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Planning Committee

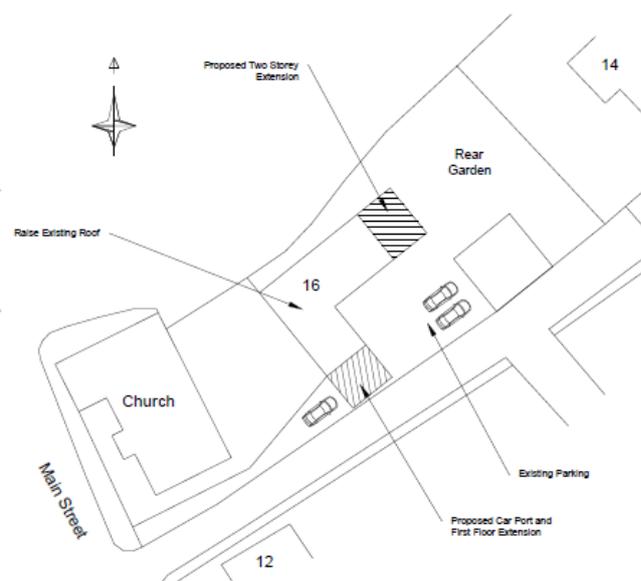
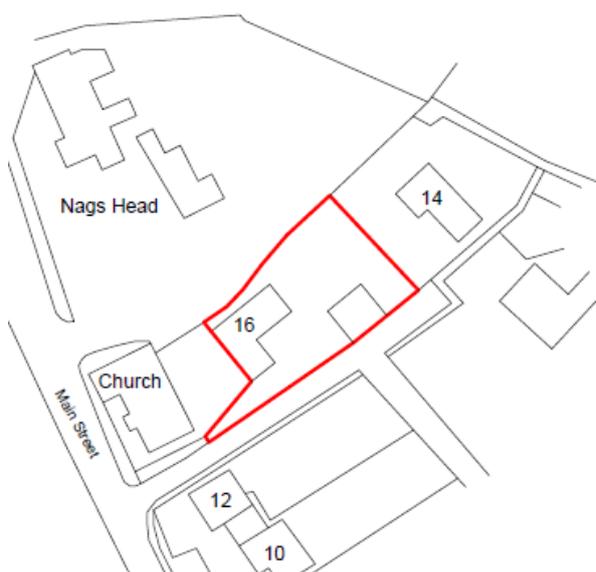
21 July 2022

Report of: Interim Assistant Director for
Planning

22/00419/FULHH - Proposed removal of conservatory, 2 No. two storey extensions, partial raising of the roof and external stairs and roof windows to the existing garage - Wagoners Lodge, 16 Main Street, Harby, LE14 4BN

Corporate Priority:	Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	Long Clawson and Stathern – Councillor Christopher Evans and Councillor Mel Steadman
Date of consultation with Ward Member(s):	18 May 2022
Exempt Information:	No

1 Summary



Planning Report

22/00419/FULHH - Proposed removal of conservatory, 2 No. two storey extensions, partial raising of the roof and an external stairs and roof windows to the existing garage - Wagoners Lodge, 16 Main Street, Harby, LE14 4BN

- 1.1 The application site relates to a one and a half storey detached property located within the village of Harby. There is a driveway, detached garage and garden area to the east.
- 1.2 Planning permission is sought for 2 two storey extensions, partial raising of the roof along with an external staircase and new roof windows to the garage.
- 1.3 It is proposed to raise the roof of the existing building by 784mm, taking the ridge height to 5.93m. Included within the proposal is the provision of six new dormer windows and three rooflights, one to the main property and two within the garage roof.
- 1.4 The extension to the north east elevation would project 4.5m, would be 6.59m wide with an overall height of 5.93m. The extension to the south east elevation would project 3.8m from the side, would be 6.14m deep with an overall height of 5.93m. It is also proposed to add an external staircase to the North West elevation of the existing garage.
- 1.5 A previous planning application on the site (03/00944/FUL) was approved for the existing detached garage and an extension to the south of the property, similar to part of the proposals being applied for under this application.

