



## 23/00808/FUL - Upper Grange Farm, Gibsons Lane, Old Dalby

### Proposal: Proposed replacement dwelling and new garage

**Address:** Upper Grange Farm, Gibsons Lane, Old Dalby

**Applicant:** Mr Joe Orson

**Planning Officer:** Alex Coy

<b>Report Author:</b>	<b>Alex Coy</b> , Planning Policy Officer
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<b>Corporate Priority:</b>	Priority 3: Delivering sustainable and inclusive growth in Melton
<b>Relevant Ward Member(s):</b>	Cllr Joe Orson (Old Dalby)
<b>Date of consultation with Ward Member(s):</b>	29 September 2023
<b>Exempt Information:</b>	No

#### Reason for Committee Determination:

The applicant is a Councillor of Melton Borough Council. The constitution therefore requires this application to be determined by Planning Committee.

**Web link:** <https://pa.melton.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

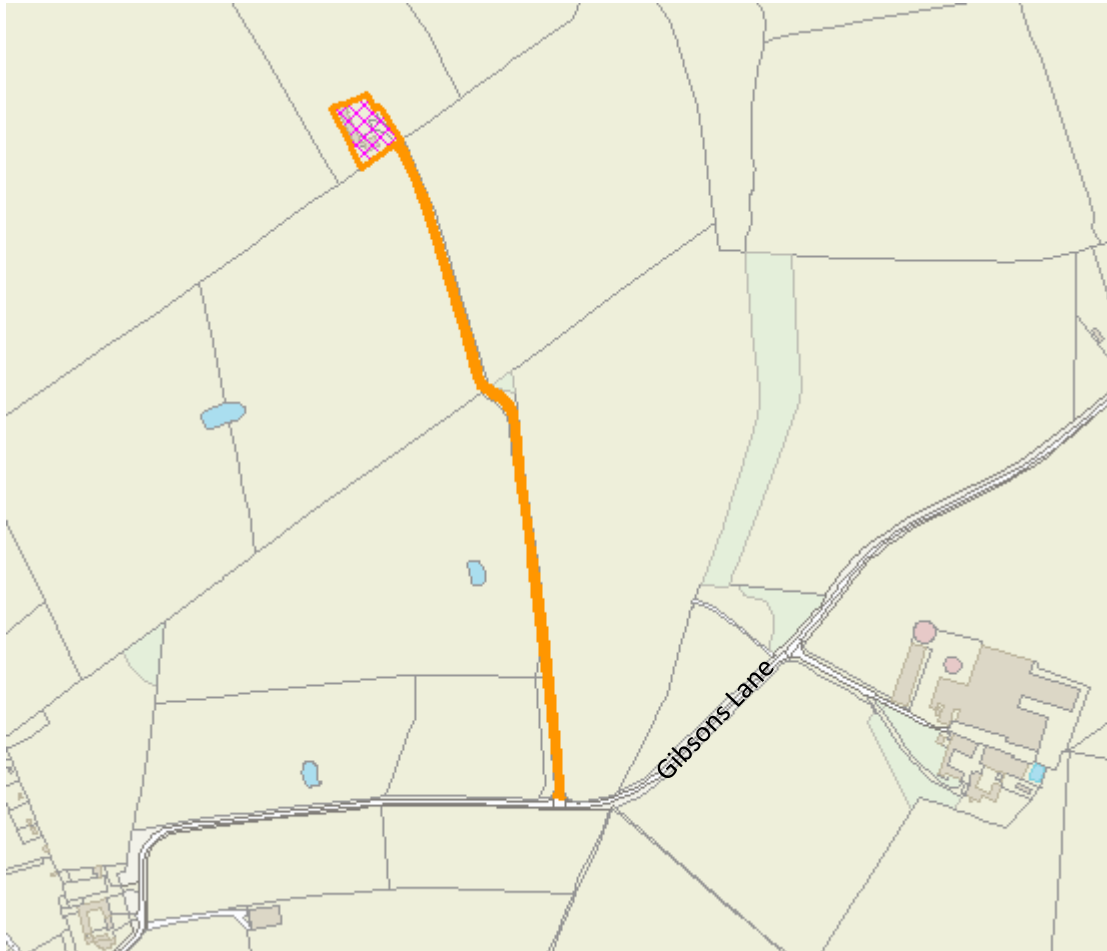
**What 3 words:** [///elite.shepherds.push](#)

**Previous committee report:** N/A

## RECOMMENDATION(S)

It is recommended that the application is APPROVED subject to  
1. Conditions, as set out in section 10 of this report

