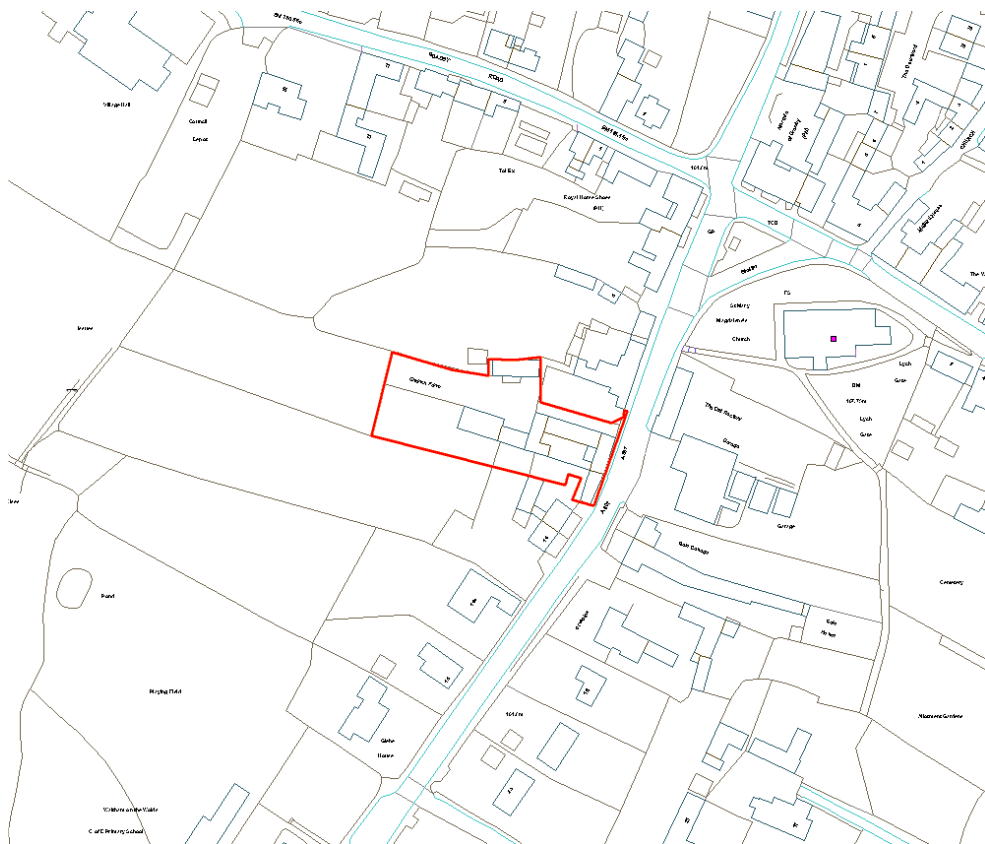


**Reference:** 10/00731/FUL  
**Date Submitted:** 09.11.10  
**Applicant:** Mrs Sue Duffin  
**Location:** Church Farm, 10 Melton Road, Waltham On The Wolds, LE14 4AJ  
**Proposal:** Building of 3 new homes and the refurbishment and alteration of the existing cow shed into a 2 bed dwelling.



**Introduction:-**

**This application seeks amendments to a previous planning permission on a former farmyard site for the erection of three new two-storey dwellings (two 2 bed semi-detached and one 3 bed detached) and the conversion of a single storey outbuilding to form one 2 bed bungalow.**

The existing farmhouse on the site is to be renovated. The amendments sought to the extant planning permission are an increase in footprint of the all plots to increase the living space and an increase in bed space to the conversion of the cow shed; from a 1 bed property to a 2 bed bungalow. The site is located on the edge of the Village Envelope and within the Conservation Area for Waltham on the Wolds. Conservation Area consent has previously been granted for the

clearance of the majority of the agricultural buildings which currently occupy the site. The site has an area of approximately 2500 square metres.

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

- **Compliance with the Local Plan**
- **Meeting the local identified local housing need**
- **Impact upon the character of the Conservation Area**

The application is presented to the Committee due to previous Committee involvement and the recommendation comprises a departure from Local Plan policy.

