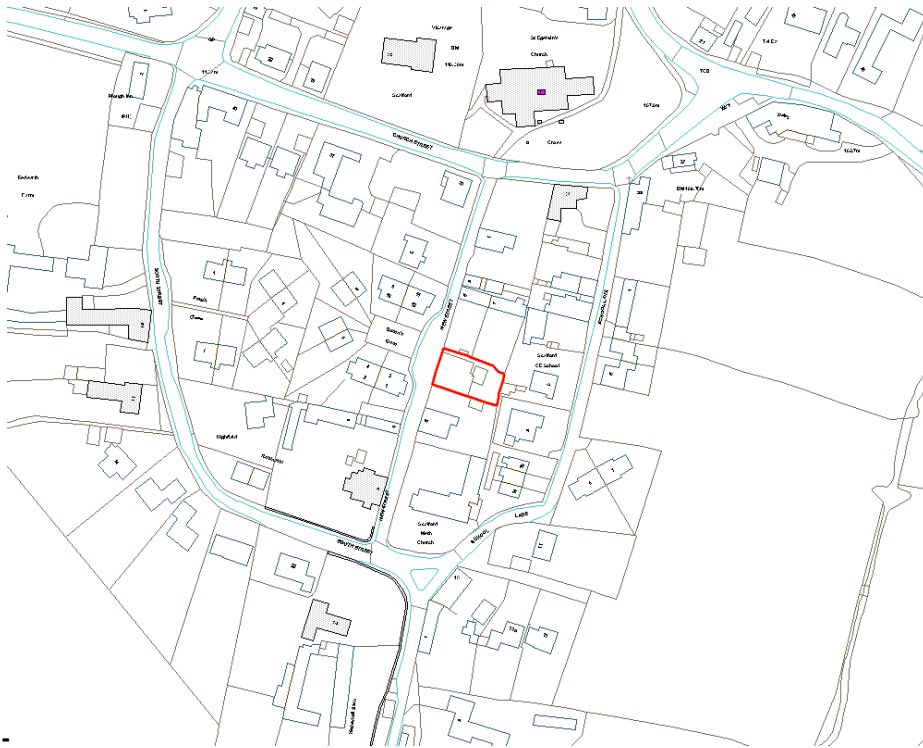


Reference: 12/00864/OUT
Date submitted: 18.12.12
Applicant: Mr Allen and Mrs Jopling
Location: Daliegh Cottage, 5 New Street Scalford, LE14 4DP
Proposal: Outline application for 1 Chalet type two bedroom dwelling.



Proposal :-

This application seeks outline planning permission for the erection of a Chalet style 2 bed detached dwelling on land to the rear of no 5 and 7 New Street. The dwelling is to be located within the Village Envelope and Conservation Area for Scalford on a small piece of land currently that houses a poly tunnel, greenhouse, outbuildings and used as a parking area. The application seeks approval for the principle of development of the site which includes part of the garden areas of no. 5 and 7 with all matters reserved. Indicative plans have been submitted which shows how development could take place and shows how the positioning, scale, mass, access and parking arrangements could be accommodated within the site.

It is considered that the main issues relating to the proposal are:-

- **Impact upon Highway Safety**
- **Impact upon the Character of the Area**
- **Impact upon Neighbouring Properties**

The application is to be considered by Committee due to the number of representations received supporting the application.

Relevant History:-

12/00707/OUT – Application withdrawn for chalet style bungalow. Issues relating to highways and submission of plans requested due to being sited in a Conservation Area.

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.

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.

The Melton LDF Core Strategy (Publication) Development Plan document:

The Core Strategy has been published and awaiting formal examination by the Secretary of State. The 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.

There are a number of policy objectives contained within the Core Strategy which apply to this proposal and will attract some weight given its close reflection to the NPPF.

CS3 Sustainable Villages:

To qualify as a sustainable village there will have to be at least three public services available to support new housing development. Scalford has been identified as a sustainable village capable of accommodating new growth.