### 1 Executive Summary



- 1.1 The application site lies north of Gibsons Lane in an isolated location in the open countryside set away from the nearby service centre of Old Dalby.
- 1.2 The proposal would see the demolition of the existing dwellinghouse and replacement with a new two storey dwellinghouse and a new double garage sited in the rear northern corner. The proposal has been amended to accommodate concerns raised by a local resident, the MBC Conservation Officer and LCC Ecology. The proposed plans were amended to incorporate additional details that mirror the existing property and provide elements that reflect the heritage of the site. This includes, the addition of chimneys, decorative ridge tiles, a blue brick feature course and the addition of a bird and bat box.
- 1.3 Given the existing context of the site of having an existing dwellinghouse sited within the open countryside the proposed replacement dwellinghouse is considered acceptable in principle. It is considered that the design, architectural details, scale, siting, and materials of the proposed replacement dwellinghouse and garage would not significantly impact upon the character of the area and wider landscape. It is considered that the proposed replacement dwellinghouse appropriately reflects the existing dwellinghouse in design detailing while enabling sustainable energy efficient measures to be implemented.

- 1.4 There are no neighbours in the immediate vicinity and therefore the proposal will not impact any neighbouring amenities. The existing access and off-road parking spaces are considered sufficient, alongside the proposed double garage.
- 1.5 The proposed development would therefore be in accordance with Policies SS1, SS2, EN1, EN2, EN8, EN9, D1, IN2, of the Melton Local Plan Policies S1, S2, H6 and ENV9 of the Broughton and Dalby Neighbourhood Plan and the overall aims of the National Planning Policy Framework 2023. Therefore, the application is recommended for approval subject to conditions.

## **Main Report**

### **2 The Site**

- 2.1 The site that this application relates to lies north of Gibsons Lane in an isolated location in open countryside set away from the nearby service centre of Old Dalby. The site is set back from Gibsons Lane with a long access track/drive. The site is surrounded by open fields and has no immediate neighbours. The site is not within a conservation area and the buildings are not listed.
- 2.2 The site itself consists of a two storey dwelling with a range of single storey stables and outbuildings along the north-west boundary of the site, with a lean-to conservatory extension linking the house to the outbuildings. The dwelling and outbuildings form an L-shape with an open courtyard facing north.
- 2.3 The existing house is of a traditional design, with a symmetrical front elevation and with a blue slate roof and external walls in red facing bricks. The existing house currently has no garage.

### **3 Planning History**

- 3.1 No planning history

### **4 Proposal**

- 4.1 The proposal would see the demolition of the existing dwellinghouse and replacement with a new two storey dwellinghouse and a new double garage sited in the rear northern corner. The proposed replacement dwellinghouse would be sited in a similar position to the existing however set away from the existing outbuildings, which are to remain and sited further to the east of the site. The proposed dwellinghouse would also be larger in scale, with a maximum width of 15.7m and length of 14.16m, the maximum height to the eaves would be 5.1m and height of the ridge be 8.3m. The internal floor space would be increasing by 98.3sqm to give a total internal floor space of 272sqm (length 15.7m, width 8.5m height to eaves 5.2m, height to ridge 8.4m).
- 4.2 The proposed style is a traditional farmhouse design with symmetrical gabled elevations to the front and rear. The front and rear elevations of the property have been altered compared to the existing dwellinghouse, meaning the front elevation looks out onto the courtyard. The materials used for the proposed replacement dwellinghouse would be like the existing building and traditional features would be incorporated into the design.
- 4.3 In addition to the replacement dwellinghouse, a new timber framed and panelled double garage would be built in the northern corner of the site. It would be 6x6m and have an eaves height of 2.47m and a ridge height of 4.9m.

## **5 Amendments**

- 5.1 Concerns were raised by the Planning officer and MBC Conservation Officer that the new dwelling did not reflect the heritage of the existing dwellinghouse on site. The proposed plans were amended to incorporate additional details that mirror the existing property and provide elements that reflect the heritage of the site. This includes, addition of chimneys, decorative ridge tiles, blue brick feature course, date stone and cills/headers. The Conservation Officer and Planning Officer welcomed these additions and raise no objections.
- 5.2 In addition, following comments from LCC Ecology, a bird and bat box were added to the west elevation of the proposed dwelling. This is considered to alleviate the need for the previously requested condition requiring details of this to be submitted.

