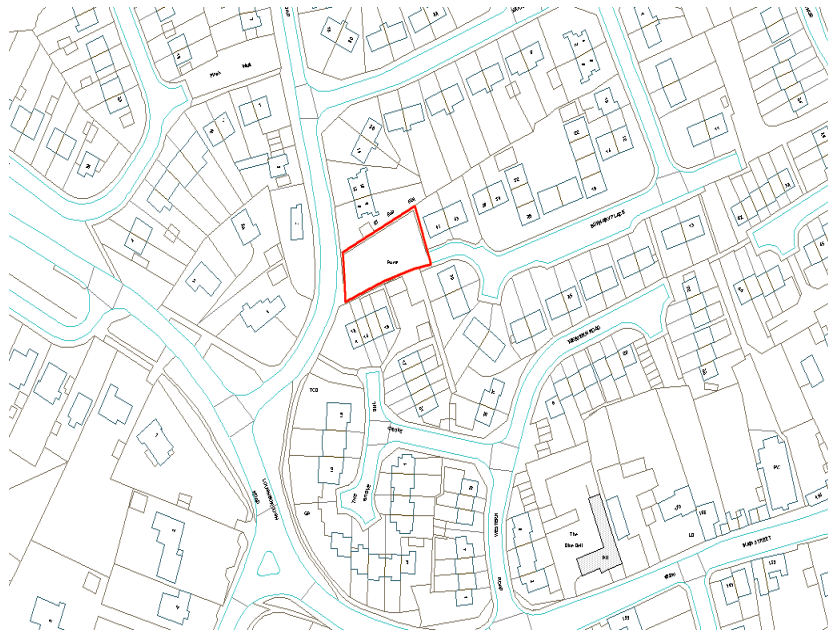


Reference: 12/00450/OUT
Date submitted: 04.07.12
Applicant: Melton Borough Council
Location: Car Park Adjacent To 8 Burnaby Place, Asfordby
Proposal: Three family houses for social rent



Proposal :-

This application seeks outline planning permission for the principle of residential development with all matters reserved. The site is a former council car park site which is under utilised by residents of Burnaby Place. Access to the site is from Saxelby Road and Burnaby Place. The site is located within the village envelope and designated Conservation Area for Asfordby and sits within an established residential area. The site is considered to be a brownfield site and suitable for residential development subject to compliance with the development plan.

It is considered that the matters for consideration are:

- **Impact upon neighbouring properties**
- **Impact upon character of the area**

The application is to be considered by Committee as it has been submitted on behalf of Melton Borough Council.

Relevant History:-

07/01333/TCA – Consent granted for Crown reduction by 30% of 1 tree in the middle of the car park.

Planning Policies:-

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.

The Melton LDF Core Strategy (Publication) Development Plan document: The Core Strategy has been published and is currently coming to the end of a 6 week consultation period. The DPD 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.

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.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core 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.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

On Specific issues it advises:

Delivering a Wide choice of High Quality Homes

- Set out own approach to housing densities to reflect local circumstances
- Housing applications should be considered in the context of the presumption in favour of sustainable development.

- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority – No objection to the principle of development, although the proposed access shown off Saxelby Road does not meet current standards, particularly for pedestrian visibility splays. The proposed parking area off Barnaby Place is a little restricted and the two spaces shown nearest the dwellings would need an additional margin to allow vehicles to manoeuvre into the spaces and to allow car doors to be opened. Also the arrangement does not allow vehicles to turn and as a result vehicles would have to reverse up or down the narrow access road, which is undesirable, although not necessarily something that would warrant a reason for refusal.</p>	<p>Whilst the application is for outline planning permission with all matters reserved an indicative layout plan has been submitted which seeks to retain both vehicle accesses.</p> <p>The indicative plan also shows that the site could accommodate a row of 3 terraced properties with two parking spaces to serve each dwelling.</p> <p>The highways authority has not objected to the proposal and it is considered that the site access and parking arrangements can be accommodated within the site.</p>
<p>Conservation Officer: No objection.</p> <p>As this is an outline application with only a layout plan included the Conservation Officer is unable to make meaningful comments in terms of design etc.</p> <p>In general terms however this appears to be a suitable infill site for 3 new dwellings.</p>	<p>Noted. Matters relating to design will be considered at reserved matters application.</p>

Representations:

A site notice was posted and neighbouring properties consulted. As a result 1 letter has been received, objecting to the proposal on the following grounds:

Representation	Assessment of Head of Regulatory Services
<ul style="list-style-type: none"> • The two car parking spaces proposed on Saxelby road, will adversely affect the traffic on a bus route and school run, and will not be compliant with LCC rules on visibility and curtilage. • An existing public pathway through the car park which has been in use since the construction of the car park will be taken 	<p>The Highways Officer has stated that the existing access is not compliant with current highway standards and parking spaces will have to be redesigned however no objection to the principle of development of the site have been received.</p> <p>Whilst it is may be used by residents there is no definitive public right of way through the site through designation of public footpath and this site</p>