CS4 Making Effective use of Land: Supports the use of brownfield land which will assist in meeting the target of 50% of development on brownfield land by 2026.

CS5 Strategic Housing: Seeks to manage the delivery of homes to provide a balanced housing market taking into account local needs. Promoting accessible design and apply Lifetime Homes Standards where appropriate to ensure new dwellings are flexible and able to meet the housing of a wider section of society, including people with disabilities and older people.

CS22 Better Design: Seeks to ensure that the design of all development makes a positive contribution to the character of the area. New development should integrate successfully into established settlements or rural areas without harming their character, appearance or setting. It also promotes the most effective use of land having regards to the form, pattern, scale and character of the area, provide safe environments whilst protecting residential amenity; and protect important heritage assets located within the Borough.

The National Planning Policy Framework 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:

- **Proactively support sustainable economic development to deliver homes and business that local areas need**
- **Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings**
- **encourage the effective use of land by reusing land that has been previously developed (brownfield land)**
- **Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable**

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.

Conserving and Enhancing the Historic Environment

- Recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness, and;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

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 – Object</p> <p>This proposal has been amended from the previous application 12/00707/OUT, and does overcome some of the original highway concerns, in that the proposed parking and turning facilities shown within the site serving the existing and proposed dwellings are generally acceptable. As stated for the previous application the proposal does also offer some highway safety gain, as it will result in the significant improvement of the existing vehicular access that currently serves nos. 5 and 7 New Street. However the main issue of the resultant increased traffic using New Street cannot be overcome, whilst there is a balance to be struck between the highway gain from the improved access and the increased traffic, the Highway Authority are of the opinion that the increased harm created by the additional traffic using New Street and its junctions at either end, outweigh the benefits in this instance, and therefore consider the proposal to be undesirable.</p>	<p>New Street is a typical village street that is narrow in design and is accessed from either Church Street or South Street. There are approximately 21 residential properties served from this road with only a few of them benefitting from off road parking. On street parking inevitably reduces the width of the road and half way along the street is a lay-by that attracts diagonal parking, causing vehicles to overhang into the road which reduces the width of the street further.</p> <p>There is currently an access into the proposed site which is opposite this lay-by. It is understood that residents of no. 5 and 7 use this area for parking of their vehicles. This proposal would seek to retain two parking spaces each for no's. 5 and 7 whilst providing 2 parking spaces shown in tandem form for the future occupiers of the proposed dwelling. Turning would be provided within the site, which includes using part of the garden areas to no. 5 and 7.</p> <p>The indicative plan shows an improved visibility out of the site through re-aligning the boundary of the site, including that to no. 5. The Highways Authority have taken this to be a highway gain given that the site is currently used for parking with limited visibility. However due to the narrow design of New Street and its substandard junctions on to Church Street and South Street the Highways Authority are recommending refusal to the increase in traffic the proposal would bring to New Street, which is considered to not only lack adequate width to allow two vehicles to pass, but also has restricted visibility splays at its junction with South Street and Church Street. As such it is considered that the increased traffic generated could create dangers for highway users, to the detriment of highway safety and is not supported.</p>
<p>Conservation Officer –</p> <p>The site is in the heart of the conservation area and currently has some outbuildings and general storage.</p> <p>The indicative plans show that the proposed dwelling would be set towards the front of the site and will serve to enclose the street scene. Its design</p>	<p>Due to being situated within a Conservation Area indicative plans have been supplied to illustrate how potential development could be suited to this site. All matters relating to design would be for a reserved matters application should the principles of development be accepted.</p> <p>The indicative plans show a 1 ½ storey dwelling with accommodation in the roof space. The dwelling would be side onto New Street which is a</p>