## **6 Planning Policy**

### **6.1 National Policy**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- National Design Guide

### **6.2 Melton Local Plan**

- The Melton Local Plan 2011-2036 was adopted by Full Council on 10th October 2018 and is the development plan for the area.
- The Local Plan is consistent with the National Planning Policy Framework and whilst it is now being updated, its policies remain relevant and up to date for the determination of this application.
- The relevant policies to this application include:
  - Policy SS1. Presumption in favour of Sustainable Development
  - Policy SS2. Development Strategy
  - Policy EN1. Landscape
  - Policy EN2. Biodiversity and Geodiversity
  - Policy EN8. Climate Change
  - Policy EN9. Ensuring Energy Efficient and Low Carbon Development
  - Policy EN13. Heritage Assets
  - Policy IN2. Transport, Accessibility and Parking
  - Policy D1. Raising the Standard of Design

### **6.3 Broughton and Old Dalby Neighbourhood Plan**

- The Nether Broughton and Old Dalby Neighbourhood Plan was 'Made' on the 6<sup>th</sup> June 2018 and forms part of the development plan for the area.
- The relevant policies to this application include:
  - Policy S1: Limit to Development
  - Policy S2: Development Proposals Outside the Defined Limits to Development

- Policy H6: Housing Design
- Policy ENV9: Biodiversity

## 6.4 Other

### 6.4.1 Leicestershire Highway Design Guide

### 6.4.2 Design of Development SPD

## 7 Consultation Responses

Please Note: Below is a summary of responses and representations received. The full responses can be found on the web portal if required.

### 7.1 Summary of Technical Consultation Responses

#### 7.1.1 LCC Highways (response dated 09.11.2023)

- a) There would appear to be no material impact on the public highway and therefore the Local Highway Authority has no comments to make.

#### 7.1.2 LCC Ecology (response dated 02.11.2023)

- a) LCC Ecology reviewed the Preliminary Ecological Appraisal produced by CBE Consulting (September 2023) and stated that no further surveys are required. They recommended that to ensure ecological enhancements an integrated bird and integrated bat box be incorporated within the design of the new building. They have requested a condition be placed on the permission if granted to reflect this.

#### 7.1.3 MBC Conservation Officer (responses dated 03.01.2024, 10.01.2024, 16.01.2024)

- a) Following a site visit of the property the comments of the MBC Conservation Officer were sorted. Their comments are summarised below;

There are many fine details to this farmhouse which derives part of its significance from its secluded state in the countryside. It is a quintessential late C19 building with gothic / arts & crafts elements. If it was in a conservation area, then there would be a strong objection to its demolition because it would form a highly positive contribution to the surrounding streetscene. However, as it is not located within a Conservation area, it can only be considered on its merits as a stand-alone non-designated heritage asset. The building falls short with regards to its historic and architectural significance because of the rarity consideration – it is not a rare example of architecture in this style. Furthermore, the farmstead does not appear to correspond with the history of parliamentary enclosures, because the enclosures had already taken place in the Melton area in the late 18th / early 19th centuries – thus its historical significance is further undermined.

Therefore, it is considered this building sits on the borderline between a 'positive' building and the classification of 'non-designated heritage asset.' The 'positive' classification has no bearing on this application because there is no conservation area for the building to contribute to 'positively.' The only way to preserve the building would be through issuing an Article 4 Direction. Due to the fact that MBC is liable to pay an owner compensation if a building is erroneously given article 4 status, MBC Conservation advises that there is a medium risk of compensation, should an Article 4 be designated. Notwithstanding this, the demolition would be regarded as an unsustainable and carbon negative approach that will result in the loss of a fine Victorian building.

In summary, the applicant seeks to capture the demolition of the building through a proposed planning application, rather than by serving a 21 day prior-approval notification

for the demolition of the property which can be undertaken under Part 11 Class B of the GDPO regulations. The new dwelling will be contextual to the previous building, with a double fronted façade. All materials are conservation appropriate, including stone lintels, natural slate roof and timber windows. It is strongly advised to ensure an imitation brick bond is stipulated for the new building, with snapped headers to represent either an English or Flemish bond brickwork.

- b) Following amendments to the proposed development incorporating more heritage and details from the existing dwellinghouse the Conservation Officer comments were as follows;

I am happy with the revised changes, with my only objection the reluctance to apply an imitation bond. We insist on an imitation bond for all heritage development within the borough – a stretcher bond has the appearance of a modern suburban house and would undermine all of the intricate details which the architect has now otherwise specified. Not appropriate for a cavity wall does not make sense as a snapped header is no different to a stretcher brick on a cavity wall. Therefore, can you request that an imitation bond is applied to the façade?

- c) Following clarification and further amendments of the proposed plans, the Conservation Officer commented were as follows;

There is now a brick bond and I no longer have any objections. I would still appreciate it if you can reflect my commentary on the building in the report, in which I have identified the special features of the building and the fact that I consider it to be a borderline case for a non-designated heritage asset.

- d) Following the submission of the Statement of Significance report the Conservation Officer comments were as follows;

I consider this to be a highly comprehensive statement of significance. I would encourage members to read this document as it provides a detailed context to the building. There is also a scoring system used to assess the building for its non-designated heritage asset potential which is based on Leicester City Council's adopted criteria. It states that anything which scores 12 or above is worthy of consideration for non-designated potential.

