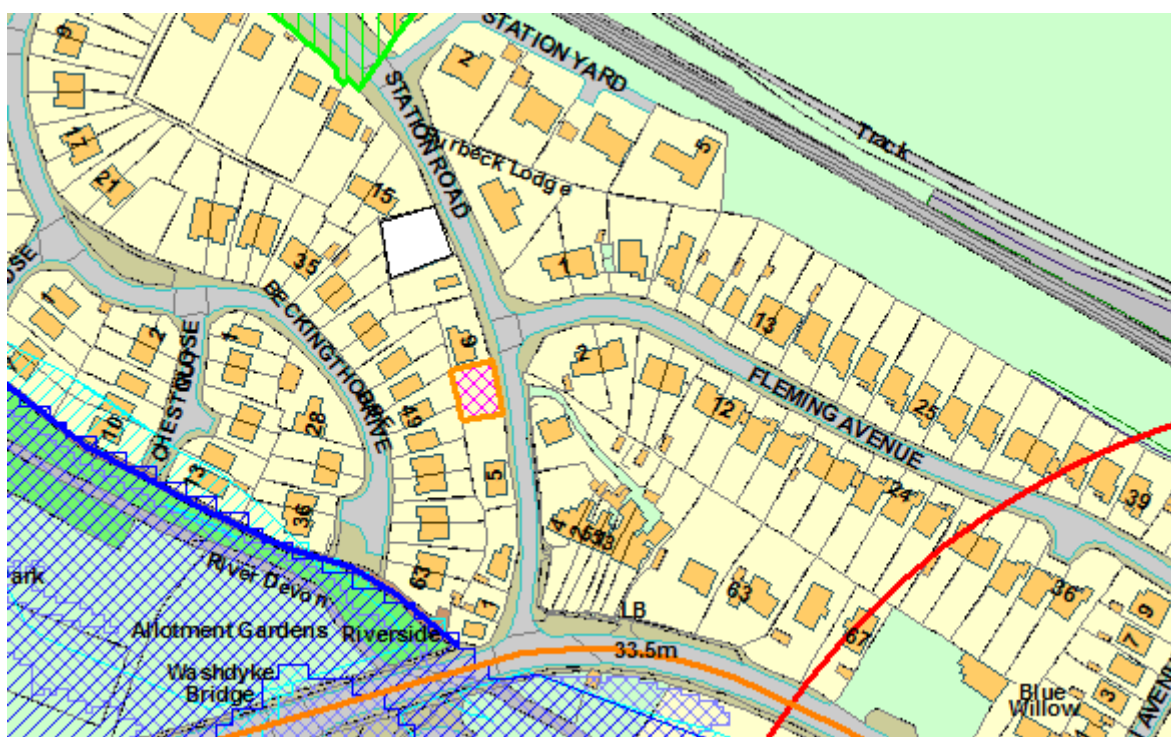


**Reference:** 17/01375/FUL  
**Date Submitted:** 1<sup>st</sup> November 2017  
**Applicant:** Ms Charlotte Burrows  
**Location:** 9 Station Road, Bottesford, NG13 0EB  
**Proposal:** Erection of one 1.5 storey 3-bedroom dwelling house.



**Introduction:-**

The application seeks full planning permission to erect a 1.5 storey dwelling on Station Road to the south of the host dwelling. It is proposed that the dwelling would be in an L shape, with a maximum length of 12.5m and width of 9.5m. The proposed dwelling would have a height to eaves of 3.545m and a maximum height of 5.57m. A sketch street scene drawing has been submitted to demonstrate that the proposed dwelling will be the same height as the existing property at 9 Station Road.

The application is presented to the committee due to the number of representations received.

**It is considered that the main issues relating to the application are:**

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact on the character of the area**
- **Impact on the amenity of nearby residential occupiers**

**Relevant History:**

There is currently a planning application (ref 17/01350/FULHH) for alterations to the existing property at 9 Station Road (Erection of a new front porch and garage. Replace existing flat roof. Loft conversion of existing roof to include dormers and roof lights, with internal alterations to ground floor. Change external materials from grey brickwork to white through colour render & red 'multi heather' brickwork to new porch.)

There is no other relevant planning history.

**Development Plan Policies:**

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

**Policies OS1, BE1 and H6**

**OS1** states that planning permission will only be granted for development within the village envelopes where:-

- The form, character and appearance of the settlement is not adversely affected;
- The form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality;
- The proposed use would not cause loss of amenity by virtue of noise, smell, dust or other pollution;
- The development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity;
- Satisfactory access and parking can be made available.

**BE1** states that planning permission will not be granted for new buildings unless among other things, they are designed to harmonise with their surroundings, they would not adversely affect the amenity of neighbours and there is adequate access and parking provision.