<p>and materials are based on other buildings within the immediate locality and reflects the village vernacular through the use of architectural detailing.</p> <p>The Scalford CAA notes particularly that properties in New Street are primarily built gable end onto the street Furthermore the document states that... the Southern part of the village is generally older and the narrow streets around the Church contain many buildings constructed in local ironstone which are situated close to the road giving the village an intimate and contained feel.</p> <p>The indicative drawings would therefore reflect those observations and as such meets the aims of the CAA document and MP which notes that:</p> <ul style="list-style-type: none"> • Any new development, including extensions should be constructed in natural materials appropriate to its location and should have regard to the scale, siting and detailing of existing surrounding development • Development within a designated Conservation Area should be of a high standard of design and should preserve or enhance the traditional character of the area. 	<p>feature of the streetscene. It is suggested that local materials will be used; iron stone to the lower sections with reclaimed bricks to first floors and red clay roof tiling.</p> <p>The existing brick wall along the frontage and boundary to no. 5 would be required to be demolished and rebuilt set further in to allow for adequate visibility splays to be provided.</p> <p>The NPPF seeks to ensure that new development contributes positively to the character of the area and local distinctiveness. Policies OS1, BE1 and H6 also seek to ensure that development is in keeping the character of the area amongst other criteria. It is considered that redevelopment of the site could be carried out to enhance this part of the conservation area as at present the site contributes nothing.</p>
<p>LCC Archaeology:</p> <p>The Leicestershire and Rutland Historic Environment Record (HER) shows that the application site lies in an area of archaeological interest, within the medieval and post-medieval historic settlement of Scalford (HER ref.: MLE9169). The villages of Leicestershire in common with the wider English Central Midlands, appear to have evolved alongside their open field systems, during the later 1st millennium AD. Buried archaeological evidence, constituting one or more as yet unidentified heritage asset(s) spanning the period from the earliest evolution of the village to its more recent past can be expected within the development area (National Planning Policy Framework (NPPF) Section 12, paragraph 128 and Appendix 2). Consequently, there is a likelihood that buried archaeological remains will be affected by the development.</p> <p>In accordance with the NPPF (Section 12, paragraph 141), the Local Planning Authority should require a developer to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to</p>	<p>Noted. Conditions have been requested to safeguard potential archaeological interest.</p>

<p>their importance.</p> <p>To ensure that any archaeological remains present are dealt with appropriately, the applicant should provide professional archaeological Attendance for inspection and recording during the groundworks for the proposed development. A contingency provision for emergency recording and detailed excavation should be made, to the satisfaction of your authority in conjunction with your archaeological advisors in this Department's Historic & Natural Environment Team (HNET). HNET will provide a formal Brief for the work at the applicant's request.</p>	
<p>Parish Council – Comments</p> <p>No objections to the propose house type but would like clarification of the materials to be used for the garages.</p> <p>Remain concerned that residents will back in the visibility splay. Would like the ownership of the visibility splay verified.</p>	<p>The application is in outline form with all matters reserved however an indicative plan has been submitted to show a chalet type 2 bed dwelling with parking areas to serve no. 5 and 7 New Street as well as future residents of the proposed dwelling.</p> <p>There has been no indication that garages would be present and it is understood that the parking will not be covered.</p> <p>Noted.</p>

Representations:

A site notice was posted and neighbouring properties consulted. As a result 13 letters of representation from separate households have been received to date supporting the proposal for reasons stated below:

Representation	Assessment of Head of Regulatory Services
<p>Meeting housing needs</p> <p>Scalford needs more smaller house types for younger people.</p> <p>Great opportunity for younger people to get on the property ladder in Scalford</p> <p>Provide a lower cost housing for young families.</p> <p>Will assist with the Boroughs short fall of houses.</p>	<p>Scalford lies within the Rural North of the Melton Borough where there is a strong need for smaller market housing such as 2 bedroom houses and 2-3 bedroom older people/downsizing accommodation. 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 seeks consent for a 2 bed 1 ½ scale development which meets the local housing needs. Meeting local housing needs to be balanced against other material planning considerations such as design in keeping with the character of the area, development to not have a detrimental impact upon residential amenity and adequate access and parking can be made available.</p>