I am in disagreement with their scoring on 'rarity or representatives' which they give a zero. I would give this 2 points. It is a good representation of the asset type because it is a late 19th century farmhouse with most features that survive intact. There are farmhouses that are in far worse condition than this one through harmful alteration. It does not score higher than 2 because of the loss of the original outbuildings.

I am in further disagreement with its landmark quality – the report helpfully points out the large amount of ridge and furrow in this location, which tells us the farmhouse has a landmark presence among formerly open fields, for which Melton is renowned nationally. The farmhouse does not relate to the open field history, but nevertheless it forms a positive relationship with the open countryside and the medieval remains of the former open field system. I do not see how it can score zero in that regard and I would score it 2.

With those two additional scores, this would bring the score up to 14 when set against the Leicester City Local List criteria, and thus it merits consideration as a non-designated heritage asset.

Therefore, in conclusion I find the report to be helpful, highly comprehensive, a worthwhile exercise for members to read prior to the committee meeting. Finally, I do not agree with their scoring, and I would assign it four additional points.

## **7.2 Summary of Representations**

### **7.2.1 Ward Member(s)**

a) N/A

### **7.2.2 Broughton & Old Dalby Parish Council (response dated 03.10.2023)**

a) The Parish Council have no objections to this application

### **7.2.3 Neighbours**

A total of 1 public comment was received from a local resident which was neither objecting nor supporting the application, this is summarised below;

- State that the access to the track onto Gibsons lane is dangerous and has joint access with local farmers.
- State that the property can be seen from the public highway
- Disagrees that the building is not in need of extensive repair and is of the opinion that the building is in a good state as is stated within the ecological appraisal.
- Questions the creation of a better EPC certification and how will the Building Regulations be enforced.
- Disagrees that the building has no significant architectural merit and no significant importance in its setting
- Disagree with the demolition of the existing dwellinghouse and state should be renovated.
- Scale of the proposed replacement is not similar to the existing
- What about other measures such as solar panels, air/ground source heat pumps.
- Reuse of existing materials should be required

## **7.3 Response to Consultations and Representations**

7.3.1 The proposed development has been amended to address the concerns raised by the MBC Conservation Officer.

7.3.2 A bird and bat box has been added to the proposed elevation plans therefore the requirement of the planning condition requested by LCC Ecology is not required and will be secured through the plans condition.

7.3.3 The comments regarding the access are noted and notice was served on the joint owner of the access track and the location plan was amended. However, the application does not propose any change to the existing access that already serves a private dwelling. In addition, LCC Highways do not have any concerns with the proposals.

7.3.4 The comments regarding the visibility of the property from the public highway has been clarified with the agent, this was stated on the application form under the site visit section as the site could not be fully assessed from Gibsons Lane. It is noted that the property is visible from Gibsons Lane.

- 7.3.5 The comments regarding the state of the property and its EPC rating are noted and further clarification was gained from the agent on this. It has been stated by the agent that the current EPC rating is E and there is no mains gas on site, the current insulation on the building is poor. Any concerns regarding building regulations are not a material planning consideration. The agent has also clarified with a supporting statement that “it is very expensive and ‘almost’ unpractical to renovate existing 100 year old house stock to meet today’s exacting standards to address the many issues of climate change”. The proposal to demolish the existing property will be fully assessed below.
- 7.3.6 The comments regarding demolition and scale of the proposal are discussed in the below report, however it should be noted that there is no specific requirement of scale and size within the Melton Local Plan or Neighbourhood Plan Policies.
- 7.3.7 The comments regarding the architectural merit and significance is acknowledged and the MBC’s Conservation Officer comments were sought to understand this further (see 7.1.3). Their comments are as follows; “The building falls short with regards to its historic and architectural significance because of the rarity consideration – it is not a rare example of architecture in this style.”
- 7.3.8 Finally, the comments regarding the re-use of materials have been passed to the agent and application and within their supporting statement they stated that “Existing materials will be set aside where possible, and made available to the re-salvage market, where appropriate”

## **8 Planning Analysis**

### **8.1 Main Considerations**

- 8.1.1 Principle of Development
- 8.1.2 Heritage
- 8.1.3 Impact upon character of area and existing site
- 8.1.4 Impact upon neighbouring amenities
- 8.1.5 Impact upon highways and parking
- 8.1.6 Impact upon ecology

### **8.2 Principle of Development**

- 8.2.1 Policies SS1 and SS2 of the Melton Local Plan outlines the presumption in favour of sustainable development and the Borough’s development strategy. The site is classified as open countryside as it lies outside of Old Dalby as a service centre. Therefore, as stated within Policy SS2 “new development will be restricted to that which is necessary and appropriate in the open countryside.” Policies S1 and S2 of the Broughton and Dalby Neighbourhood Plan, outline that development is supported within the limits of the existing settlements and outside these will be treated as open countryside, where development will be carefully controlled.
- 8.2.2 While the proposal is strictly not in accordance with Policy SS2 of the Melton Local Plan as the demolition of the existing dwellinghouse is not considered necessary it is however considered appropriate due to the reasons given within the application to ensure a dwellinghouse that has a high thermal insulation and a higher EPC rating. In addition, it is considered that as this is a replacement dwellinghouse within the site, then the principle of development is already established and there is no additional net gain created by the replacement dwelling.