**H6** states that planning permission for residential development within village envelopes will be confined to small groups of dwellings, single plots of the change of uses of existing buildings.

The **National Planning Policy Framework** was published 27th March 2012 and replaced the previous collection of PPS. It introduces a 'presumption in favour of sustainable development' meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

— specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside;
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance ,so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

On Specific issues it advises:

#### Promoting sustainable transport

- Safe and suitable access to the site can be achieved for all people
- Development should located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

#### Delivering a Wide choice of High Quality Homes

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA's should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.

- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

#### Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

#### Consultations:-

| Consultation Reply  | Assessment of Head of Strategic Planning and Regulatory Services   |
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| <p><b>Bottesford Parish Council</b></p> <p>Concern regarding the roof height line which needs to be in line with the properties behind the new build.</p> | <p>Noted.</p> <p>The properties to the rear of the proposed dwelling are located at a lower level. However the proposed dwelling is to be to a height the same as the existing property at 9 Station Road.</p> |

#### Representations:-

Seven neighbours were consulted by letter and a site notice posted. Eight representations of objection have been received, which are considered below.

| Representation   | Assessment of Head of Strategic Planning and Regulatory Services  |
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| <ul style="list-style-type: none"> <li>• Out of character</li> <li>• Only cottages at the end of Station Road.</li> <li>• Existing bungalow would be compromised – better to extend what is already there.</li> <li>• Space only designed for 1 dwelling.</li> <li>• Over development of site – no garden.</li> <li>• Insensitive overdevelopment in rural area of the village.</li> <li>• No space for children to play.</li> <li>• Reduce recreation facilities for existing property.</li> <li>• Reduce open aspect.</li> <li>• Loose village feeling.</li> <li>• No guarantee development would match</li> </ul> | <p>There are a number of different properties on Station Road, with a mix of bungalows and two storey properties and a mix of materials. The site is not within or near to the Conservation Area.</p> <p>The cottages mentioned are not immediately adjacent to the site, but nearer to the junction with Grantham Road. Notwithstanding this, taking into account the above, it is considered that the proposed design of the dwelling is acceptable.</p> <p>Concerns have been raised over the lack of amenity space proposed with the dwelling. The proposed development would allow for an amenity area of 140sqm. Additionally, there is a</p> |

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| <p>the plans.</p> <ul style="list-style-type: none"> <li>• Need small starter homes.</li> </ul>  | <p>public play area, including children’s playground and skate park approximately 300m walk from the proposed dwelling. Therefore it is considered that there would be an appropriate area for play near to the property.</p> <p>The Council do not have any minimum standards for external amenity space. The existing dwelling at no 9 would have external amenity space to the North of the property.</p> <p>The proposal is for a 3 bed property, with the third bedroom measuring 1.5m by 3.2m. The two other bedrooms are of a modest size. It is considered the size of the proposed dwelling would help to contribute to the housing supply of Bottesford for smaller dwellings.</p>  |
| <ul style="list-style-type: none"> <li>• No visitor parking, already problems at junction with Grantham Road.</li> <li>• Site opposite Fleming Avenue – increase in accidents (also when taking into account new development at Normanton Lane).</li> <li>• Traffic/ parking problems.</li> <li>• Only one footpath on Station Road.</li> <li>• Result in congestion – Station Road is used as a cut through and is a main bus route.</li> </ul> | <p>Off road parking provision for two cars has been provided for the proposed development. It is considered that this amount of parking proposed is appropriate for the size of the dwelling. Notwithstanding this, the occupants of the site would also have good access to public transport (bus and train). There are no parking restrictions on this part of Station Road.</p> <p>It is not considered that the development of one modest sized dwelling would result in congestion or parking issues of significance to warrant the refusal of the application.</p> <p>The lack of a footpath on one side of Station Road would not be a significant issue for this application for a single dwelling.</p> <p>The bus service is very infrequent, with 4 buses per week.</p> |
| <ul style="list-style-type: none"> <li>• On land higher than properties to the rear.</li> <li>• Create a lack of privacy for properties to the rear.</li> <li>• Loss of light.</li> <li>• Dominant and oppressive.</li> <li>• Visually intrusive.</li> <li>• Too close to rear boundary.</li> <li>• Loss of view</li> </ul>  | <p>Although the proposed dwelling would be located at a higher level than those on Beckingthorpe Drive, it would not be taller than the existing property at no 9. Therefore it is considered that the refusal of the application on this basis would be difficult to justify.</p> <p>The proposed dwelling would be located 1m from the boundary to 5 Station Road and a minimum of 1m from the rear boundary of the properties on Beckingthorpe Drive. The properties on Beckingthorpe Drive are positioned at an angle (following the curve of the road).</p> <p>To the rear elevation of the property, two doors and one window are proposed to the ground floor and a roof window is proposed. It is not</p>   |

