

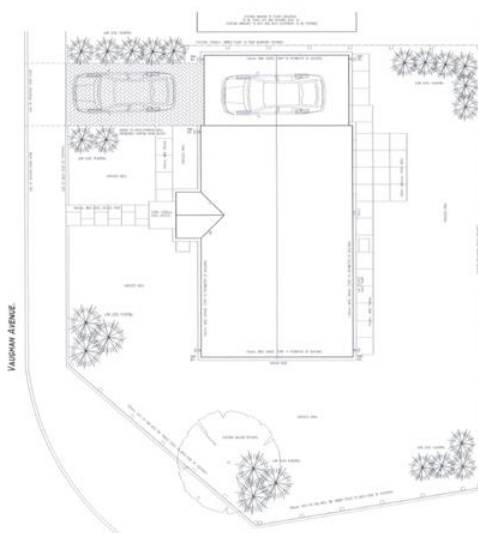
20/00651/FUL - 2 Vaughan Avenue Bottesford NG13 0EF

Proposed 3 bedroom bungalow with integral garage

Applicant : Mr M Pate

Corporate Priority:	3: Delivering Sustainable and Inclusive Growth in Melton
Relevant Ward Member(s):	Bottesford : Councillor Pru Chandler Councillor Donald Pritchett
Date of consultation with Ward Member(s):	4 February 2021
Exempt Information:	None

1 Summary



1.1 Proposed layout.

Site Plan

1.2 The application site is located on the eastern periphery of Bottesford. The site is not within the designated Conservation Area. The site is currently part of the garden of number 2 Vaughan Avenue. To the south of the site lies Grantham Road with a slip road off the main

road being directly to the south of the site. To the south and east the residential properties are mainly detached dwellings on large plots. Permission has been granted for a bungalow to the north of the host dwelling. To the north and west of the site are more densely arranged dwellings, mainly bungalows in the vicinity of the site on Vaughan Avenue and Fleming Avenue which it adjoins.

1.3 This is a revision of refused planning application 20/00306/FUL for the erection of one dwelling including an integral garage, to the south of the existing dwelling. Reasons for refusal were:

1. The proposed dwelling, by virtue of its design and proposed building materials would be out of keeping with the character and appearance of the surrounding area and would therefore be contrary to policies D1 of the Adopted Melton Local Plan 2011-36.

2. The proposed dwelling, by virtue of its scale and design, would represent an over development of the site, resulting in inadequate provision of car parking, which would result in on street parking in a location where space for parking is limited and in close proximity to a road junction, to the detriment of road safety. It is therefore contrary to Policies D1 of the Adopted Melton Local Plan 2011-36.

This application proposes revisions to the scheme seeking to overcome the previous reasons for refusal.

1.4 Approval has been granted for a two bedroomed bungalow on the site to the north of the existing dwelling. Ref: 18/01088/FUL. This approval has been implemented and is currently the subject of a retrospective application (20/0466/FULHH) which seeks to regularise elements which were not implemented in accordance with the approved plan.

2	Recommendation
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2.1	It is recommended that the Planning application is APPROVED subject to conditions
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3. Reason for Recommendations

3.1 The proposal accords with the requirements of Policies SS1 and SS2 which emphasise the need to provide housing in locations that can take advantage of sustainable travel. Bottesford is a 'Service Centre' under policy SS2 and identified as appropriate for a limited quantity of development in the form of allocations and accommodation of 'windfall'.

3.2 The site is located within the village envelope defined within the emerging Bottesford Neighbourhood Plan.

3.3 The access and parking is considered to be acceptable. Two parking spaces are provided within the site. Access width is adequate for a single dwelling. Surfacing details are acceptable – porous block paving.

3.4 The proposal is considered to be sympathetic to the character of the surrounding area. There are a number of residential dwellings of varying styles in the vicinity of the site, and the proposed dwelling would to an extent reflect the character of these properties with the majority on Vaughan Avenue also being bungalows. The proposal is therefore considered to accord with policy D1 of the Melton Local Plan in terms of siting and design.