**Relevant History:-**

10/00655/DIS - Discharge of conditions 2 (materials), 3 (Contamination), 4 (Archaeology), 5 (Tree Planting), 8 (Boundary Treatments) relating to Planning Approval 08/00551/FUL

09/00650/VAC – Removal of Affordable Housing Contribution. Granted on the 16<sup>th</sup> October 2009.

08/00551/FUL - Planning permission granted for Alterations to existing outbuilding, three new build houses, conversion of existing pig sty to residential dwelling and alterations to existing farmhouse.

08/00552/CON - Conservation Area consent granted for the demolition of the majority of agricultural buildings on the site.

**Planning Policies:-**

**PPS1 ‘Delivering Sustainable Development’** – The guidance sets out the government's planning policies on delivering sustainable development through the planning system. It advocates development which reduces the need to travel and encourages accessible public transport provision to secure more sustainable patterns of transport development. It states that planning should focus development in existing centres and promote the more efficient use of land through higher density and the use of suitably located previously developed land and buildings. The Statement also outlines the Government’s commitment to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas.

**PPS3 Housing** - provides central government guidance for residential development. The general thrust of this policy is that development should be focused in accessible locations and that brownfield land should be developed in preference to greenfield land releases. With regard to the effective use of land, PPS3 states that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed including land and buildings that are vacant or derelict. It goes on to state however that there is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed.

**PPS5 ‘Planning for the Historic Environment’** outlines the Government's policies for effective protection of all aspects of the historic environment. Planning has a central role to play in conserving our heritage assets and utilising the historic environment in creating sustainable places. The Government’s overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. To achieve this, the Government’s objectives for planning for the historic environment seek to recognise that heritage assets are a non-renewable resource, recognise that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term and

wherever possible, heritage assets are put to an appropriate and viable use that is consistent with their conservation.

**PPS7 ‘Sustainable Development in Rural Areas’:** promotes sustainable development as the core principle underpinning land use planning. It reiterates the objectives in PPG13 regarding modes of travel and that new building development (including residential) in the open countryside away from existing settlements, or outside areas allocated for development should be strictly controlled. All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. It includes encouragement of the re-use of buildings that are appropriately located and suitably constructed for commercial purposes as part of the approach to encourage and diversify the rural economy and suggests that residential conversion may be acceptable for some buildings.

**PPG 13 ‘Transport’** - A main objective seeks to reduce the need to travel, especially by car. With regard to rural areas, the guidance makes clear that jobs, shopping, leisure facilities and services are primarily sited at the most accessible locations in the local area. In determining the appropriate strategy for employment in rural areas, the guidance says that it is important to consider the scale, impact and likely catchment area of development, and that the larger the number of staff employed on site, the greater the need to ensure the development is accessible by public transport, walking and cycling

#### **East Midlands Regional Plan (March 2009)**

**Policy 3** – relates to the distribution of new development and states that development in rural areas should;

- maintain the distinctive character and vitality of rural communities;
- shortening journeys and facilitating access to jobs and services;
- strengthening rural enterprise and linkages between settlements and their hinterlands; and
- respecting the quality of the tranquillity, where that is recognised in planning documents

In assessing the suitability of sites for development priority is given to making best use of previously developed and vacant land or under-used buildings in urban or other sustainable locations, contributing to the achievement of a regional target of 60% of additional dwellings on previously developed land or through conversions.

#### **Melton Local Plan (saved policies):**

##### **Policies OS1 and BE1:-**

- the form, character and appearance of the settlement are not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the 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** :- residential development within village envelopes will be confined to small groups of dwellings, single plots or the change of use of existing buildings.

**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.

**Melton LDF Core Strategy:** seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough, with provision/contribution of 40% affordable housing from all developments, and expectations to produce mixed, integrated housing developments and meet local needs by addressing identified imbalances in housing stock in all locations. The strategy identifies villages by virtue of a hierarchy reflecting their sustainability and, therefore, suitability for development. Waltham on the Wolds is now identified as a Category 1 village that has a good range of local community facilities and regular public transport and provision will be made for development within the existing built form.