<p>away from village residents</p> <ul style="list-style-type: none"> Impact on Mature Trees, a well established, Horse Chestnut tree would be cut down during the development, and a large sycamore will have its root network compromised by the access arrangements and ground works 	<p>could be closed off at any time.</p> <p>It is considered that the connectivity of the site to the village is acceptable. Burnaby Place is a cul-de-sac with access from Woodhouse road which leads on to Saxelby Road which is not of great distance.</p> <p>There is a large mature Chestnut tree sited in the middle of the car park and a Sycamore along the entrance. It is considered that the Sycamore could be retained dependant upon suitable access to the site and visibility splays being provide however the loss of the Chestnut would be inevitable.</p> <p>Whilst the trees offer a visual benefit to the area the site on a whole makes no positive contribution to the character of the area and is under utilised. It is considered that the development of three family houses, to be retained as social housing, would offer a far greater benefit to the village. The village of Asfordby is considered sustainable and suitable for housing growth to meet the local need. Development of this site is considered to comply with the development plan polices OS1 and BE1 and supports the aims of the NPPF in complying with Sustainable Development objectives.</p>
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Considerations not raised through Representations.

Representation	Assessment of Head of Regulatory Services
<p>Impact upon the character of the area:</p>	<p>The site sits between Saxelby Road and Burnaby Place within an established residential area. The site is within the designated Conservation Area for the village and it is considered that the site in its present forms contributes nothing to the character of the area.</p> <p>Development of the site can only seek to enhance the character of the area providing matters relating to design and scale takes in account the local character of the area. Development of this site is considered to accord with the development plan policies OS1 and BE1 and supports objectives to develop on brownfield sites.</p>
<p>Impact upon neighbouring properties:</p>	<p>The site sits within an established residential area and is considered that development of the site for housing would be acceptable. The indicative layout plan provide shows that a row of three 2 storey terraced dwellings could be accommodated within the site and are shown fronting Saxelby Road.</p> <p>To the north is a semi detached block of 4 flats. There are two small windows at first floor that face onto the site. The indicative plan shows that the dwellings could be ‘end on’ and a separation distance of 14 metres could be achieved which is an</p>

	<p>acceptable arrangement.</p> <p>To the south is a row of terraced dwellings fronting the Grove. These dwellings present the rear elevations to the development site and have 2 metre high close boarded fencing denoting the rear boundary. The indicative layout shows the proposed dwellings to be off set so that they would face over front gardens.</p> <p>To the west, opposite the site are dwellings fronting Saxelby Road which at this point is curved which means that no dwelling faces directly on to the development site. The dwellings are over 25 metres away from the site boundary and it is therefore considered that there would be no impact upon the residential dwellings</p> <p>To the east are a pair of bungalows, nos. 41 and 43, which sit side onto the site and front the access road into the site. No windows are contained within the gable end of the bungalow so no overlooking could be created. There will be a level of activity along the access road but a significant reduction than if it remained as a resident's parking area.</p> <p>The proposed redevelopment of the site for social housing is considered to be acceptable subject to the submission of a detailed application which will specify overall design. Given that the site is wholly within an established residential area impact upon neighbouring properties would not be detrimental. The indicative plans demonstrate one way that the proposed dwellings could be accommodated satisfactorily.</p>
<p>Housing Needs/Affordable Housing</p>	<p>There is a need for all house types within the village. The dwellings are to be retained as social housing.</p>
<p>Application of the Development Plan Policies:-</p> <p>The site sits within the village envelope where residential development is supported. Policies OS1 and BE1 seek to ensure that development respects the character of the area and that there would be no loss of residential amenities and satisfactory access and parking provisions can be complied with.</p>	<p>The site is considered to be previously developed land that is surplus of requirement for car parking. The site is considered to be capable of development subject to further considerations at reserved matters application.</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

The application site lies within the village envelope and thus benefits from a presumption in favour of development under policies OS1 and BE1. The site is capable of being developed without compromising the existing residential amenities of neighbouring properties. Matters relating to suitable access and parking arrangements is considered to be achievable, subject to the detailed design of the development. The site was a former car park which would have a higher level of vehicles coming and going and the development of three dwellings would have significantly less traffic flows. Accordingly the application is recommended for approval subject to conditions.

RECOMMENDATION:- Approval subject to conditions:-

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "layout, scale, external appearance of the building(s), access and the landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. No development shall start on site until representative samples of the materials to be used in the construction of all external surfaces have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.
5. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
6. No development shall commence on site until provision has been made for the satisfactory disposal of foul and surface water from the site in accordance with a scheme which shall first have been submitted to and approved by the Local Planning Authority.
7. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 5 metres behind the highway boundary and shall be hung so as to open inwards only.
8. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.
9. Before first occupation of any dwelling hereby permitted, turning facilities shall be provided, hard surfaced in a permeable material and made available for use within the site in order to allow vehicles to enter and leave in a forward direction. The turning area so provided shall not be obstructed and shall thereafter be permanently so maintained.

10. Before first occupation of any dwelling, car parking shall be provided, hard surfaced and made available for use to serve that dwelling on the basis of 2 spaces for a dwelling with up to three bedrooms and 3 spaces for a dwelling with four or more bedrooms. The parking spaces so provided shall thereafter be permanently so maintained.

The reasons for the conditions are:-

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
4. To ensure satisfactory landscaping is provided within a reasonable period.
5. To provide a reasonable period for the replacement of any planting.
6. To ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
7. To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.
8. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users.
9. To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.
10. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.

Officer to contact: **Mrs Denise Knipe**

2nd August 2012