8.2.3 The site plan positions the replacement dwellinghouse in a similar position to the existing, and therefore creates a similar site context of an L-shape courtyard around a dwellinghouse and existing outbuildings. This similarity further illustrates how the proposed development will appear following the principle of having an existing dwellinghouse in this location.

8.2.4 Therefore, given the existing context of the site as detailed above the development is considered acceptable in principle, subject to other planning matters which are considered below.

### 8.3 Heritage

8.3.1 The existing site is a 19<sup>th</sup> Century farmstead which was built in 1872 (as per the date stone) the farmstead comprises the original 19th century farmhouse with a late 20th century range of stables attached and running to the north. Given the site's age and historical interest of farmstead the Conservation Officer was consulted on the application.

8.3.2 The Conservation Officer considered the existing building to sit on the borderline between a 'positive' building and the classification of 'non-designated heritage asset,' however the 'positive' classification has no bearing on this application because there is no conservation area for the building to contribute to 'positively.' In addition, the Conservation Officer stated the building falls short with regards to its historic and architectural significance because they do not consider it to be a rare example of architecture in this style. However, following the submission of a Statement of Significance Report by the applicant which assessed the existing dwellinghouse on its historical interest, architectural interest, age, rarity, landmark quality, group value and social and community value, the report concluded the existing property would score an overall total of 10 meaning it was not worthy of being a non-designated asset. The Conservation Officer assessed the report and stated that they disagreed with the assessment made in the report specifically on the rarity and landmark quality and would give an overall score of 14 and thus it merits consideration as a non-designated heritage asset.

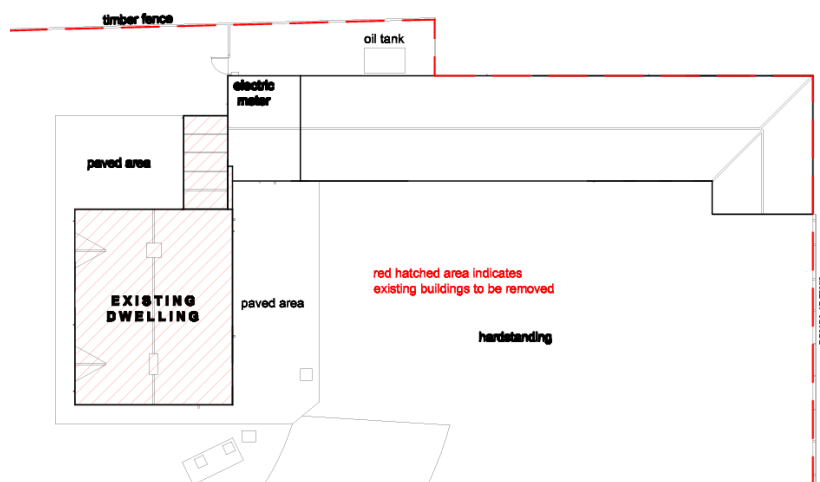
8.3.3 As the case officer for the application, a full assessment has been undertaken of the application and the submitted reports alongside the comments received from both the local resident and the conservation officer. Having assessed the criteria set out within Leicester City Council's [Local Heritage Asset Register 2023](#) (which is a tool used to consider whether a property should be a non-designated, local heritage asset) it is considered that the existing property has no landmark qualities and would agree with the submitted report by the agent that this criteria would score 0. This is because it is not considered that the existing property is architecturally distinctive, aesthetically attractive, dominating the streetscene and/or an important vista. However, I would agree with the Conservation Officer regarding the rarity criteria as the existing property is a good representation of a late 19th century farmhouse with most features that survive intact. Therefore, I would score the property 12 in total, this is on the borderline between being considered a non-designated asset and not. Given its location set away from the Old Dalby Conservation Area, its isolation location in the open countryside and the of lack social and community benefit the property provides leads me to consider the existing property not to be a non-designated heritage asset.

