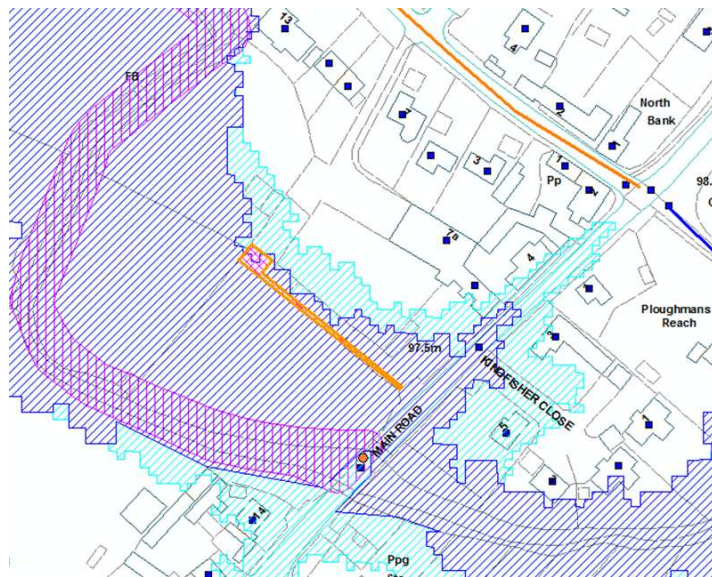


**Reference:** 17/01295/FUL  
**Date Submitted:** 10.10.2017  
**Applicant:** Mr Michael Jackson  
**Location:** Brook House 6 Main Road Twyford LE14 2HL  
**Proposal:** Storage Building



**Introduction:-**

This application seeks planning permission for the erection of a storage building in an existing paddock lying outside of the village envelope for Twyford. The original application was for an agricultural storage building however no evidence was submitted with the application to support the need for an agricultural use. The site is located on the North West boundary of the village envelope, to the east is the host dwelling and associated holiday lets. To the south is the paddock and brook. There are dwellings to the south and east and open countryside to the north and west. The proposed access to the paddock is via the existing access to Brook House from Main Street. The proposed development will be set back from the highway by approximately 60 metres. The topography of the site is very flat and the aspect from the highway is clear across to the west boundary of the paddock. The existing storage building in the same location is dilapidated and the proposal is intended as a replacement to this. The dimensions of the proposed building are 6.205m x 6.705m with a floor area of 4.160m height to eaves 2.283m and ridge height 5.306m

It is considered that the main issue relating to the application is:

- **Compliance or otherwise with the Development Plan and NPPF**
- **Impact upon character of the area**
- **Flooding issues**

The application is required to be considered by the Committee as it presents a departure from the approved policies of the Development Plan.

#### **Relevant History:-**

Several developments have been granted approval at Brook House however there is no planning approval within the property history for the existing storage building. An outline application for a 1.5 storey dwelling is pending approval to date. The land on which the proposed storage building would be sited has not been subject to any change of use planning application, therefore the status of the land is not designated as residential curtilage.

**03/00503/FUL Proposed change of existing use to three holiday lets - Permitted**

**06/00928/FUL Single storey extension - Permitted**

**10/00341/FUL Demolish existing flat roofed stores, construct pitched roof kitchen extension and add pitched roof over existing flat roof. - Permitted**

**12/00274/FUL First floor extension over an existing lounge area. - Permitted**

**17/00352/OUT Proposed property in the garden of 6 Main Street, with Parking and Access from Main Street. - Permitted**

**17/01384/OUT Propose new 1.5 storey dwelling - Pending Consideration**

#### **Planning Policies:-**

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

**Policy OS2** – This policy carries a general presumption against development outside town and village envelopes except in certain instances such as development essential for agriculture and forestry, small scale employment, tourism and recreation development, development for statutory undertakers and telecommunications operators, changes of use of existing buildings and affordable housing.

**Policy BE1** – This policy allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

**NPPF:** - offers no specific guidance on this particular kind of development. However the following chapters are applicable to the proposal.

**Chapter 7 – Requiring Good Design:** - Good design is a key aspect of sustainable development and should contribute positively to making places better for people. Good design goes beyond aesthetics and should address the connections between people and places and the integration of new development into the natural, built and historic environment. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. The NPPF advises that poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions should be refused.

**Chapter 11- Conserving and enhancing the natural environment:-** The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils
- recognising the wider benefits of ecosystem services
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including

by establishing coherent ecological networks that are more resilient to current and future pressures

- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused

Planning policies and decisions should also ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation
- adequate site investigation information, prepared by a competent person, is presented

Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions

By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

#### **Meeting the challenge of climate change, flooding and coastal change**

- The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
- If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate.
- For the Exception Test to be passed:
  - it must be demonstrated that the development provides wide sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
  - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
 Both elements of the test will have to be passed for development to be allocated or permitted

#### **Consultations:-**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<b>Highway Authority –</b>  No comments received.	Access is proposed via the existing access to Brook House. The access is adequate for the purpose and will not affect the parking provision to the associated dwelling. The visibility is satisfactory.  <b>It is not considered that the proposal would have any adverse impact on highway safety.</b>
<b>Parish Council –</b>	Noted.