	<p>Whilst the plans submitted are for illustrative purpose only, the site is capable of being developed to comply with the policy objectives of the Local Plan OS1, BE1 and H6. However the Highways Authority remain concerned that the increase in activity along New Street could lead to dangers at the junctions, detriment to highway safety and are not supporting the application and have recommend a refusal.</p>
<p>Improving the character of the area:</p> <p>Development on this site will improve the area</p> <p>Its only used for parking and will tidy the area up.</p> <p>A visual benefit for the middle of the village through tidying up the land</p>	<p>Noted. The site comprises untidy waste land in a residential area currently used for parking and storage. Development of the site could lead to an improvement of the area and in turn benefit the conservation area through sensitive design, scale and massing.</p>
<p>Improve parking and highways</p> <p>Sufficient space to accommodate parking without impact upon existing residents</p> <p>The re-aligned access will improve the visibility from the site which is currently used as parking</p>	<p>The Highways Authority accept that the access improvements represent a level of highway gain however they remain concerned over the suitability of New Street and the junctions to Church Street and South Street which are not of suitable width and design. The increase in activity is considered to have a detrimental impact upon highway safety and is not supported.</p>

Considerations not raised through Representations.

Representation	Assessment of Head of Regulatory Services
<p>Impact upon neighbouring properties:</p>	<p>Whilst the plans supplied are for illustrative purpose only they do show a scale, mass and positioning of a dwelling so that some assessment against existing properties can be undertaken.</p> <p>In its current form it is to be positioned within nine metres of the principle elevation of no. 8 New Street. This relationship falls below the current separation guidelines for development facing on to principle windows and would produce a mass on the boundary. The 1 ½ storey scale of the building would have an unduly negative impact upon the occupiers of no. 8 being so close and it would be unacceptable to have windows in an elevation at this short distance to existing dwellings.</p> <p>The relationship with other existing dwellings is capable of being acceptable subject to overall design. In order to overcome any impact upon no. 8 a single storey dwelling would be most suited to this site given the layout of the site is dependant on providing adequate access and parking for future and existing residents of no. 5 and 7 which needs to be on the north of the site, limiting the position of a</p>

	<p>dwelling on the site to that closest to no. 8 New Street.</p> <p>Whilst all matters are reserved in order to safeguard the residential amenities of no. 8 the development should be restricted to single storey height only. Should approval be granted a condition should be imposed to that effect.</p>
<p>Compliance (or otherwise) with Planning Policy</p>	<p>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> <p>The NPPF seeks to boost the economy and house supply to meet local housing needs. This proposal is considered to meet those objectives but on careful balance of the material consideration unfortunately is not supported as matters relating to highway safety cannot be overcome.</p>

Conclusion

The application site lies within the village envelope and thus benefits from a presumption in favour of development under policies OS1, BE1 and H6. The indicative plans show that the site is capable of development subject to a more detailed application to take into account design, scale, massing in order to safeguard the character of the area and residential amenity. The house type proposed meets the requirements of the Borough’s housing needs in providing 2 bed accommodation, of which there is a shortfall in the area. The NPPF seeks to boost significantly housing growth in sustainable location of which Scalford is considered as a sustainable village within the Local Development Framework. The proposal is considered to have an impact upon Highway safety in the area and it is not considered that meeting the housing needs outweighs the highway safety concerns and accordingly the application is recommended for refusal.

RECOMMENDATION:- REFUSE, for the following reason:

1. The proposed development would be likely to lead to an increase in traffic using New Street, which not only lacks adequate width to allow two vehicles to pass, but also has restricted visibility splays at its junction with South Street and Church Street. As such the increased traffic generated could create dangers for highway users, to the detriment of highway safety.

Officer to contact: **Mrs Denise Knipe**

Date **6th February 2013**