3.5 The proposal is single storey and there are no overbearing impacts arising from this development. There are no windows proposed to the north or south elevations. To the rear

elevation of the proposed dwelling, the east facing windows do not overlook any neighbouring properties. The fenestration to the existing property to the north (2 Vaughan Avenue) is to be reconfigured and will result in there being no windows to the south elevation of 2 Vaughan Avenue, therefore the proposed building will not affect the sunlight to the existing dwelling. The proposal is therefore deemed to accord with policy D1 on amenity.

4 Key Factors

4.1 Reason for Committee Determination

4.1 The application is required to be presented to the Committee due to receiving more than 10 letters of objection contrary to the recommendation.

4.2 Relevant Policies

4.2.1 The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area.

4.2.2 No inconsistency with the NPPF has been identified that would render Local Plan policies 'out of date'.

4.2.3 The Regulation 16 consultation for the Neighbourhood Plan for Bottesford closed on 17.02.2021 and Examination is the next stage therefore under the guidance NPPF para 48 which states that weight should be afforded dependent upon the extent of advancement and resolution of issues, limited weight should be given to the policies of the Neighbourhood Plan.

4.2.4 Please see Appendix E for a list of all applicable policies

4.3 Main Issues

4.3.1 The main issues for this application are considered to be:

- Principle of development; compliance with Development Plan Policies.
- Impact upon the character of the area
- Impact upon residential amenities
- Impact upon highways and parking

5 Report Detail

5.1 Position under the Development Plan Policies

5.1.1 The site is in the eastern area of the settlement of Bottesford, adjacent to existing residential properties on Vaughan Avenue and Grantham Road where policies SS1 and SS2 apply. These two policies reflect the presumption in favour of sustainable development within the National Planning Policy Framework (NPPF) and sets out the strategy of delivering housing across Melton borough through identifying the most suitable locations for new housing within a settlement hierarchy, devised from sustainable credentials. Bottesford is identified in the Local Plan as a Service Centre. Neighbourhood Plan policies 1, 8, and 10 apply.

5.1.2 Policy SS2 of the Melton Local Plan sets out the development strategy for the Borough for housing and employment and states development will be distributed across the Borough in accordance with the spatial strategy.

5.1.3 Service Centres and Rural Hubs will accommodate approximately 35% of the Borough's housing residual requirement* (1822) on a proportionate basis. This will be delivered by planning positively for the development of sites allocated within and adjoining the Service

Centres and Rural Hubs by 2036, and by encouraging small scale residential 'windfall' development.

5.1.4 Policy 1 of the Neighbourhood plan states that to be supported the development must not lead to a site becoming over developed and out of scale with the immediate character of the locality. Policy 8 states that proposals should be of a high design quality, respond to the character of the surrounding area and neighbouring properties, demonstrate sensitive positioning within the plot and be of such scale and form as to not dominate neighbouring properties or the streetscape. The proposal should provide safe access, parking and servicing arrangements (including bin storage). Policy 10 states that in Bottesford current evidence is that there is a demonstrable need is for 2 and 3 bed dwellings suitable as starter homes and bungalows.

5.1.5 Other considerations are the National Planning Policy Framework.

5.2 Principle of Development

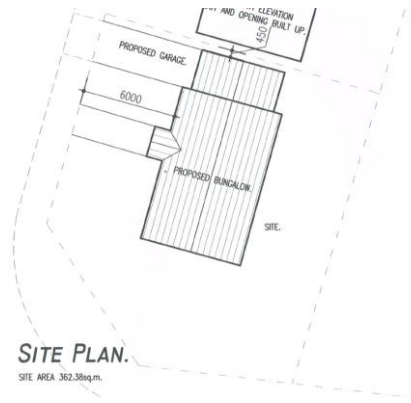
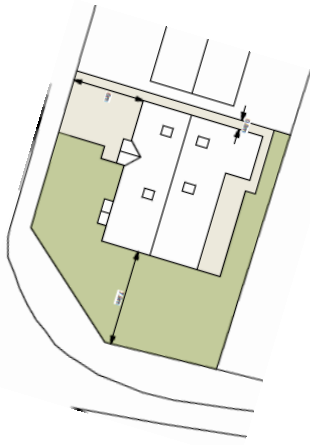
5.2.1 The proposal accords with the requirements of Policies SS1 and SS2 which emphasise the need to provide housing in locations that can take advantage of sustainable travel, make appropriate provision for parking and ensure that there is not a significant impact caused to the Highway network.