No comments have been received to date.	
<p><b>Lead Local Flood Authority –</b></p> <p>The proposed development would be considered acceptable to Leicestershire County Council as the LLFA if the following planning condition is attached to any permission granted:</p> <p>No development approved by this planning permission shall take place until such time as a detailed design containing appropriate flood resistant and resilient measures has been submitted to and approved in writing by the local planning authority. The detailed design should be accompanied by sufficient information demonstrating an assessment of flood resistant and resilient measures. Suitable proposals shall then be incorporated into the detailed design.</p> <p>Reason: To minimise the impact of fluvial flood risk</p>	<p>The application site is within Flood Zone 3 as shown on the above map in dark blue</p> <p>Developers and applicants need to consider flood risk to and from the development site. An assessment, of how flood risk will be avoided managed and mitigated should be submitted within a Flood Risk Assessment to demonstrate how flood risk will be managed now and over the development’s lifetime, taking climate change into account, and with regard to the vulnerability of its users.</p> <p>No details have been submitted with the application in this regard, therefore the LLFA condition would be applied to any approval granted.</p>

**Representations:**

A site notice has been posted at the entrance of the site. As a result no letters of representation have been received to date.

**Other material considerations (not raised through consultation or representation):**

<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Application of the Development Plan Policies –</b></p> <p>The proposal is to be considered against Local Plan Policies OS2 and BE1, together with the NPPF</p> <p>The saved policy <b>OS2</b> carries a general presumption against development outside town and village envelopes except in certain instances such as development essential for agriculture and forestry, small scale employment, tourism and recreation development, development for statutory undertakers and telecommunications operators, changes of use of existing buildings and affordable housing.</p> <p>The saved policy <b>BE1</b> allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.</p> <p>The <b>NPPF</b> offers no guidance on this particular kind of development however chapters 7 Requiring Good Design and 11 Conserving and enhancing the</p>	<p>Although the proposal does not strictly comply with the Melton Local Plan Policy <b>OS2 due to the proposed location outside the designated village envelope, and the proposed use not falling within any category for which the policy allows such as agriculture, employment etc. It is considered that it would be reasonable to accept a departure from policy OS2 in this particular case due to the proximity of the site to existing buildings and the relationship of the land with the dwelling Brook House. It is not considered that this small scale proposal would have a negative impact on the appearance or character of the landscape. .</b></p> <p>The application site is set well back from the highway and the scale of the proposed development is nominal, there are no neighbouring properties directly adjacent to the site, the design of the building is considered to be in keeping with the character of the surrounding area. Therefore it is considered that the proposal complies with policy <b>BE1</b></p>

<p>natural environment are applicable to the proposal.</p>	<p>In this instance, the policies are not considered to conflict with the NPPF and as such there is no requirement to balance the regimes against one another.</p> <p><b>It is considered that given the site location, scale and design of the proposed development, there would be limited impact upon the open countryside and the proposal complies with the objectives of BE1, the NPPF. Although the proposal does not comply with the Melton Local Plan Policy OS2 it is considered that provided that use remains as personal use by the owner of Brook House for storage purposes, that the intrinsic character of the area is not affected and there is no negative effect on amenity of neighbouring properties.</b></p>
<p><b>Impact on Character of the Area</b></p>	<p>The proposal site is within open countryside designation, to the north west of the main highway through the village where residential dwellings are predominantly positioned to the north east and south, south east of the site, no neighbouring properties are directly adjacent to the site.</p> <p>Access to the building will be via acceptable access arrangements that exist for the dwelling there <b>will be no impact upon residential amenities.</b></p>
<p><b>Flood Risk</b></p>	<p>National planning Guidance exempts the application of The Sequential Test for applications for minor development for leisure purposes less than 250 m<sup>2</sup></p>
<p><b>Design</b></p>	<p>The design of the proposal has been amended from the original submission which did not appear to be that of a storage building. The amended proposal consists of timber boarding for the walls, and dual pitched pantile roof. Timber side hung doors to the front, and a top glazed side door.</p> <p>The access to the building is depicted on the red line plan submitted on 02.01.2018, it has been raised through correspondence with the agent that this location for the access will not be compatible with the proposed dwelling which is currently under consideration: reference 17/01384/OUT however the agent wished to continue with the proposal access as per the plan submitted on 02.01.2018 regardless.</p> <p>The dimensions have been specified as: 5306mm height, 6705mm length and 6205mm width</p> <p><b>The building is considered of a size, scale and of construction materials that would not appear incongruous within this part of the open countryside and is therefore considered to comply with policy BE1 and the NPPF</b></p>