**Consultations:-**

Consultation reply	Assessment of Head of Regulatory Services
<p><b>Highway Authority</b> – Initially raised concerns that plans as submitted did not show the visibility site lines out of the site or parking for use by future occupiers of the farm house</p>	<p>Access and parking arrangements have not altered from the previous approval. A copy of the approved plan showing the access and parking arrangements has been submitted in order for the conditions to be imposed in line with the previous approval.</p>
<p><b>MBC Conservation Officer</b> – The site currently has extant planning permission and some demolition has already taken place on site in line with previous permission.</p> <p>The three new build dwellings replacing the demolished farm outbuildings are fairly simple in design but do pick up on certain features from the host dwelling (Church Farm) as well as the pair of stone cottages (No’s 14 and 16) adjacent the development site. – notably the arched window heads and fenestration pattern. Dormer windows are also a feature of the listed building opposite the site and other buildings within the vicinity. The selection of stone ensures compatibility with the majority of buildings within the street scene but by the same token provides a direct contrast to the red brick of Church Farmhouse.</p> <p>The Conservation Officer has no concerns over the conversion proposals to the cow shed to the rear of the development site which is to have a garden room extension.</p> <p>Taking the above into account and subject to comments made the Conservation Officer has no objections to the proposed development at Church Farm</p>	<p>The site occupies a prominent position fronting the main road through Waltham on the Wolds. The dwelling is not occupied and the farm is no longer in operation and therefore the site is falling into a state of neglect. Suitable redevelopment of the site would serve to enhance the street scene and improve the character and appearance of the Conservation Area.</p> <p><b>The amendments seek to increase the footprint of the new dwellings with little alterations to the design. It is considered that the amendments will not detract from the previous assessment relating to design and impact upon the Conservation Area. The works are considered to enhance this part of the Conservation Area.</b></p>
<p><b>MBC Environmental Health</b> – No objections to the amended proposal.</p>	<p>The previous permission imposed a condition requiring that a contamination study be carried out prior to development of the site. Information has since been submitted and the condition has been formally discharged</p>
<p><b>MBC Housing Policy Officer</b> – In terms of housing stock the two 2-bed properties and the 2-bed bungalow meet identified local need and are supported, the 3-bed dwelling is acceptable as it is</p>	<p>Noted. <b>The proposed dwellings are considered to meet identified local need..</b></p>

not excessive in size, therefore, there is no objections to the housing mix proposed.	
<b>LCC Archaeology</b> – No objections to the proposal subject to complying with the information as submitted and previously agreed.	The previous consent imposed a condition requiring historic building recording and this has been undertaken. No changes are proposed which would affect the findings.
<b>LCC Ecology</b> – Recommend a survey be undertaken prior to any further demolition works.	Noted. Consent is not need for demolition work as the site has an implement Conservation Area Consent. A watching brief condition could be imposed to safeguard any possible protected species which may be occupying the buildings.
<b>Parish Council</b> – No objection	Noted

**Representations:**

A site notice was posted and neighbouring properties consulted. No letters of representation have been received.

**Other material considerations (not raised through consultation of representation)**

<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<b>Impact on adjoining properties:</b> The site is surrounded by a number of residential properties and the impact upon their residential amenities and between those of the proposed units themselves should be assessed in the context of Policies OS1 and BE1 of the adopted Melton Local Plan.	<p>The proposed semi-detached properties, plots 1a and 1b, are located 8.5 metres to the North of No.14 Melton Road, set back further from the highway. The properties would have a 7.9 metre ridge height and eaves of 5 metres. The relationship is such that the rear elevation to No.14 would have an angled view of the blank south-west gable elevation to plot 1. Consent has been granted for the removal of a number of outbuildings which are currently visible from the rear elevation of No.14. Whilst the dwelling would be brought 4 metres closer to this property the overall amount of building visible would be significantly reduced to such an extent that this would mitigate any detrimental impact upon amenity. Any impact of the proposed dwelling upon No.14 is further reduced by the presence of an existing outbuilding directly behind the dwelling which provides garage accommodation for No.14.</p> <p>The detached dwelling, plot 2, is to be situated directly to the North of plot 1 following a similar orientation. To the North of this property is the farmhouse and the cowshed with the nearest elements the garaging which serves these properties. The impact on the farmhouse would be negligible given the existing outbuildings which would be removed to allow for the dwelling on plot 2 whilst the fenestration to plot 4 also ensures any detrimental impact is negligible. The rear elevation of plot 2 would offer some views of plot 4 to the north-east; however the nature of the fenestration,</p>