5.2.2 Bottesford is considered to be a sustainable location and is identified as a 'Service Centre' and as such is appropriate for a limited quantity of development in the form of allocations and accommodation of smaller sites.

5.2.3 Given the siting within Bottesford, a Service Centre, this development is considered to fall under the provisions of 'windfall' development within the Melton Local Plan.

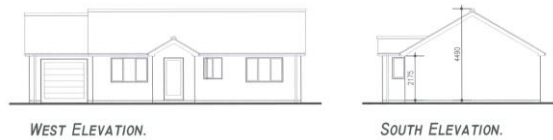
5.3 Impact upon the character of the area

5.3.1 The proposed dwelling would be modest in scale therefore in keeping with the scale and mass of the existing dwellings on the street scene, which are typically also single storey bungalows. The footprint of the proposed dwelling has been reduced by 10m² from the previous proposal and is single storey, whereas the original proposal was for a one and a half storey dwelling. The ridge height has also been reduced by 1.35metres from the previous proposal. The siting within the plot reflects the density of the surrounding residential plots on Vaughan and Fleming Avenues, where the established dwellings are typically spaced at between 1.5 and 3 metres apart. The building line to the street frontage is in line with the existing dwelling to the north, which is spaced at approximately 1 metre from the proposed north elevation of the proposed bungalow. The garden area proposed is considered to be an adequate amenity area for a dwelling of the size proposed. The design and suggested materials are in keeping with the vernacular of the area, and are considered to respect the character of the surroundings.



refused

proposed



Refused

Proposed

5.3.3 Details regarding boundary treatment and landscaping are to be reserved by condition to ensure that the boundary treatment does not impede visibility onto the highway from the access, and appropriate materials and planting are used to ensure visual amenity is an improvement on the existing situation. The proposed site plan shows that the existing willow tree is to be retained. The existing *Leylandii* trees on the boundary are to be removed, these are currently restricting the visibility onto the highway for vehicles exiting 2 Vaughan Avenue. Appropriate planting should be undertaken to replace any trees proposed to be removed, species specific details are to be provided within a landscape plan to be submitted and approved prior to commencement of the development should the proposal be approved. Images of the plot as existing are shown below.



5.3.4

11 proposed site with 2 Vaughan Ave beyond fence boundary to north

12 North east boundary showing neighbouring properties on Grantham Road

13 recycled embankment back of site to 21 off the site by recycled stone

14 front boundary looking north east up Vaughan Ave

15 south boundary of site on Grantham Road showing pollarded tree

5.3.5

Details of proposed materials have been provided and are to match the materials used for the bungalow to the north of 2 Vaughan Avenue. The proposed materials are considered acceptable.

5.3.6

Due to the proposed dwelling's modest scale, and its siting within the plot combined with

the use of suitable materials, it is not considered that the proposed development would adversely impact on the character of the surrounding area.

- 5.3.7 The proposal would not conflict with policies D1 and EN6 of the Melton Local Plan and nor would it conflict with policies 1, 8 and 10 of the Neighbourhood Plan.
- 5.3.8 The application site and proposed development is, therefore, considered to be entirely appropriate in relation to settlement character and visual amenity.

5.4 Impact upon Residential Amenities

- 5.4.1 The proposed dwelling is sited at a sufficient distance so as to not result in any adverse overlooking, overbearing or loss of light impacts upon the occupiers of the neighbouring property at 71 Grantham Road which is located approximately 12 metres to the north east of the site. A plan has been submitted to demonstrate that the host dwelling 2 Vaughan Avenue is to be re-arranged so that there will be no windows on the south elevation therefore loss of sunlight will not occur.
- 5.4.2 It is not considered that the proposal would have an adverse impact on the amenity of the occupiers of neighbouring properties, and as such it is considered that the proposal would comply with Policy D1 of the Local Plan.

