

Reference: 12/00928/FUL
Date submitted: 18.12.12
Applicant: Mr Phillip Booth
Location: 73 Grantham Road, Bottesford, NG13 0EG
Proposal: Construction of new single storey dwelling, including means of access and enclosure.



Proposal :-

This application seeks full planning permission for the erection of a single storey 2 bed detached dwelling on land in front of no. 73 Grantham Road. The dwelling is to be located within the Village Envelope of Bottesford on residential garden area to No. 73, that houses a double timber garage structure and consists of gravel with planting beds around the boundary. The host building sits in an elevated position that over looks the site. This part of Bottesford is characterised by large dwellings sitting in extensive front gardens that slope up from the highway. The dwellings are accessed from a slip road that runs parallel with Grantham Road.

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

- **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 objecting to the application.

Relevant History:-

02/00216/FUL – Proposed Garage approved 1st May 2002

11/00751/FUL - Detached Oak framed double garage approved 7th November 2011

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. Bottesford has been identified as a service centre due to the level of services available. The village is therefore considered to be highly sustainable and 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:

- 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 subject to conditions, relating to parking, visibility splays, drainage and surfacing of drives.</p> <p>Although the proposed access would have restricted visibility splays even after the improvements have taken place, the improvements would not only significantly improve the visibility out of the site access, it would also have the benefit of improving the visibility out of adjacent accesses</p>	<p>The site currently has an access into the site from the slip road off Grantham Road it is proposed to utilise this access to give to serve the host dwelling and the proposed dwelling allow parking in front giving the required two spaces to the future occupiers. The larger trees along the frontage are to be cleared and replaced with smaller domestic trees, along with a new hedge to be planted within the site to improve the visibility out of the site.</p>

<p>and can therefore be viewed as a highway gain.</p>	<p>It is not considered that the proposal would have a detrimental impact on highway safety.</p>
<p>Parish Council – Object</p> <p>We object as it would set a precedent for similar forms of development, the accumulative effect of which would adversely affect the existing character and appearance of the wider area.</p> <p>Access onto a road which is not to highway standards, it is also detrimental to the street scene.</p>	<p>The proposal seeks to develop in the front garden area to no. 73 Grantham Road which is a long strip of land with the host dwelling sitting in an elevated position 47 metres into the site. No. 73 is the first in the row of 14 detached dwellings that front Grantham Road and benefit from large front narrow gardens. Due to the topography, the dwellings sit in an elevated position looking down onto the highway. The front gardens are landscaped and have mature planting and lawned areas. Most of which are obscured from view from Grantham Road as they are situated on a slip road behind dense natural screening separating the two highways.</p> <p>The application site is considered to be different in character to its neighbours in that the lawn has been replaced with gravel, which has been levelled and has a large timber framed garage built along the western boundary adjacent no. 71 which sits further forward to the highway than the rest of its neighbours to the east. No. 71 is adjacent to properties fronting Vaughan Avenue which is a cul-de-sac that runs from south to north, the entire length of the plots fronting Grantham Road. The dwelling at the junction is sited closer to Grantham Road than is no. 71 and it is considered that the proposed bungalow would be read within this pattern of development and not with the properties further to the east of the site, which is very open in character. The proposal is not one that could be replicated elsewhere along this part of the streetscene and it is not considered that a precedent would be set if this proposal was allowed.</p> <p>The Highways Authority do not object to the proposal and state that there is an element of highway gain to the existing properties with the proposed improvements to the site entrance. The existing timber framed garage is to be moved to the western boundary to allow for the access drive to no. 73 to run along the eastern boundary from the access. The proposed bungalow would be sited along the western boundary adjacent the repositioned garage but closer to the highway than any other building in this area. This will alter the character of the area but it is not considered that it would have a detrimental impact upon the area due to the scale of the bungalow and sitting on lower land level. The limited degree of harm can be successfully mitigated against through additional planting.</p>