### 8.4 Impact upon character of area and existing site heritage

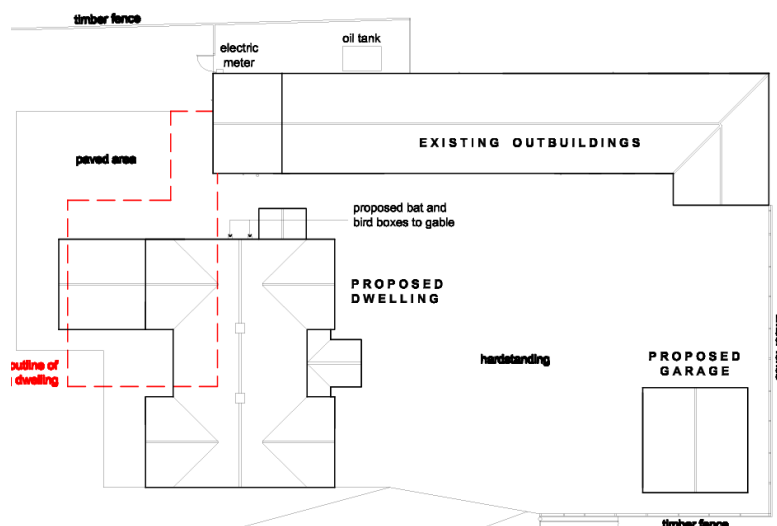
8.4.1 Melton Local Plan policy D1 seeks to raise the standard of design, in the supporting text at para.9.2.10 it states: "New development should be sympathetic to the local area in terms of

scale, massing, design, materials, landscaping and architectural detailing.” The Broughton and Dalby Neighbourhood Plan Policy H6 requires regard to be given to certain building design principles including design that is reflective of the areas rural settlements and is in keeping with the individual character and local distinctiveness.

8.4.2 The proposal would see the replacement dwellinghouse situated in a similar position to the existing dwellinghouse, although it would be moved to the east (by 3.7m) and north (by 6.6m) of its existing position and be detached from the exiting outbuilding. This would create a larger garden to the south-west of the dwellinghouse. It is considered that although the siting of proposed dwellinghouse is different to the existing dwellinghouse, the L-shape Courtyard context would be retained which is considered a distinct feature of this farmstead. This can be seen in the existing and proposed plans below.



**Existing Site Plan**



**Proposed Site Plan**

8.4.3 An additional change from the existing dwellinghouse would be that the principal elevation would be changed from being the south elevation to the north elevation. It is considered that this is appropriate and creates a logical design that enables the front of the dwellinghouse to be in closer proximity to the parking spaces and the creation of a rear elevation that connects to the garden. In addition to this as stipulated by the planning agent this will enable solar heat gains for the rear of the property where most of the larger windows would be situated, this would be in accordance with Policy EN9 of the Melton Local Plan.

8.4.4 The proposed dwellinghouse would be larger in scale, with a maximum width of 15.7m and length of 14.16m, however the maximum ridge height would be 0.1 lower than the existing dwellinghouse. The proposed dwellinghouse would see the addition of an extended rear extension providing additional living space, this differs from the existing where there is an extension on the side elevation (west). Although a local resident raised concerns regarding the scale of the proposed replacement, it is considered that the overall scale and size of the proposed replacement dwelling is appropriate for the site of this size. The extent to which the scale is larger than the existing is considered not to be unreasonable and not to be harmful to the character of the area. As stated within the planning statement, the internal floor space would be increasing by 98.3sqm to give a total internal floor space of 272sqm, however in the context of the wider site, which is 1495sqm, it is considered not to be unsympathetic or uncharacteristic of the existing context of the site.



8.4.5 Concerns were raised, by a local resident, the Conservation Officer, and the Planning Officer regarding the submitted design of the proposed replacement dwellinghouse due to the design not reflecting the heritage of the existing property. Following discussions with the planning agent and applicant considering the concerns raised, the design has been amended to better reflect the existing dwellinghouse which is considered to have some positive architectural details.