5.5 Highway Safety

- 5.5.1 Policy D1 states that development proposals should include appropriate, safe connection to the existing highway network and should make adequate provision for car parking. Policy IN2 requires that development does not unacceptably impact on the safety and movement of traffic on the highway network and provides appropriate and effective parking provision and servicing arrangements. Policy 8 of the Neighbourhood Plan states that proposals should provide safe access and parking arrangements.
- 5.5.2 Access is provided to the front of the site which is considered to be suitable to cater for the development. Two off street parking spaces are proposed including the parking space within the proposed garage, the dimensions of both parking spaces meet the requirements of the Leicestershire Highways Design Guide and the Standing Advice 2011 according to amended plans submitted following LCC Highways Authority comments received 16.09.2020.
- 5.5.3 As adequate parking is provided within the site, it is not considered that the development would lead to on street parking problems in the vicinity. Concerns have been raised regarding issues with on street parking. The development of one dwelling in this location is not considered to contribute to an on street parking issue that would result in severe highway safety impacts. The parking provision complies with Local Highways Authority Standing Advice. The minimum usable internal dimensions for a garage are width 3.0 metres and length 6.0 metres. The minimum parking space dimensions for residential parking are 2.4m wide by 5m long.
- 5.5.4 It is considered that the removal of the existing Leylandii trees will facilitate improved visibility towards the junction with Grantham Road, details of the boundary treatment are to be submitted and approved prior to commencement of the development should the proposal be approved, to ensure that it does not impede highway visibility from the access.
- 5.5.5 As such, subject to conditions the proposal would be acceptable in terms of highway safety and would comply with policies D1 and IN2.

6 Conclusion

- 6.1 The development is considered to represent sustainable 'windfall' development and is considered acceptable. The proposal is sympathetic to the local character and would not have any adverse impact upon residential amenity or highway safety, subject to conditions securing further details.
- 6.2 It is considered that the proposal would comply with the relevant policies of the Melton Local Plan, Neighbourhood Plan, and the overall principles of the National Planning Policy Framework.

7. Consultation & Feedback

- 7.1 A site notice was posted and neighbouring properties consulted. As a result 20 letters of objection were received.

8. Financial Implications

- 8.1 None.

Financial Implications reviewed by: N/A

9. Legal and Governance Implications

- 9.1 The application is required to be presented to the Committee due to receiving more than 10 letters of objection contrary to the recommendation.
- 9.2 Legal implications are set out in the report where relevant. Legal advisors will also be present at the meeting.

Legal Implications reviewed by: R Power, Planning Solicitor

10. Background Papers

- 10,1 20/00306/FUL -Proposed 3 bedroom bungalow with integral garage – 2 Vaughan Avenue – Refused - 05.06.2020

11. Appendices

- A: Summary of Statutory Consultation responses
- B: Summary of representations received
- C: Recommended Planning Conditions
- D: Informatives
- E: List of applicable Development Plan policies

Report Author:	Lynn Eastwood , Planning Officer
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Appendix A : Consultation replies summary

Parish Council:

15 Mar 2021

The Parish Council discussed this application at their recent meeting and voted to object on the same grounds as stated in previous submissions i.e proximity to the junction, the size of the footprint on the plot and the loss of trees.

15 Sep 2020

The Parish Council objected to this application in its previous form on the grounds of

- 1/ Proximity to the junction/Road safety.

- 2/ The number and density of dwellings on what was one plot.

- 3/ The loss of trees that would result.

Cllrs voted unanimously to object to this application on these same grounds and in addition the strength of feeling of residents close to the site in opposition to this scheme was also noted.

Tue 14 Jul 2020

The Parish Council discusses this application at its recent meeting and Councillors voted unanimously to object to the plans due to ;

- 1/ proximity to the junction. The property only appears to have driveway parking for one vehicle which means likely to additional vehicles of owners or visitors would park on the road or path within the 10 meters of the junction, contrary to the highway code and causing visibility problems at the junction for other road users.

- 2/ The property footprint is too big for plot resulting in close proximity to boundaries and lack of green/garden space. (It was noted that the plans do not show an extra house that was previously built on this plot making these plans appear deceptively spacious).

