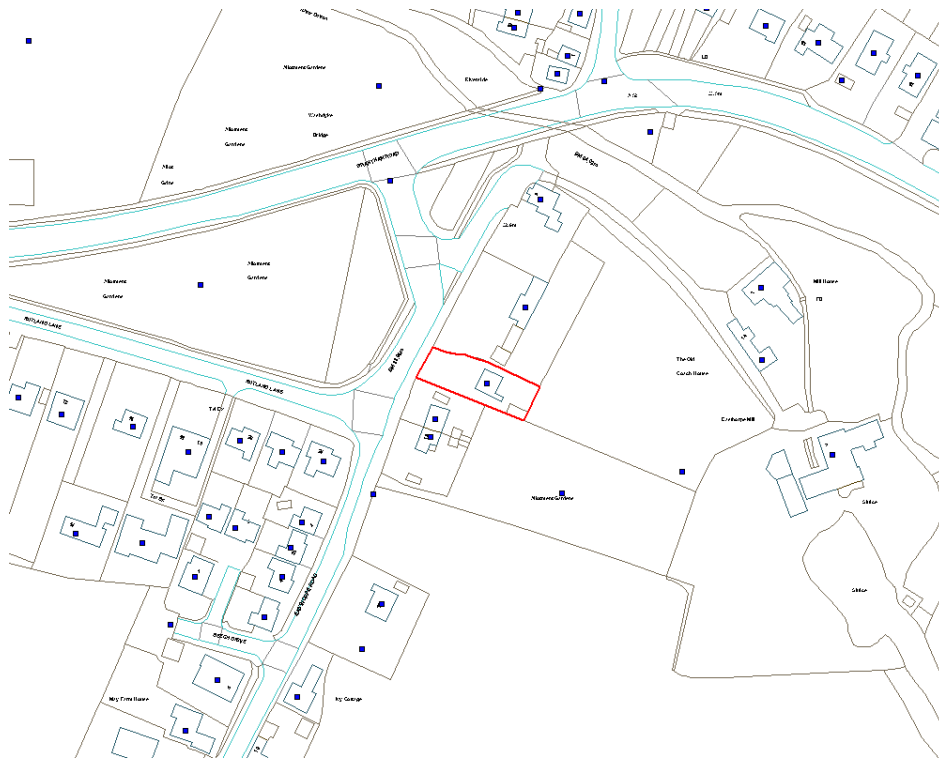


Reference: 12/ 00885/FUL
Date Submitted: 7th December 2012
Applicant: Mr A Norris
Location: Jalna 9 Easthorpe Road Bottesford NG13 0DS
Proposal: Replacement dwelling and garage



Proposal :-

The proposal is to demolish the existing bungalow and garage on the site and to replace this with a three bedroomed two storey property with attached garage. The plans as originally proposed were for a five bedroomed property and the amended plans now are for a three bedroomed property. The site lies within the village envelope of Bottesford and the area is wholly residential.

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

- **Meeting the Borough's Housing Needs**
- **Impact upon the Character of the Area**
- **Impact upon Neighbouring Properties**

The application has been referred to Committee by one of the Local Ward Councillors because of the policy issues concerned.

Relevant Planning History

None Relevant

Planning Policies:-

Adopted 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 Local Development Framework Core Strategy (Publication) Development Plan document February 2012

Bottesford is recognised within this document as a sustainable village where development will be allowed to take place. Policy CS3 states that we will:

- Identify opportunities for suitable small-scale infill development
- Safeguard existing services and facilities
- Support affordable housing developments in accordance with Strategic Housing Policy.

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 relevant to this application it advises:

Delivering a Wide choice of High Quality Homes

- Maintain a five year land supply of deliverable sites with a further 5% headroom.
- Local Authorities are to set out their own approaches to densities to reflect local circumstances.
- Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 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.
- 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**
- Avoid new isolated homes in the countryside unless there are special circumstances
- Provide rural exception sites on the edge of rural villages to meet local affordable housing needs. Some market housing should be considered if it brought significant additional affordable housing to the area.

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.
- Securing high quality and inclusive design goes beyond aesthetics considerations and should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and Enhancing the Natural Environment

- encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value

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). Where policies are not up to date, permission should be granted unless impacts 'demonstrably and significantly' outweigh benefits (para 14).