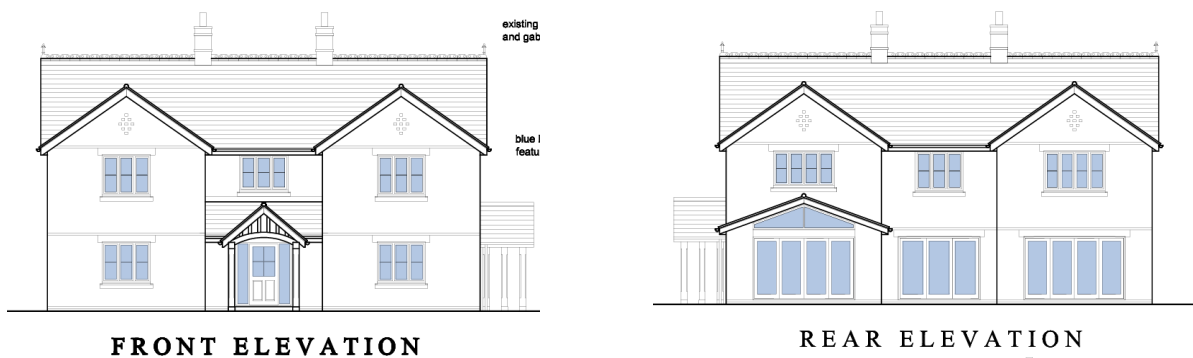
8.4.6 The amended design is a traditional farmhouse design with symmetrical gabled elevations to the front and rear. In addition, the specific design elements that have been replicated within the proposed design such as the addition of two chimneys, decorative ridge tiles on the main roof ridge, blue brick feature course, inclusion of the existing date stone, and other detailing and fenestration elements that have been incorporated from the existing building, greater reflect the existing contexts of the building and positively reflect the character of the area and distinct farmstead aesthetic. This is shown in the elevation drawings below.



8.4.7 The proposed materials for the replacement dwellinghouse are sympathetic to the character of the area and reflect the existing dwellinghouse and outbuildings that would remain onsite. The use of natural blue slate roof tiles and terca renaissance bricks are considered to not impact the character of the area as they would be like the existing building. The use of a brick bond that matches the existing building is also welcomed.



**Existing Elevations**



**Proposed Elevations**

8.4.8 The amended design therefore overcomes the concerns raised regarding the non-designated asset, and previous objections to the proposal from the Conservation Officer have been overcome. Although the building is not within a conservation area and is not considered to be a non-designated heritage asset it is considered that the amended plans would accord with Policy EN13 of the Melton Local Plan.

8.4.9 The demolition of the existing building has been proposed to enable a more sustainable development to be created. The initial planning statement and a supporting statement submitted on the 22<sup>nd</sup> November 2023 details reasons as to why the demolition is required.

It is considered that the proposed development will enable the dwellinghouse to have an improved EPC certificate by becoming better insulated and airtight, the use of solar gain and an air source heat pump is welcomed and it is considered that these elements accord with Policy EN8 and EN9 of the Melton Local Plan, by creating an energy efficient and low carbon development.

- 8.4.10 The benefits outlined above have been weighed up against the demolition of the existing property. It is considered that as the existing property lies outside the conservation area and is not considered to be a non-designated heritage asset, and that the new proposal includes architectural details from the existing property that the environmental benefits provided through the proposed scheme would outweigh the demolition of the existing building.
- 8.4.11 In addition to the proposed replacement dwellinghouse, the proposal sees the addition of the timber framed double garage added to the northern corner of the site. It is considered that the materials proposed for the garage would be appropriate for the rural setting and be sympathetic to the existing outbuildings and proposed replacement dwellinghouse. It is considered that the impact upon character would be minimal due to its scale and positioning within the site it would not be significantly visible from Gibsons Lane. There is a footpath within the field to the north of the site, the garage would be visible from this footpath, however as detailed above it is of a design that is reflective of the open countryside.
- 8.4.12 The footpath mentioned above would also have views of the proposed dwellinghouse, however given that the proposal used a similar material palette and design to the existing dwellinghouse it is not considered to be unduly prominent and had a significant impact on the character of the area and landscape for users of the footpath.
- 8.4.13 Overall, it is considered that the design, architectural details, scale, siting, and materials of the proposed replaced dwellinghouse and garage would not unduly impact upon the character of the area and wider landscape. Especially given the sites location set back from the Gibsons Lane and its remote location. It is considered that the proposed replacement dwellinghouse appropriately reflects the existing dwellinghouse while enabling sustainable energy efficient measures to be implemented. Therefore, it is considered that the proposed development is in accordance with Policies D1, EN1, EN8, EN9 of the Melton Local Plan, Policy H6 of the Broughton and Dalby Neighbourhood Plan and the overall aims of the NPPF.

## 8.5 **Impact upon neighbouring amenities**

- 8.5.1 The site benefits from having no immediate neighbours with the nearest residential property being over 500m away from the site. Therefore, it is considered that the proposed development would not impact any neighbouring amenities. Therefore, the proposal is in accordance with Policy D1 of the Melton Local Plan and Policy H6 of the Broughton & Dalby Neighbourhood Plan.

## 8.6 **Impact upon highways and parking**

- 8.6.1 A local resident has raised concerns regarding the access onto Gibsons Lane. It is considered that as the proposal is a replacement dwellinghouse, the impact would not be no different to the existing, especially as the proposed dwellinghouse would have the same number of bedrooms as the existing dwellinghouse. In addition, LCC highways responded to the consultation stating, “there would appear to be no material impact on the public highway.”