- 3/ The loss of trees that would result.

Councillor D Pritchett:

I focus on the highways as I did for the recent previous application.

Parking 33 feet within and opposite junctions is covered by Highway Code paragraphs 238 to 252.

The nearby junction has become increasingly busy since the building of the recent Grantham road co-op.

Ward Councillors recently met with the Police about various traffic issues including public safety being compromised by parking near junctions and on paths. The option of double yellow lines at some of the more high risk junctions was discussed and the resulting benefit of changing driver behaviour because of enforcement fines.

Concurrent with this there are two current related initiatives; Responding to significant local public and Ward Councillor concern coupled with a forecast that new house builds could substantially exceed indicative Local Plan numbers the Assistant Director has this week referred local concerns to County Council Highways. Also, Ward Councillors are to document the areas of concern and will liaise with the Parish Council, county Councillor and appropriate specialists on mitigation to cope with today and a projected population increase of 30% in the next few years.

I would ask Planning Officer(s) and Committee members to consider if double yellow lines were applied at the nearby junction what would be the implications for vehicles owned at or visiting the proposed property and knock on effect on neighbour parking, other drivers and pedestrians if vehicles had to be parked on unrestricted Vaughan avenue or nearby road?

Highways response to above question 16.09.2020:

The revised application documents have been assessed by the LHA and based on the current proposals, there is a shortfall of one parking space. Mr Pritchett's comments regarding concerns being directed to the LHA are noted, however, I have checked with our Traffic & Signals team and it appears that no such enquiry has been submitted to date. If such a request were to be submitted, it would require an evidence based assessment.

With regards to the impact that any potential waiting restrictions would have in relation to this application, as the shortfall in the required parking is one space, and the majority of the immediately surrounding highway network is not subject to such restrictions, it is anticipated that sufficient on-street parking would be available to accommodate the shortfall. There is no provision within the LHDG in respect of providing visitor parking, as it would be unreasonable to request this for each residential dwelling, or application. In addition, the LHA cannot speculate on the quantum of visitors that a single dwelling may receive, and as outlined above, the LHA have no existing proposals to alter the existing on-street parking arrangements within the immediate vicinity.

LCC Highways:

10.02.2021

The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.

Consideration should be given to visibility splays and surfacing should the Local Planning Authority be minded to grant planning permission.

16.09.2020

The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.

The Local Highway Authority (LHA) previously responded to application 20/00651/FUL on 28th July 2020 and advised that the application was considered under Standing Advice.

The LHA are in receipt of further information from the Applicant as follows;

Garage dimensions of 6m x 3m - It should be noted that these should be internal dimensions, if to be considered towards the parking provision in accordance with the Leicestershire Highway Design Guide (LHDG) Part 3.

The internal dimensions as shown on Hana and Company Limited drawing number HN/095/12A are 5.6m x 2.9m. In addition, the garage door width is 2.16m, rather than the required width of 2.3m. Therefore the garage as shown is below the standards set out in the LHDG and therefore cannot be considered towards the required parking provision of two spaces for this application.

Parking dimensions of 3m x 6m - The LHDG requires spaces to be 2.4m x 5.5m therefore the proposed space as shown fronting the garage is acceptable. However, as advised previously, if boundary treatment were to be proposed and the space bound by a wall, fence, hedge or similar, an additional 0.5m is required, 1m where bound on both sides.

Porch canopy set back 4.95m - This is acceptable and has no adverse impact on highway matters.

Therefore in conclusion, the proposal as currently shown has a shortfall of one parking space due

to the proposed dimensions of the garage. Whilst this is not ideal, in accordance with Paragraph 109 of the National Planning Policy Framework 2019, the LHA can only seek to resist an application where the impacts of the development on highway safety would be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would be severe. The LHA therefore considers that it would be unreasonable to seek to resist the proposal on this basis.

The Local Planning Authority are advised to ensure appropriate visibility splays, access width and surfacing are secured by way of planning condition, should the LPA be minded to grant planning permission.

28.07.2020

The Local Highway Authority (LHA) refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.