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Housing Policy; Object. Within the Rural North of Melton Borough the study indicated that there is a strong need for smaller market housing such as 2 bedroom houses and older people/downsizing accommodation and a surplus of larger family 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 permission for a replacement dwelling and garage on the site of an</p>	<p>The NPPF seeks to boost housing growth and sets out circumstances in order to deliver a wide choice of housing. The Core Strategy submission DPD closely follows the direction advocated within the NPPF. There are no Local plan policies addressing this issue.</p> <p>The NPPF states that Local Authorities should plan for a mix of housing based upon current and future demographic trends, market trends and the needs of different groups in the community, such as families with children, older people, people with disabilities, service families and people wishing to build their own homes (para. 50), meeting the requirements of sustainable</p>

<p>existing bungalow at Easthorpe Road, Bottesford. The proposed dwelling is a large, 3-bedroom executive home, the dwelling measures in excess of 150m². In respect of the Housing Quality Indicators, the current property measurements exceed that of a 6-bedroom house. Furthermore, the existing dwelling is a single storey, moderately sized bungalow, this represents a much needed dwelling type in the rural north and its loss should be prevented.</p> <p>The Leicester and Leicestershire Strategic Housing Market Assessment (Bline Housing, 2009) supports the findings of the Housing Market Analysis and states that controls need to be established to protect the Melton Borough (particularly its rural settlements) from the over development of large executive housing, and to encourage a balanced supply of suitable family housing (for middle and lower incomes), as well as housing for smaller households (both starter homes and for downsizing). It continues to state that the undersupply of suitable smaller sized dwellings needs to be addressed to take account of shrinking household size which if not addressed will exacerbate under-occupation and lead to polarised, unmixed communities due to middle and lower income households being unable to access housing in the most expensive and the sparsely populated rural areas.</p> <p>The current proposal will add to the local housing imbalance through the addition of a large, detached, executive property to an area already oversupplied with such properties. The application does not comply with local housing need. It is worth noting that in the past the Council has won appeals for dwellings that do not meet local housing need. Unless alterations are made to the application to significantly reduce the size of the dwelling, it is recommended for refusal on the grounds of failure to meet local housing need and the continued oversupply of large, executive properties.</p>	<p>development that being in context with economic, social and environmental strands.</p> <p>The dwelling as originally submitted was for a 5 bedroomed 'executive' style property. The plans have been amended to remove the bedroom accommodation over the garage and to provide 3 bedrooms within the two storey element of the proposal. However, it remains a large dwelling and the amendments have made little difference to its overall scale – a 3 bedroom dwelling would typically be around 115m². The current proposal is approximately 180 m² – over 50% larger..</p> <p>Therefore it is considered that the proposal would result in the demolition of a dwelling for which there is a strong demand in the District and would further exacerbate the oversupply of large executive contrary to requirements of the NPPF.</p>
<p>Highway Authority: No objection,</p>	<p>The proposal is not considered to have an impact on highway safety.</p>
<p>Ecology; No objections.</p>	<p>Noted.</p>
<p>Severn Trent Water Authority: No objection subject to conditions.</p>	<p>Noted.</p>
<p>Bottesford Parish Council: Object to loss of bungalow when we are short of smaller housing stock.</p>	<p>The proposal would result in the loss of a single storey dwelling for which there is a demand in the district.(see detailed comments above)</p>
<p>Compliance with Development Plan – Policies OS1 and BE1 of the Local Plan are applicable but under paragraph 215 of the NPPF it is necessary to consider if they should carry weight.</p>	<p>Policies OS1 and BE1 permit development in the town envelope ad set design criteria to ensure high quality design, amenity considerations and compatibility with the surroundings.</p> <p>Bottesford is considered to be a sustainable location for development and in this respect it is</p>