- 8.6.2 The proposed double timber-framed garage is considered to meet the design criteria set out within the Leicestershire Highways Design Guide and would provide for sheltered parking of 2 vehicles. However, the site itself has ample space for additional off-road parking.
- 8.6.3 Therefore, it is considered that the proposed development would not impact upon highways and parking and is deemed to be in accordance with Policies D1 and IN2 of the Melton Local Plan, Policy H6 of the Broughton & Dalby Neighbourhood Plan.
- 8.7 Impact upon ecology**
- 8.7.1 As the proposal would be demolishing an existing building a preliminary ecology assessment was submitted as part of the application. LCC Ecology were consulted on the application to provide their comments. They were happy with the results of the preliminary ecology assessment and stated that no further surveys are required. They did recommend that to ensure ecological enhancements an integrated bird and integrated bat box be incorporated within the design of the new building. They have requested a condition be placed on the permission if granted to reflect this.
- 8.7.2 Instead of a condition being placed on the permission, the plans were amended to illustrate the addition of a bird and bat box on the west elevation of the proposed replacement dwellinghouse. The plans would be conditioned as part of the permission which ensure the boxes are provided.
- 8.7.3 Therefore, given the comments received by LCC Ecology and the inclusion of a Bat and Bird box within the proposed development, it is considered that there would be minimal impact upon ecology. The provision of the bird and bat boxes provide an enhancement from the existing dwellinghouse. Therefore, it is considered that the proposal is in accordance with Policies D1 and EN2 of the Melton Local Plan, Policies H6 and ENV9 of the Broughton and Dalby Neighbourhood Plan.

## **9 Conclusion and Reason for Recommendation**

- 9.1 The application is recommended for approval.
- 9.2 An existing dwellinghouse is currently sited within the open countryside and being demolished with a proposed replacement dwellinghouse is considered acceptable in principle. Overall, it is considered that the design, architectural details, scale, siting, and materials of the proposed replaced dwellinghouse and garage would not unduly impact upon the character of the area and wider landscape. It is considered that the proposed replacement dwellinghouse appropriate reflects the existing dwellinghouse while enabling sustainable energy efficient measures to be implemented.
- 9.3 There are no neighbours in the immediate vicinity and therefore the proposal will not impact any neighbouring amenities. The existing access and off-road parking spaces is considered sufficient, alongside the proposed double garage.
- 9.4 The proposed development would therefore be in accordance with Policies SS1, SS2, EN1, EN2, EN8, EN9, D1, IN2, Policies S1, S2, H6 and ENV9 of the Broughton and Dalby Neighbourhood Plan and the overall aims of the National Planning Policy Framework 2023.

## **10 Planning Conditions**

- 10.1 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.
- 10.2 The development hereby permitted shall be carried out in accordance with drawings numbered:  
Location Plan  
Submitted to and received by the Local Planning Authority on the 4<sup>th</sup> September 2023  
Proposed Garage 2404/8 Rev A  
Proposed Floor Plans 2404/6 Rev C  
Submitted to and received by the Local Planning Authority on the 25<sup>th</sup> September 2023  
Proposed Site Plan 2404/5 Rev B  
Submitted to and received by the Local Planning Authority on the 9<sup>th</sup> January 2024  
Proposed Elevations and Sections 2404/7 Rev E  
Submitted to and received by the Local Planning Authority on the 11<sup>th</sup> January 2024  
Reason: For the avoidance of doubt and to comply with Melton Local Plan Policies SS1, D1 and Broughton and Dalby Neighbourhood Plan Policy H6.
- 10.3 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 then be carried out in strict accordance with those external materials approved.  
Reason: To ensure a satisfactory standard of external appearance and in accordance with Melton Local Plan Policy D1 and Broughton and Dalby Neighbourhood Plan Policy H6.

### **Informatives**

- 10.4 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](http://www.melton.gov.uk/homepage/71/building_control) or by email [buildingcontrol@melton.gov.uk](mailto:buildingcontrol@melton.gov.uk)
- 10.5 This decision has been reached taking into account the requirements of paragraph 38 of the National Planning Policy Framework 2023 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.
- 10.6 The Applicant and contractors/workers on site should be aware of the possibility of protected species and should keep a strict watching brief. If a protected species is discovered in the course of the operations the relevant work should stop immediately, Natural England notified, and further advice sought for recommended action. Failure to comply with this may result in a criminal prosecution.

## **11 Financial Implications**

11.1 There are no financial implications associated to this planning application.

**Financial Implications reviewed by: N/A**

## **12 Legal and Governance Implications**

12.1 Legal implications are set out in the report where relevant. Legal advisors will also be present at the meeting.

**Legal Implications reviewed by: Deputy Monitoring Officer**

## **13 Background Papers**

13.1 None