RECOMMENDATION(S)

<p>1. It is recommended the application is approved, subject to: (i) Conditions as set out in Appendix B</p>

2 Reason for Recommendations

- 2.1 The proposal, by reason of siting and design, would result in a development that would be sympathetic to the character of the area, thus having no detrimental impact on the visual amenity of the site and the street scene.
- 2.2 The proposed development would not have a detrimental impact on neighbour amenity and the proposed materials would ensure the development does not appear out of keeping in form and respects the wider character of the area.
- 2.3 The proposed development would therefore accord to Policy D1 and SS1 of the Melton Local Plan, Policy H7 of the Clawson, Hose and Harby Neighbourhood Plan and the overall aims of the National Planning Policy Framework 2021.

3 Key Factors

3.1 Reason for Committee Determination

- 3.1.1 The applicant is an employee of Melton Borough Council. The Notification requires consideration by the Committee as it is submitted by an employee of the Council (Constitution Chapter 2, Part 9, 'Planning Committee functions and procedures').

3.2 Relevant Policies

- 3.2.1 The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area.
- 3.2.2 The Council's Design of Development Supplementary Planning Document was adopted on the 24th February 2022 and forms part of the consideration of the application.
- 3.2.3 The Local Plan is up to date and consistent with the latest revised versions of Government Guidance as contained in the National Planning Policy Framework.

3.2.4 The Clawson, Hose and Harby Neighbourhood Plan was adopted on 6th June 2018 and forms part of the Development Plan.

3.3 Melton Local Plan

- SS1. Presumption in favour of Sustainable Development
- D1. Raising the Standard of Design
- IN2. Transport, Accessibility and Parking

Clawson, Hose and Harby Neighbourhood Plan

- H7. Housing Design
- T4. Parking

3.4 Main Issues

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

- Impact upon the character of the area
- Impact upon residential amenities
- Impact upon highways and parking
- Impact upon ecology

4 Report Detail

4.1 Position under the Development Plan Policies

4.2 Policy SS1 states that ‘the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

4.3 Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

4.4 Impact upon the character of the area

4.4.1 The proposal comprises of the addition of two two-storey extensions, the raising of the roof and the addition of external stairs and roof windows to the existing garage. It is proposed to raise the roof of the existing building by 784mm, taking the ridge height to 5.93m. Included within the proposal is the provision of six new dormer windows and three rooflights, one to the main property and two within the garage roof.

4.4.2 The extension to the north east elevation would project 4.5m, would be 6.59m wide with an overall height of 5.93m. The extension to the south east elevation would project 3.8m from the side, would be 6.14m deep with an overall height of 5.93m. It is also proposed to add an external staircase to the North West elevation of the existing garage.

4.4.3 Planning permission was granted in 2004 (reference 03/00994/FUL) for the existing garage along with a two storey extension to the south east of the property. This extension has not been constructed however, this work could still be undertaken as part of the approved application has already been implemented.

- 4.4.4 Policy D1 of the Melton Local Plan seeks to ensure that buildings and development are designed to reflect the wider context of the local area and respect the local vernacular without stifling innovative design.
- 4.4.5 While the proposed extensions would constitute a relatively large addition to the existing building, the extensions would have little impact upon the character of the area, as they would be in keeping with the area, and would be subservient to the host property. It is proposed to construct the extension from brick and tile to match the existing property.
- 4.4.6 The external staircase to the garage is proposed in order to allow access into the roof space without losing any parking space. The roof space in the garage will be used for storage and a condition has been proposed to ensure that this remains the case and is not used as further habitable accommodation.
- 4.4.7 It is considered that the proposed size, form and design of the proposal would respect that of the existing building on site and the character and appearance of the area. The proposal is therefore considered to meet the criteria of the relevant Melton Local Plan Policy D1 and the overall aims of the NPPF.