Whilst a red line plan has been submitted, it is unclear from the drawings provided where the highway boundary is in relation to the proposed development. It is noted that the proposal includes a porch canopy, this should not overhang the highway and should have a set back distance of 0.5m from the back of the highway boundary.

Parking provision should be provided based on the number of bedrooms, for this proposal of two bedrooms, two parking spaces would be required in accordance with the Leicestershire Highway Design Guide (LHDG) Highway Requirements part 4.

The width for a single point of access is 2.75m, for a minimum distance of 5m behind the highway boundary. No boundary treatment has been indicated for the access drive and possible subsequent parking space, however if bound on one side an additional 0.5m is required and if bound on both, an additional 1m width overall is required. Any garage erected within the curtilage of the dwelling should be sited with its door located an appropriate distance behind the highway boundary to allow a car to stand clear of the highway.

The minimum internal dimensions for a single garage in accordance with the LHDG part 3 3.225 are 3m x 6m if to be considered towards the parking provision.

No other parking provision has been indicated, however the minimum parking space dimensions for residential parking is 2.4m x 5.5m, and if bound by a wall, fence, hedge or similar, an additional 0.5m is required, if bound on both an additional 1m overall is required.

Given the site specific location, and its close proximity to the junction of Vaughan Road and Grantham Road Service Road, vehicles are likely to be travelling less than the 30mph speed limit of Vaughan Avenue both in north and south bound directions. Whilst this should be taken into consideration, no vehicular visibility splays being provided, notwithstanding this, there should be nothing above 0.6 metres in height can be present within a visibility splays. Pedestrian visibility splays of 1m x 1m should also be provided.

Other items to consider are gradient/drainage and surfacing.

Appendix B : Summary of representations received

20 letters of objection have been received from local residents raising the following concerns:

- Overdevelopment
- Not in keeping with surroundings
- Parking issues
- Road safety
- Lack of space between dwellings
- Garden grabbing
- Dominant and oppressive
- Anomaly with plans NE elevation labelled NW
- Unacceptable removal of hedges and trees on the boundary and within the site

Appendix C: Recommended Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

HN-095-11B Location Plan, HN-095-12B Proposed Ground Floor Plan, HN-095-13B Proposed Elevations, HN-095-18 Block Plan and Proposed Site Plan. Received by the Local Planning Authority on 30 Nov 2020

Reason: For the avoidance of doubt

3. The proposed car parking facilities, including the garage, shall permanently remain available for car parking.

Reason: 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.

4. No development shall commence until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority. The scheme shall be carried out in full accordance with the approved landscaping scheme. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period

any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the boundary treatment does not impede highway visibility from the access, and that appropriate planting is carried out within a reasonable period and thereafter maintained in accordance Policies SS1 and D1 of the Melton Local Plan.

5. 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. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory standard of external appearance.

6. The development hereby permitted shall not be occupied until such time as the access arrangements and parking facilities have been implemented in full in accordance with the Proposed Site Plan HN-095-18 received by the Local Planning Authority on 30 Nov 2020. Thereafter the onsite parking provision including the garage shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policies IN2 and D1 of the Melton Local Plan.

Appendix D : Informatives

1. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
2. Please be advised that you may require Building Regulations approval before work can commence. Please contact Building Control either via the online enquiry form found at www.melton.gov.uk/homepage/71/building_control or by email buildingcontrol@melton.gov.uk or by telephone; 01664 502369.

3. This decision has been reached taking into account the requirements of paragraph 38 of the National Planning Policy Framework 2019 in approaching decisions on proposed development in a positive and creative way. The Local Planning Authority has endeavoured to use the full range of planning tools available to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area seeking to approve applications for sustainable development where possible.

Appendix E : Applicable Development Plan Policies

Melton Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy SS2 Development Strategy.
- Policy IN2 Transport, Accessibility and Parking
- Policy D1 Raising the Standard of Design.
- Policy EN2 Biodiversity
- Policy EN6 Settlement Character
- Policy EN9 Energy Efficient and Low Carbon Development

Neighbourhood Planning

- Policy 1: Sustainable Development and the Village Envelopes.
- Policy 8: Ensuring High Quality Design
- Policy 10: A Mix of Housing Types