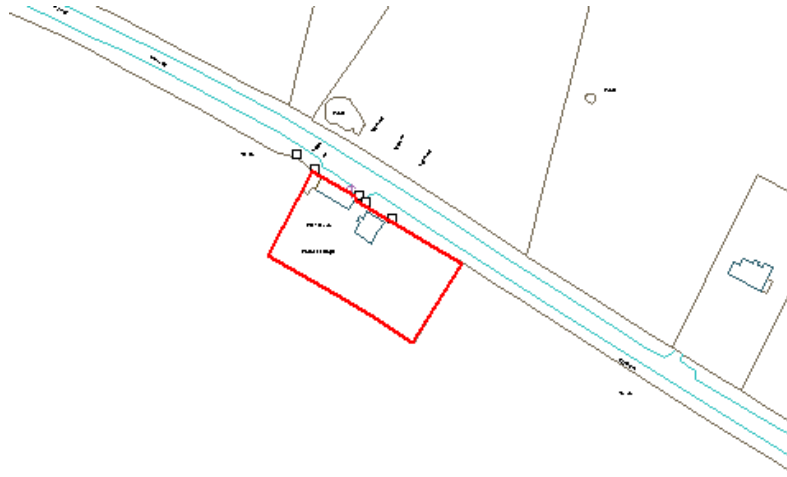


Reference: 12/00926/FUL
Date Submitted: 16th January 2013
Applicant: Mr Duncan Manderson
Location: Pickwell Grange, Oakham Road
Leesthorpe
Proposal: Domestic garage with storage over.



Introduction:-

The application seeks planning permission for the construction of a domestic garage with storage space, to be used for the parking of the applicants' vehicles. The site is located within undulating open countryside, and is accessed via the A606 Melton to Oakham Road, the site comprises an existing residential 4 bed dwelling which currently has extant planning permission for a considerable extension to form a 8 bedroom property. There is an existing outbuilding positioned to the front of the site, with its back adjacent to the A606 highway, providing screening and privacy to the residential curtilage of Pickwell Grange and the proposal will mirror the existing outbuilding resulting in a uniformed and courtyard appearance.

It is considered that the main issues relating to the application are:

- **Compliance with the Development Plan**
- **Impact upon the Countryside**

The application is presented as a re-submission of application 12/00159/FUL previously refused by the Development Committee as it was considered to be detrimental to the character and appearance of its countryside location and would be contrary to Policy C11 of the adopted Melton Local Plan.

Relevant History:

06/00616/FUL – Permission was granted for extensions and alterations
11/00675/FUL – Was withdrawn to allow for negotiations and revised plans

12/00159/FUL – Domestic garage with storage over - refused on the grounds that the proposed development, by virtue of its scale and height, would be detrimental to the character and appearance of its countryside location and would be contrary to Policy C11 of the adopted Melton Local Plan.

Development Plan Policies:

Melton Local Plan (saved policies):

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 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 - 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 LDF (Publication) Core Strategy:

CS13 Countryside - States amongst others, that we will support and protect our countryside by: Protecting the rural environment by requiring development to be of a high standard which respects the character of its location; surroundings, and setting. The form and appearance of development should reinforce its sense of place and take into account the Melton Landscape Character Assessment:-

- Requiring new development to take into account and mitigate its impact on remoteness or tranquillity and the quiet enjoyment of the countryside; and
- Development should be located on land with the least environmental value where alternative appropriate land is not available or suitable.

The Landscape Character Assessment identifies 20 Landscape Character Areas within the Borough, of which particular care must be taken to safeguard the high value placed on them by our community.

- This means new buildings should blend in with and not spoil the countryside.
- New development in the rural areas, for whatever purpose, should be appropriate in scale, design and environmental limitations when weighed against the benefit of the development proposed.
- Negative impacts on sensitive and historic landscapes, including buildings and structures, are generally not acceptable.
- Where such impacts occur we expect suitable mitigation measures to form part of the development package

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:

11. Conserving and enhancing the natural environment

The planning system should contribute to and enhance the natural and local environment by:

- recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it
- protecting and enhancing valued landscapes, geological conservation interests and soils;

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority: Have made no observations</p>	<p>Parking and turning facilities remain unchanged within the site. The proposed garaged can be conditioned accordingly for domestic use only</p> <p>It is not considered that the proposal would have a detrimental impact on highway safety.</p>
<p>Parish Council: Have no objections</p>	<p>Noted.</p>

Representations:

The consultation was publicised by way of a site notice being posted at the entrance to the site. To date no letters of representation have been received .