4.5 **Impact upon residential amenities**

- 4.5.1 Policy D1 states that the 'Amenity of neighbours and neighbouring properties should not be compromised.' Policy D1 also requires development to be managed so as to control disruption caused by construction for reasons of safeguarding and improving health and well-being for all.
- 4.5.2 There are neighbouring residential properties to the east and south of the site with a public house to the north and the Valley Christian Centre, a tall single storey brick built former chapel, to the west.
- 4.5.3 The residential property most likely to be affected by the proposed development would be the house to the east as it is the closest residential dwelling to the application site and the development would be visible from the property. It is felt that due to the separation distance between the two properties and the proposed extensions would not cause any loss of light or privacy. Additionally, the proposed external staircase to the existing garage is set back from the boundary and would not cause any loss of privacy.
- 4.5.4 The other property most likely to be affected is the Valley Christian Centre to the west as it is located close to the application site and there is no hard separation, e.g. fences or walls between the two sites. The proposed extension to the west of the property would be highly visible from the Valley Christian Centre. The main potential impact from the development would be two new downstairs windows and the two proposed dormer windows to the south west elevation roof. It is considered that, although the windows will overlook the site, this is already the case with the existing windows within the property. It is felt that the proposed windows would not negatively impact the amenity of The Valley Cristian Centre as this is not a residential dwelling and is only used periodically for short spells of time.
- 4.5.5 It is not considered that the proposal will have a significant negative effect on the amenity of any neighbouring properties and in this respect accords with Policy D1 of the Melton Local Plan and the objectives of the NPPF.

4.6 **Highway Safety**

- 4.6.1 Policy D1 states that development proposals should include appropriate, safe connection to the existing highway network and should make adequate provision for car parking.
- 4.6.2 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
- 4.6.3 LCC Highways have expressed the view that the proposal would not result in any material impact on highway safety at the site having had regard to the submitted plans. It has been recommended that informatives are added to the decision if the application is approved. In this respect the proposal accords with Policy IN2 of the Melton Local Plan and the objectives of the NPPF.
- 4.6.4 The proposal results in the formation of one additional bedroom and, as a larger dwelling, it would therefore have the potential to impact parking and highway safety. There is sufficient parking on site however to allow for this increase in bedrooms. In this respect the proposal accords with Policy D1 of the Melton Local Plan and the objectives of the NPPF and meets the County Council's car parking standards for dwellings of the proposed size.

4.7 **Ecology**

- 4.7.1 An ecology survey has been requested by the LCC Ecology Team due to the roof extension however, as alterations have already been approved under the previous application, it is considered unnecessary at this time to request a bat survey. Furthermore, photographs have been received which show that there is little to no space within the roof for bats to roost. It is proposed instead to include an informative which states that work must cease immediately if any evidence of bats is found to allow appropriate approvals and remedial action to be taken to protect them.

5 **Consultation & Feedback**

- 5.1 A site notice was posted and letters sent to immediate neighbouring properties. There have been no written representations received.

6 **Financial Implications**

- 6.1 None Identified.

Financial Implications reviewed by: N/A

7 **Legal and Governance Implications**

- 7.1 None Identified.

Legal Implications reviewed by: Tom Pickwell

8 **Background Papers**

- 8.1 03/00994/FUL - Proposed extension to form new study and bathroom and erection of a new double garage – Permitted 23.02.2004

9 **Appendices**

- 9.1 A: Summary of Statutory Consultation responses
B: Recommended Planning Conditions

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Appendix A : Consultation replies summary

Parish Council:

The Parish Council has no objections to this application but ask that, should planning permission be granted, the Borough Council consider adding a condition that no part of the extension be used as an additional / separate dwelling in the future.