<p><b>The (new) Melton Local Plan – Submitted version.</b></p> <p>The Local Plan has recently been submitted to the Planning Inspectorate for examination and consideration.</p> <p>The NPPF advises that: 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><b>Twyford and Thorpe Satchville Parish Neighbourhood Plan</b></p> <p>Twyford and Thorpe Satchville PC are a qualifying body with an intention to develop a Neighbourhood Plan.</p> <p>However no Neighbourhood Plan has been published and as such cannot be a consideration in this instance.</p>	<p>Relevant to this proposal is: Policy EN1 – Landscape states that: The character of Melton Borough’s landscape and countryside will be enhanced and protected by:</p> <p>I. Ensuring new development is sensitive to its landscape setting and enhances the distinctive qualities of the landscape character type (as defined in the Landscape Character Assessment);</p> <p>II. Requiring new developments to respect existing landscape character type.</p> <p>The ‘Focused Changes’ Document recognises the site as EAS1 2 capable of accommodating 12 units as an allocated site.</p> <p>1. Distinctive topography;</p> <p>2. Important trees, hedges and other vegetation features;</p> <p>3. Local plan because the application proposes 18 dwellings where as the allocation is for 12 dwellings, however the site is allocated for development and technical matters have been overcome for development subject to the submission of further details, therefore the principle of development in this allocation is accepted.</p> <p>4. Important views, approaches and settings. In addition, new developments will be supported where they do not adversely affect an open sense of place and submission of further details, therefore the principle of development in this allocation is accepted.</p> <p>5. Do not adversely affect an open sense of place and submission of further details, therefore the principle of development in this allocation is accepted.</p> <p>6. Principle of development in this allocation is accepted.</p>	<p>it can be afforded only limited weight to its landscape setting and it can attract weight</p> <p>the emerging Local Plan because the application proposes 18 dwellings where as the allocation is for 12 dwellings, however the site is allocated for development and technical matters have been overcome for development subject to the submission of further details, therefore the principle of development in this allocation is accepted.</p>
	<p>Policy D1 – Raising the Standard of Design All new developments should be of high quality design. All development proposals will be assessed against all the following criteria:</p> <p>a) Siting and layout must be sympathetic to the character of the area;</p> <p>b) New development should meet basic urban design principles outlined in this plan and any accompanying Supplementary Planning Documents (SPD);</p> <p>c) Buildings and development should be designed to reflect the wider context of the local area and respect the local vernacular without stifling innovative design;</p> <p>d) Amenity of neighbours and neighbouring properties should not be compromised;</p> <p>e) Appropriate provision should be made for the sustainable management of waste, including collection and storage facilities for recyclable and other waste;</p> <p>f) Sustainable means of communication and transportation should be used where appropriate;</p> <p>g) Development should be designed to reduce crime and the perception of crime.</p> <p>h) Existing trees and hedges should be utilised, together with new landscaping, to negate the effects</p>	

	<p>of development;</p> <p>i) Proposals include appropriate, safe connection to the existing highway network;</p> <p>j) Performs well against Building for Life 12 and seeks to develop the principles of 'Active Design' for housing developments;</p> <p>k) Makes adequate provision for car parking; and</p> <p>l) Development should be managed so as to control disruption caused by construction for reasons of safeguarding and improving health well-being for all.</p> <p>It is considered that the proposal respects the character of the surroundings and does not adversely affect the areas sense of place or the amenity of neighbouring properties due to the proposed design, being small scale and sited in an unobtrusive location. Therefore it is considered that the proposal complies with policies EN1 and D1 of the new Melton Local Plan.</p>
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**Conclusion**

The application seeks full planning permission to construct a replacement storage building within a site outside of the village envelope. The adjacent land is used for recreation by the applicant, and the building is required for storage of equipment used to maintain the land. It is considered that given the relationship with the applicants dwelling, and the proposed siting, with adequate access from Main Street, that the proposed storage building for personal use is acceptable in this location. It has been demonstrated that there has not been a detrimental impact upon the countryside resulting from small scale development which is considered to be of appropriate design. Likewise the sensitive siting set well back from the highway ensures that the intrinsic character of the area is not harmed.

The application is therefore presented to the Development Committee to consider the balance of the application in terms of compliance with Policy OS2 of the Melton Local Plan with regard to the minimal impact on the character and appearance of the open countryside, no impact on residential amenity, or impact on the highway user, and that it will be set well back from the highway with a design which is in keeping with the character of the surrounding area.

**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 development hereby permitted shall be carried out in accordance with drawings numbered 1808 PL100 Revision B, received by the Local Planning Authority on 19 Dec 2017 and 1808 A001 Revision A received by the Local Planning Authority on 02 Jan 2018.
3. No development approved by this planning permission shall take place until such time as a detailed design containing appropriate flood resistant and resilient measures has been submitted to and approved in writing by the local planning authority. The detailed design should be accompanied by sufficient information demonstrating an assessment of flood resistant and resilient measures. Suitable proposals shall then be incorporated into the detailed design.

4. No development shall start on site until all external materials to be used in the development hereby permitted have been agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. The use of the building shall be strictly personal use for storage purposes; and shall not be used, occupied, sold, leased or disposed of separately. Nor shall a business be run from the site.

Reasons:

1. 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. For the avoidance of doubt
3. To minimise the impact of fluvial flood risk to residential property.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
5. To ensure that the use remains compatible with the site and surrounding area, and in the interests of Highway safety.

Officer to contact: **Lynn Eastwood**

**Date: 2<sup>nd</sup> March 2018**