Object to the loss of the trees,	<p>The site is relatively well screened from Grantham Road being positioned off a slip road which has a mature high hedgerow separating the two roads. Once along the slip road the site is relatively well screened by the existing hedge and trees. However the front boundary trees are to be removed and a new realigned hedge planted to define the new curtilage for the dwelling and new smaller domestic trees will be planted that would be more suited to co-existing with the dwelling, preventing subsidence claims in the future. The site is not within the Conservation Area and there is no protection afforded to the existing trees and their removal could take place at any time. The proposed landscaping will help to mitigate the developments impact over time but until such time the dwelling will be visible from the slip road.</p>
Property is lower than existing house and will be at risk of flooding.	<p>The single storey dwelling will sit on the lower land level which is at the same height as the slip road. Concerns have been expressed by residents that there is an existing surface water flooding issue from this site since levelling works took place. The site is not in a known flood area however it is reasonable to expect that new development would not exacerbate drainage issues. As part of the proposal, soakaways are proposed within the curtilage of the proposed dwelling and surface water will be directed to these new drainage systems. The removal of the trees is regrettable as they too could assist with drainage of the site however their removal will make way for the new drainage system and new trees will be planted and the garden area laid to grass, providing natural drainage.</p> <p>No evidence has been put forward to substantiate the claims that the proposal would impact upon drainage in the area.</p> <p>The proposed house type is in short supply in the rural north and goes some way to addressing the identified shortfall. The NPPF seeks to promote sustainable development and seeks to boost significantly house supply. On balance it is considered that the design, landscaping and supporting the housing needs coupled with being sited within a highly sustainable village tips in favour of approval against the limited degree of harm upon the character of the area. The proposal is considered to comply with the development plan policies OS1, BE1 and H6 and a refusal could not be sustained in this instance.</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 objecting to the proposal for reasons stated below:

Representation	Assessment of Head of Regulatory Services
<p>Impact upon the character of the area:</p> <p>Out of character with this part of the area and would sent a negative precedent.</p> <p>Set a precedent for similar piecemeal tandem development further along the service road.</p> <p>Does not respect the existing building line.</p> <p>Loss of green space within the village.</p> <p>Gardens are greenfield not brownfield and should not be built on.</p> <p>Its ‘garden grabbing’ which is not supported in policy.</p> <p>The application for a ‘tandem development’ appears not to confirm with Planning Policy Statement PPS1, para.36 and Melton Council’s adopted local plan under local policies OS1 and BE1</p>	<p>Please see commentary above (Parish Council)</p> <p>Each application is to be considered on its own merits. This site is close to the junction and properties fronting Vaughan Avenue which are further forward to the highway. The application site has been levelled, topped with gravel and houses the double garage. The character of this part of the street is very different to the eastern end of the slip road where the gardens are very open and lawned with planting. Building of a single storey dwelling with landscaping will be read in conjunction with the dwellings to the west. This could not be replicated further down the row.</p> <p>The NPPF seeks to boost housing supply and prioritises development on brownfield sites. Sustainable development has been termed as meeting economic, social and environmental issues and each having equal standing. It does not automatically mean that refusal of development on gardens should be refused. Planning polices seek to ensure that development is in keeping with the character of the area and promotes good design and meeting local housing needs as material considerations that need to be balanced against one another. Local Plan policy OS1 reinforces the need to be in keeping with the character of the area as does policy BE1 in seeking appropriate design.</p> <p>The proposal has been assessed taking into account the ‘framework’ on the whole and it is considered that a single dwelling in this location would not have an unduly detrimental impact upon the character of the area and the objective to meet the local housing needs in a sustainable village location, whilst supporting economic growth outweigh the limited degree of harm to the area.</p>
<p>Impact upon the highway safety:</p> <p>Will cause parking problems on the slip road leading to parking on the grass verge and causing damage.</p> <p>Would cause access issues to existing residents and out onto the main Grantham Road.</p> <p>Create more traffic problems on what is already a dangerous narrow road.</p>	<p>The existing access is to be shared leading to parking areas for both dwellings. No objections have been received by the Highways Authority who consider that there are some highway gains through the improved visibility out of the site through the re-alignment of the front boundary.</p> <p>The development proposes one two bedroom bungalow the increase in traffic movements along the slip road is not considered to warrant a refusal on highway grounds.</p>