LCC Ecology:

The development site and building proposed for extension and works to the roof are close to open countryside and sited in an area with good bat foraging habitat. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls. A bat survey of all the buildings on site that will be impacted by the works is therefore needed.

Bat surveys involve an external and internal inspection of the building by an appropriately licensed bat worker and an assessment of its potential value for bat roosting. This can be done at any time of year. If evidence of bat use is found, or the building is considered to have low, moderate or high value, or the surveyor cannot fully inspect the building, a suite of emergence surveys may also be required. Emergence surveys can only be carried out between May and mid Sept. The number of survey visits needed depends on the findings of the inspection, and should follow national guidelines. Buildings with low roost potential require 1 survey; medium require 2, and high potential require 3 surveys. The suite of surveys should include at least one between May and August.

A list of consultants able to do this work is available on request, and guidance on bat surveys is at this link <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2021/10/5/LRERC-Bat-Protocol.pdf>

Depending on the results of surveys, mitigation may be required, and may be the subject of a planning condition and possibly a European Protected Species license application to Natural England.

Please note that ODPM Regulations require protected species surveys to be submitted prior to determination of a planning application. It is also essential that the extent that they may be affected by the proposed development is established before the planning permission is granted. (Reference: Paragraph 99 of ODPM Circular 06/2005 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System).

If this information cannot be supplied, I advise that this application is withdrawn or refused, on the grounds of inadequate information about protected species.

LCC Highways

The Local Highway Authority Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021).

Background

The Local Highway Authority (LHA) have been consulted on the proposed removal of an existing conservatory, construction of two two-storey extensions, the raising of the roof and the addition of external stairs and roof windows to the existing garage at Wagoners Lodge, 16 Main Street, Harby.

Site Access

The LHA note that no amendments are sought to the existing site access.

Highway Safety

Two Personal Injury Collisions (PICs) have taken place within close proximity of the site (500m) within the most recent five-year period. Neither of the PICs are attributable to the development site. The two collisions are not considered to represent a trend or cluster that would be exacerbated by the proposed development.

Internal Layout

Internally, the LHA would require two parking spaces for a dwelling with up to three bedrooms and three spaces for a dwelling with four or more. Parking spaces should measure a minimum of 2.4 x 5.5 metres with an additional 0.5 metre strip where bound by a wall/ hedge/ fence etc. For a garage/car port to count as a parking space, internal dimensions should measure 3.0 x 6.0 metres for a single garage/car port.

The LHA are satisfied that sufficient parking and turning space can be provided within the site confines in general accordance with Section DG13 of Part 3 of the interim Leicestershire Highway Design Guide (LHDG).

Public Right of Way (PRoW)

Public Footpath G34 runs alongside the proposed development. The LHA do not consider the proposals will impact upon the PRoW but raise the below informative for the Applicant's attention.

Informative

The following notes should be drawn to the Applicant's attention:

- Prior to construction, measures should be taken to ensure that users of the Public Footpath G34 are not exposed to any elements of danger associated with construction works.
- The Public Footpath G34 must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- The Public Rights of Way must not be further enclosed in any way without undertaking

discussions with the Highway Authority (0116) 305 0001.

- If the developer requires the Footpath to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- Any damage caused to the surface of Footpath G34, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.

Appendix B : Recommended Conditions

1. The development 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 S51 of the Planning and Compulsory Purchase Act 2004

2. The proposed development shall be carried out strictly in accordance with drawings A1-08-03-2022 Sheet 1 of 3 and A1-08-03-2022 Sheet 2 of 3 submitted to and received by the Local Planning Authority on 20th March 2022 and drawing A1-08-03-2022 Rev 1 Sheet 3 of 3 received by the Local Planning Authority on 30th March 2022

Reason: For the avoidance of doubt.

3. 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.

4. The detached garage and roof space above shall be retained at all times for the purposes of parking and storage and shall remain ancillary to the main property.

Reason: To ensure that the use remains compatible with the site and surrounding area.