	<p>relationship between the properties and distances involved ensure the relationship is acceptable. Windows to the side elevations serve a first floor bathroom on one side and en-suite on the other and would have no detrimental impact.</p> <p>The Cow shed to be converted has fenestration to the South elevation; however the nature of this ensures that any loss of privacy could not be judged to warrant a refusal. To the North elevation conservation style rooflights are to be inserted. A new property is being erected on this site; however, the rooflights could not be considered to have an impact upon the amenities of this property.</p> <p><b>The dwellings are not considered to have a detrimental impact on the residential amenities of adjoining properties.</b></p>
<p><b>Impact on Character and Appearance of the Area:</b> The proposal involves the removal of historic and modern agricultural buildings and the erection of three new build dwellings, the conversion of a cow shed. The farm house is to be renovated. <b>A small proportion of the residential curtilage to the converted building would be situated outside the village envelope.</b></p>	<p>The site is currently unused and the dwelling stands empty which has led to both house and buildings falling into a state of disrepair with the site becoming untidy and overgrown, to the detriment of the Conservation Area. An extant planning permission exists on the site and the proposal seeks an amendment to the approval which includes an increase in foot print to the plots 1a, 1b ,2 and 4. The changes proposed are:</p> <p>The semi-detached 2 bed dwellings have been increased in width slightly, replacing the single storey side extension to plot 1b with a two storey extension and the addition of a sun room.</p> <p>The cow shed which is to be converted has been increased from a 1 bedroom dwelling to provide 2, this has been accomplished by adding a single storey extension to the east elevation instead of erecting the car port as previously approved. A sun room is also proposed on the south elevation (rear), which will fall beyond the village envelope by 2 metres but <b>still within the former farm yard complex and residential garden as already approved.</b></p> <p>The site is situated on the boundary of the village envelope which presents the dwellings on plots 1A, 2 and 4 with restricted amenity space. The residential curtilage to plot 1B whilst extending beyond the village envelope is an established residential garden and the continuation of this use could not be opposed.</p> <p>The residential curtilage to plot 4 has a 2 metre wide strip to the South, covering approximately 20 sqm in total, which <b>extends beyond the village</b></p>

	<p><b>envelope boundary</b> to allow access to the property and provide a small area of amenity space. This area previously formed part of the farmyard and though now overgrown was once hardsurfaced. The proposal involves the demolition of agricultural buildings to the South of plot 4 and their removal will more than compensate for the limited extension beyond the village envelope. Therefore, it is considered that the use of the area to allow for the conversion of the cow shed would represent an improvement to the visual amenity of the area and <b>would not represent an encroachment into undeveloped agricultural land.</b> The objective of the policy is to protect the countryside and it is considered that given its existing condition, and the removal of the buildings that no detrimental impact would occur.</p>
<p><b>Highways:</b></p>	<p>The proposal would create a new access to serve plots 1A, 1B and 2 from Melton Road, with the existing access to the farm serving plot 4 and the farmhouse and the existing access to No.14 both undergoing improved visibility. The proposal is considered to provide sufficient parking and turning areas on site with highway safety improvements to the existing accesses.</p> <p><b>The proposal is considered acceptable in terms of highway safety.</b></p>

### Conclusion

Planning permission currently exists for the site and all pre-commencement conditions have been discharged. Some demolition has taken place on the site and the development has commenced. The proposed dwellings lie within the village envelope of Waltham on the Wolds and thus benefit from a presumption in favour of development under policies OS1 and BE1. The site also falls within the Conservation Area and though the proposal would involve the removal of some historic buildings there loss is more than compensated for by the enhancement of the site overall. A small sun room to Plot 4 would extend beyond the village envelope and the previous approval has granted the use as residential garden;. The sunroom would still be confined within the former farmyard and is predominantly hardsurfaced with dilapidated agricultural buildings opposite. It is not considered that the use of this area would encroach upon the undeveloped countryside and the removal of the unsightly agricultural buildings would be beneficial to the appearance of the surrounding area, including the open countryside beyond.