<p>The existing property is close to the junction of Fleming Avenue, adding another home with additional traffic will increase the risk of accidents on the service road, as other road users continue to use the service road as a "rat run" to the old A52.</p> <p>It is incorrect to state that its an access road the road is used by residents of Vaughan Way and Fleming Avenue.</p> <p>Construction vehicles will cause damage to the road to the cost of the council.</p>	
<p>Other Matters:</p> <p>The area already suffers from bad drainage problems and this proposal will add to it.</p> <p>Concerned that flooding will become exacerbated with the removal of the trees, water already collects in the southwest corner of no. 75.</p> <p>Since levelling of the front garden which used to be at the same contours as no. 75 water can be seen running out of the site during persistent rain.</p> <p>This proposed residential development is on a green field site, involves a major change of land usage and will exacerbate an existing problem of surface water, run off and potential flooding</p> <p>The government amended PPS3 to put gardens back into Greenfield status that could only be considered for building if the proposed application met with the local need. However, as this is not for '22 affordable homes' this application does not meet this criteria.</p> <p>The location is not a sustainable one and future occupiers will use their cars to get around.</p> <p>The development is not needed and will put pressure on existing services, schools, health centre, sewerage/ pedestrians/centre village congestion, pets, noise pollution.</p> <p>The Parish Council tried to be helpful in allowing</p>	<p>The site is not located within a known flood zone as defined by the Environment Agency and is too small in site area to warrant consultation with the EA. Following the concerns of the resident the agents were asked to provide further detail on surface water drainage as it has been stated that the problem exists since the land remodelling took place. New development has to comply with current building regulations and the use of soakaways to take away rain water from the building are requested. The agent has advised that surface water drainage from the site will also be drained to run into the soakaways. The front of the site will form the residential garden area for the dwelling and will be landscaped and trees planted to replace those lost through the development. The resurfacing of the drive will require a drainage channel to prevent water running into the highway as stipulated within a condition.</p> <p>It is considered that the development can improve the situation and will not add to surface water drainage issues highlighted by the residents.</p> <p>PPS3 has been replaced by the National Planning Policy Framework which supports sustainable development. Bottesford is a named service centre within the LDF because of its good offer of services which confirms the location as sustainable. The site is within the village envelope which is supported by policy OS1, suitable for new housing growth.</p> <p>The development will provide a 2 bed single dwelling suitable for downsizing, meeting elderly or less-able persons' needs. The house type has been identified within the Council's Housing Needs Study as in short supply.</p> <p>Proposals are judged on their own merits and</p>

the current owner to build a garage in front of the existing property which may have been a mistake if that gives the green light to build wherever you like!	because something has been allowed does not automatically give the 'green light' for further development. The same policy objectives apply.
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Considerations not raised through Representations.