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Policy Considerations:</p> <ul style="list-style-type: none"> • Development outside of town and village Envelopes. 	<p>The proposal to erect a domestic garage to the size, scale and location specified is to be considered against the saved policy OS2 which carries a general presumption against development outside town and village envelopes except in certain instances. If a proposal for development within the countryside is acceptable in principle it will also be considered against more detailed criteria contained in other policies of the plan which relate specifically to the activity. For residential extensions, in this instance, policy C11 is applicable and states that planning permission will be granted for extensions</p>

<ul style="list-style-type: none">• Scale and Design	<p>and alterations to existing dwellings outside the town and village envelopes provided the size, scale, form, design and construction materials are in keeping with the dwelling and locality.</p> <p>Positioned within the residential curtilage, the proposed garaging would provide parking for 4 cars with storage and occupy a footprint of 122m² being a mirror image of the adjacent outbuilding on site. The previous report to the Development Committee stated that the the development that could be constructed as ‘Permitted Development’ and recommended approval so as to retain some control on the resultant building. However, the proposal has been identified to be forward and to the front of the host dwelling, being Pickwell Grange, meaning that the proposal could not be accommodated under permitted development rights and would in fact require express planning permission by the Local Planning Authority in its entirety.</p> <p>The site is remotely nestled within the land and topographically depressed in undulating open countryside, and will sit within a group of existing buildings. Positioned to the south boundary, sitting low within the site, there is an existing building adjacent to the highway, mature boundary hedging and native trees that will help screen the proposal. However, this is not considered to be a small scale extension and will still be visible from the approaching highway, at the height of the hill as it drops into a bowl.</p> <p>It is, therefore considered that by virtue of its proposed scale and height, screening alone is not sufficient enough to ameliorate its position within the open countryside and the proposal will in fact be significantly detrimental to the appearance and rural character of the open countryside, contrary to Local Plan Policy C11, and the Melton LDF (Publication) Core Strategy: CS13 Countryside.</p> <p>When considering the proposed development within the context of the site, the proposed design and construction materials are considered sympathetic and in keeping, harmonising with that of its surroundings and therefore complies with Policy BE1 of the Melton Local Plan. Negotiations were sought to reduce and relocate the proposal but an acceptable compromise could not be agreed and the above material factors alone are not considered enough to outweigh the perceived harm by virtue of size and scale of the proposed garage building upon the character and appearance of the open countryside.</p>
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	<p>It is considered that the NPPF is not in conflict with the provisions of the development plan which seek to safeguard the intrinsic character and beauty of the countryside.</p> <p>Guidance within the NPPF states that Local Planning Authority should recognize the intrinsic character and beauty of the countryside The proposal also being judged against planning principle 11 protecting and enhancing valued landscapes. It is considered that this proposal is in conflict with provisions of the NPPF for reasons of its scale and size, it would be to the detriment of the open countryside and should be refused so as to safeguard the intrinsic character and beauty which furthermore, seeks to protect and enhance our landscapes.</p>
Residential Amenity	<p>Situated in a remote location, there will be no impact upon residential amenities as this is open countryside with minimal surrounding residential amenity</p>

Conclusion

The proposed building is positioned forward of the host dwelling and therefore falls outside of the realms of the General (Permitted Development) Order in so far as it requires express planning permission in its entirety. Although the design is considered to be appropriate to its use and acceptable within the context of the site and its existing buildings, it is considered that its size, scale and position away from the main dwelling and into the open Countryside encroaches upon the natural environment

The proposal lies within the open countryside and as previously reported to the Committee, is considered contrary to the Development Plan and material considerations are not envisaged to outweigh the perceived harm upon the open countryside and is therefore is considered contrary to Policies OS2 and C11 of the Adopted Local Plan and the provisions of the NPPF. For the reasons stated above the proposal is considered unacceptable and recommended refusal.

RECOMMENDATION:- Refuse

The proposed development, by virtue of its scale and height, would be detrimental to the character and appearance of its countryside location and would be contrary to Policy C11 of the adopted Melton Local Plan.

Contact: Deborah Dowling

Date 5th February 2013