**The changes proposed seek approval for a small increase in footprint to plots 1a, 1b and 2 with an addition of a 2<sup>nd</sup> bedroom to the approval to convert the cow shed into a bungalow. The amendments sought are considered to not alter the Council's position on meeting housing needs, impact upon the Conservation Area, impact upon residential amenities or impact upon the character of the area and the proposed changes are considered acceptable.**

**RECOMMENDATION:- Permit 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 external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority.
3. The development shall take place in accordance with the programme of archaeological attendance, post-excavation analysis, publication and archive deposition detailed in the Design Specification submitted by the applicant and approved by the planning authority (under condition 4 of planning permission 08/00551/FUL). The archaeological programme shall only be conducted in accordance with the submitted Design Specification, unless otherwise approved in writing by the planning authority.
4. Hard and soft landscaping works shall be fully carried out in accordance with the approved details, during no. 6369P 01A including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

Any trees or plants which, within a period of five years after planting are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

5. Unless otherwise agreed in writing by the Local Planning Authority all materials resulting from the demolition shall be reclaimed and stored on site for re-use in the building(s) to be erected on site.
6. Notwithstanding the annotation on the plans hereby approved, no residential or domestic use of the land to the east of plots 1A and 2, beyond the village envelope, is hereby permitted. The residential curtilage to plot 4 shall be restricted to that indicated on drawing No6369P 01A. (NOTE: the use of the land for gardens or other domestic purposes would require further, separate planning permission).
7. Before any building works commence, the proposed visibility splays shown out of the proposed private drive on to Melton Road shall have been provided and cleared of any obstruction that exceeds a height of 0.6 metres above the level of the adjacent carriageway. Once provided these splays shall thereafter be permanently so maintained.
8. Before any building works commence the existing boundaries of Nos. 14 and 16 Melton Road with the public highway shall be lowered so that no fence, wall or planting exceeds a height of 0.6 metres above the level of the adjacent carriageway, and shall thereafter be permanently so maintained.
9. Before first any dwelling hereby permitted is first occupied, the existing footway shall be widened as shown on the amended plan, in accordance with Highway Authority standards.
10. 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 7 metres behind the highway boundary and shall be hung so as to open inwards only.
11. The gradients of the access drives shall not exceed 1:12 for the first 5 metres behind the highway boundary.



12. The shared private drives shown serving the site shall have a minimum width of 4.25 metres with 0.5 metre clear margins on each side for at least the first 7 metres behind the highway boundary and have 4 metres control radii at its junction with the adopted road carriageway. The access drive once provided shall be so maintained at all times.
13. Before first occupation of any dwelling, its access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 7 metres behind the highway boundary and shall be so maintained at all times.
14. Before first occupation of any dwelling hereby permitted is first occupied, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the vehicular access serving that dwelling, with nothing within those splays higher than 0.6 metres above ground level, in accordance with the current standards of the Highway Authority and shall be so maintained in perpetuity.
15. The car parking (including garages) and turning facilities shown within the curtilage of each dwelling shall be provided, hard surfaced and made available before the dwelling is occupied and shall thereafter permanently remain available for such use.
16. The proposed car parking and turning facilities shown within the curtilage of the existing farmhouse shall be provided, hard surfaced and made available for use before any of the proposed dwellings hereby permitted is first occupied, and shall thereafter be permanently so maintained.
17. For the period of the construction of the development within the site, vehicle wheel cleansing facilities shall be provided within the site and all vehicles exiting the site shall have all tyres and wheels cleaned, as may be necessary, before entering the highway, unless another method of ensuring the highway is kept clean is agreed in writing with the local planning authority.
18. For the period of the construction of the development, vehicle parking facilities shall be provided within the site and all vehicles associated with the development shall be parked within the site.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of external appearance.
3. To ensure satisfactory historic building recording and archaeological attendance.
4. To ensure the provision, establishment and maintenance of landscaping to a reasonable standard in accordance with the approved proposals.
5. To safeguard the character and appearance of the building and the area.
6. To clarify the extent of the permission and to prevent an incursion into open countryside, contrary to Policy OS2 of the Adopted Melton Local Plan.
7. To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.
8. To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.
9. In the interests of pedestrian safety.
10. 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.

11. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.
12. 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.
13. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)
14. In the interests of pedestrian safety.
15. 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.
16. 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.
17. To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard for road users.
18. To ensure that adequate off-street parking provision is made to reduce the possibilities of development of the site leading to on-street parking problems in the area during construction.

Officer to contact: **Mrs Denise Knipe**

**7<sup>th</sup> December 2010**