Representation	Assessment of Head of Regulatory Services
Design:	<p>The single storey dwelling takes an L-shape form on plan, with the attached garage perpendicular to the main body. The garage will also have a lower ridge height than the dwelling. The dwelling has been designed with two bedrooms, living room and kitchen dining, and bathroom on a single level. The dwelling will have a gross internal floor area of 65m² with an additional 17m² of attached garage, on a plot of 405 m². The overall height to ridge would be 5.475 m sloping to eaves height of 2.750 m-; the garage will sit lower.</p> <p>The proposal will be positioned side on to the highway, set back behind the new boundary hedge, by a distance of approximately 11 metres. The principle elevation overlooks the driveway and parking and will contain the entrance and a window to the living room. The rear elevation will contain to smaller windows to serve the bathroom and kitchen.</p> <p>The south elevation will contain to sets of French doors, giving access into the amenity area, whilst on the north elevation two bedroom windows will face out towards the hosts buildings repositioned garage. A further small amenity area will be provided which could house the domestic paraphernalia such as sheds, bins and rotary clothes driers.</p> <p>The dwelling will be constructed from brick and will have a tiled roof covering and has brick corbelling, stone cills and chimneys.</p> <p>It is considered that the overall design is acceptable and complies with local plan policy BE1. The character of the area is large family housing however the nature of the development makes best use of the site and goes some way to meeting the identified local need and is supported.</p>
Impact upon neighbouring properties:	<p>The host building; no. 73 sits to the north of the site in an elevated position at a distance of 47 metres. The timber garage is to be repositioned to the west elevation and will sit approximately 5.3 metres away from the proposal, screening the bedroom windows.</p> <p>To the west is no. 71, a single storey dwelling with accommodation in the roof space. The dwelling sits further to the north of the site with the proposed</p>

	<p>dwelling off set. A mature hedgerow forms the boundary.</p> <p>To the east is no. 75; two storey dwelling sat adjacent to the host building, some distance back from the proposed dwelling. The boundary treatment is also a mature boundary hedge. Both boundaries are to be reinforced with new planting.</p> <p>The application has been assessed and due to the orientation and separation distances it is considered that there will be no loss of residential amenity of any existing neighbouring property.</p>
<p>Compliance (or otherwise) with Planning Policy</p>	<p>The development is considered to accord with the applicable Local Plan polices. 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 and its design, whilst simplistic on plan will provide for a sustainable development.</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 proposed development has been designed to have a limited impact on adjoining properties, and is considered capable of having a limited degree of harm on the character and appearance of the surrounding area; and complies with highway requirements. The house type proposed meets the requirements of the Borough’s housing needs in providing single storey accommodation of which there is a shortfall in the area. The NPPF seeks to boost significantly housing growth in sustainable location of which Bottesford is considered as a highly sustainable village within the Local Development Framework. Accordingly, the proposal is recommended for approval subject to conditions.

RECOMMENDATION:- Approve, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in strict accordance with plan drawing nos. 12/054-1 and 12/054-LOCN submitted on the 18th December 2012.
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. Notwithstanding the details submitted, before building works commence, all vegetation, walls, fencing or any similar obstruction on the site frontage within 2.4 metres of the edge of carriageway of the service road shall be removed. Once these obstructions have been removed, no wall, fencing, planting or other obstruction shall be erected, placed or allowed to grow within 2.4 metres of the edge of carriageway that exceeds a height of 600mm above the level of the adjacent carriageway.
7. The proposed shared private drive shall be a minimum of 4.25 metres wide with 0.5 metres wide margins on each side for at least the first 5 metres behind the highway boundary and have a drop crossing of a minimum size as shown in Figure DG20 of the 6CsDG at its junction with the adopted road carriageway. The access drive shall be provided before the dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained. The access drive once provided shall be so maintained at all times.
8. Before first occupation of the dwelling, the improved access drive shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.
9. The car parking and turning facilities shown within the curtilage of both the existing and proposed dwellings shall be provided, hard surfaced and made available for use before the the proposed dwelling is occupied and shall thereafter be permanently so maintained.
10. 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.
11. Notwithstanding the provisions of Schedule 2, Part 1 and Part 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, B or E of part 1 and class A of part 2 shall be carried out unless express planning permission has first been granted by the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
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 afford adequate visibility at the access in the interests of general highway safety.
7. To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway
8. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)
9. 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.
10. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users.
11. To ensure that the local planning authority can retain control over the development site.

Officer to contact:

Mrs Denise Knipe

Date 5th February 2013