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|  | <p>considered that these openings would result in overlooking to properties to the rear to such a degree to warrant the refusal of the application. Permitted development rights will be removed in order to protect the amenity of the neighbouring occupiers to the rear.</p> <p>Loss of a personal view (as raised in the representations) is not a material consideration and would not be a reason for refusal of the application.</p> |
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**Other material considerations not raised through representations:**

| <b>Consideration</b>   | <b>Assessment of Head of Strategic Planning and Regulatory Services</b>   |
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| <p><b>The (new) Melton Local Plan – Pre submission version.</b></p> <p>The Pre Submission version (as amended by ‘Focussed Changes’) was submitted for Examination on 4th October 2017</p> <p>The NPPF advises that:<br/>From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> <li>● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);</li> <li>● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</li> <li>● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).</li> </ul> <p>The Pre-Submission version of the Local Plan identifies Bottesford as a ‘Service Centre, in respect of which, under Policy SS3, ‘windfall’ development is permissible subject to meeting several criteria.</p> | <p>Whilst the Local Plan has progressed it remains in preparation, it can be afforded only limited weight.</p> <p>The proposal of one dwelling in a location that has access to a wide variety of services within the village and as such is considered to comply with the applicable policies.</p> <p>When assessed against the NPPF criteria opposite:</p> <p>The Local Plan is submitted for Examination and has the following steps to complete:</p> <ul style="list-style-type: none"> <li>• Examination for its ‘soundness’ under the NPPF</li> <li>• Examination results to be published and any ‘modifications’ to be the subject of consultation</li> <li>• Further examination to take place into Modifications</li> <li>• Final Inspectors Report and recommendations</li> <li>• Adoption by MBC</li> </ul> <p>There are several hundred representations to the local plan covering very many aspects, including the quantity of housing provided, its distribution and contention in respect of site allocations. It can only be reasonably concluded that very many relevant objections remain unresolved</p> <p>Whilst it is the Council’s view that the Local Plan is consistent with the NPPF (as this is a requirement allowing its submission) this is contested by many parties and will be the subject of consideration by the Examination process.</p> |

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|  | It is therefore considered that it can attract weight but this is limited at this stage.  |
| <p><b>Planning Policies and compliance with the NPPF</b></p> <p>The application is required to be considered against the Local Plan and other material considerations.</p> | <p>The application is required in law to be considered against the Local Plan and other material considerations.</p> <p>The 1999 Melton Local plan is considered to be out of date and as such, under para. 215 of the NPPF can only be given limited weight.</p> <p>This means that the application must be considered under the ‘presumption in favour of sustainable development’ as set out in para 14 which requires harm to be balanced against benefits and refusal only where “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.</p> <p>The NPPF advises that local housing policies will be considered out of date where the Council cannot demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported. It is considered that Melton Borough Council has over 7 years land supply.</p> <p>It is considered that development in this location would assist in boosting housing supply in a sustainable location. However, this benefit needs to be balanced against the harm of the proposal and other material considerations that weigh against permission being granted.</p> |

**Conclusion:**

The site lies within the village envelope of Bottesford and close to the train station and regular bus service. Although the proposed design of the dwelling is modern, there is no strong character to the dwellings along Station Road. The proposed materials (white render and slate tiles) are considered acceptable for this design and location, these materials are seen on other nearby properties. Taking into account the height of the dwelling compared to neighbouring properties and the lack of first floor windows to the rear, is not considered that the proposed dwelling would have an impact on the amenity of neighbouring occupiers harmful to such a degree to warrant the refusal of the application. Therefore it is considered that the proposed development benefits from a presumption in favour of sustainable development under the Saved Local Plan Policies and the NPPF.

**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 proposed development shall be carried out strictly in accordance with plan drawing numbers 377(08)S03 Rev A and 377(08)N01 Rev B, received by the Local Planning Authority on 10<sup>th</sup> January 2018.
3. The development hereby permitted shall be carried out in accordance with the details of materials as specified within the application.
4. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 as amended (or any Order revoking and re-enacting that Order) in respect of the replacement dwelling hereby permitted no development as specified in Classes A, B, C, D, E or F shall be carried out unless planning permission has first been granted by the Local Planning Authority.
5. Drainage shall be provided within the site such that surface water does not drain into the Public Highway.
6. Prior to first occupation the whole of the drive shall be surfaced with tarmacadam, concrete or similar hardbound material (not loose Aggregate) and retained as such for the perpetuity of the development.
7. Notwithstanding the provisions of Part 2, Schedule 2 of Town and Country Planning General Development Order 2015 (or any order revoking or re-enacting that Order) no gates shall be erected to the vehicular access.

**Office to contact: Mrs Joanna Lunn**

**Date: 18<sup>th</sup> January 2017**