	<p>considered that the policy (OS1) is wholly compatible with the NPPF. The design requirements reflect closely part 7 of the NPPF and similarly retain weight. These conclusions have been reached in various appeal decisions.</p> <p>However, the Local Plan contains no policies relating to ‘house size’ and as such it is incompatible with the NPPF in this respect and the latter policy basis should prevail. Similarly, the Core Strategy policies on this aspect are contended and should attract only limited weight, again reinforcing that the NPPF should be regarded as the principal policy guidance.</p> <p>As referred to above, paragraph 50 requires development to be planned to meet demographic trends and there is strong evidence that larger style ‘executive’ homes are disproportionately available whilst smaller house types are in deficit. This proposal will add to this disbalance and as such conflicts with this objective of the NPPF.</p>
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Representations:

A site notice was posted and neighbouring properties were also notified of the proposal. As a result one objection has been received and two letters of support. One letter has also been received concerned that the existing sewerage problem is not exacerbated.

Representation Objection/Concerns	Assessment of Head of Regulatory Services
<p>Owners of 11 Easthorpe Road object on the grounds of :-</p> <p>Loss of light to the back of the house as a result of replacing the bungalow with a house.</p> <p>Out of scale with 11 and 13 overbearing.</p> <p>Proposed design not in line with neighbouring properties.</p>	<p>The new dwelling will be to the north of the objectors house and built forward of the existing footprint of the bungalow. However there would be a distance of 7.5 metres between dwellings and there would not be a significant loss of light to that property due to its siting to the north.</p> <p>The immediate neighbours to the plot are a dormer style bungalow at 7 and a pair of large two storey dwellings at 11/13. The properties to the north and opposite are all substantial two storey dwellings. The proposal has a garage to the side of the dormer bungalow and a two storey element to the dwelling to the south. It is not considered that the dwelling would be overbearing although if it were to be reduced in size to meet policy objections it would reduce further any impact upon No. 11.</p> <p>The design has a 1930s flavour with contrasting brickwork, stone cills and tile hanging . There is no distinct unifying character to the area and the design is considered to be acceptable.</p>
<p>One letter of support: Consider new house would be a welcome addition to our road as the current property is scruffy and totally out of character with other houses in proximity.</p>	<p>Noted.</p>

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Compliance with meeting Housing Needs: The applicant is aware of the NPPF issue with regard to housing need and wishes the Committee to be aware that it is his intention to vacate his existing house within Bottesford which is a 3 bedroom semi detached of 72.52 sq. metres when this new house is built. This effectively he considers would restore the status quo for Bottesford and also adds that there is a precedent for this in a recent appeal.</p>	<p>The dwelling as proposed is not considered to address the Borough's housing needs as open market dwellings due to its proposed size and it would also result in the demolition of a dwelling for which there is a strong demand in the District and therefore is considered to further exacerbate the oversupply of large executive dwellings.</p> <p>This policy is based on an aspiration to develop the overall housing stock to more closely reflect the demand created by local demographic trends. The existing house is already taken into account in the assessment of housing stock and its vacancy by the applicant will not 'create' a new house.</p> <p>It is correct that a recent appeal decision in Bottesford gave significance to this aspect. However, it linked this to a weak policy context which it is considered does not apply because of the content and status of the NPPF (see above).</p>

Conclusion

The dwelling is considered to be in a sustainable location and acceptable in terms of its impact on the adjacent dwellings and wider surroundings. However, the dwelling as proposed is not considered to address the Borough's housing needs as open market dwellings due to its proposed size and it would also result in the demolition of a dwelling for which there is a strong demand in the District and therefore is considered to further exacerbate the oversupply of large executive dwellings. The NPPF is considered to provide the policy context for this decision (because the Local Plan is 'silent' on this matter and the Core Strategy remains unadopted) and is considered to be contrary to the objectives set out in Paragraph 50.

Accordingly, the proposal is recommended for refusal on the following grounds.

RECOMMENDATION: REFUSE for the following reason :-

In the opinion of the local planning authority the proposed type of houses does not address the imbalance of stock type and size of dwellings required to reflect the housing needs of the area. The Housing Stock Analysis conducted in 2006 clearly demonstrates that there is a surplus of larger private market homes and a significant lack of smaller sized properties within Melton Borough and the rural north of the Borough. Accordingly the proposal fails to contribute to a sustainable and balanced housing market and is therefore considered to be contrary to the objectives of the NPPF and the Melton LDF Core Strategy.

Officer to contact: **Paul Green**

15th March 2013