

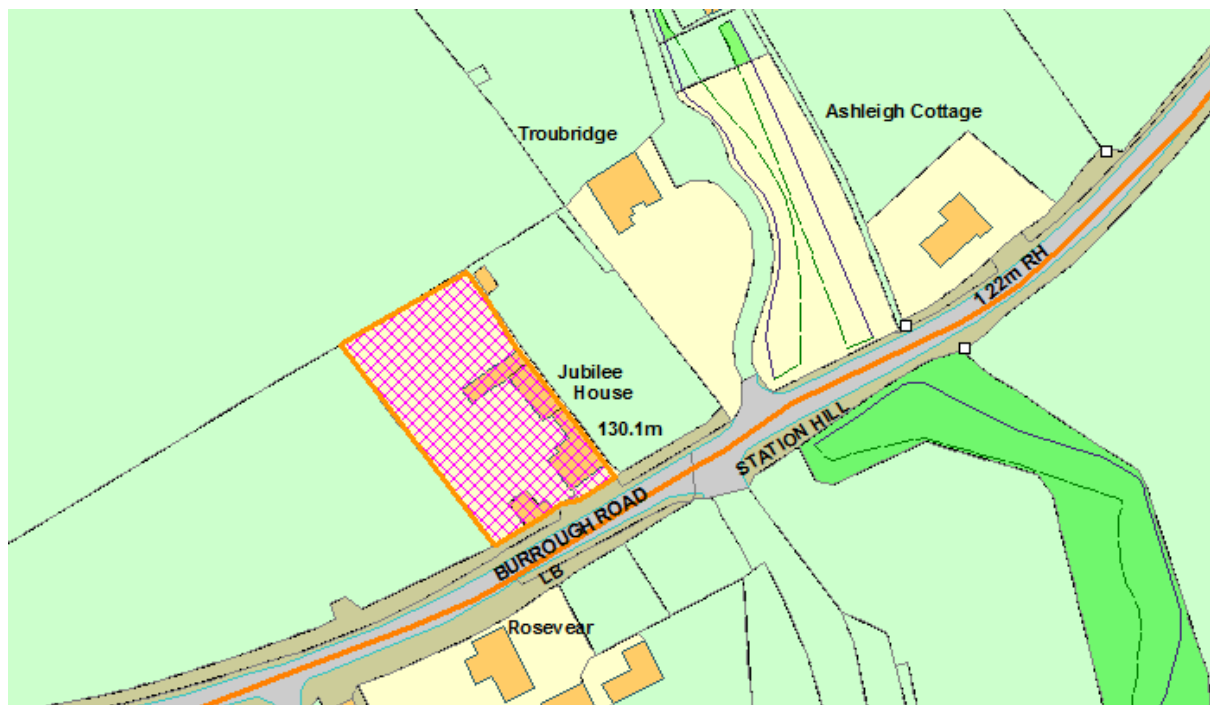
Reference: 17/01508/FUL

Date Submitted: 4 December 2017

Applicant: Mr & Mrs Waldron

Location: Jubilee House, Station Road, John O Gaunt

Proposal: Conversion of existing stables and rear extension to form a new dwelling



Introduction:-

The application seeks full planning permission to change the use of an existing stable block to a dwelling and erect an extension to the rear of the building proposed to be converted. It is proposed that the existing 4 unit stable building will be converted and extended to create a two storey 3/4 bed dwelling with separate access and curtilage than the host dwelling (Jubilee House). Access will be from Station Hill, using an existing access granted in 2001.

It is considered that the main issues arising from this proposal are:

- Compliance or otherwise with the Development Plan and the NPPF
- Impact on highway safety
- Impact on amenity of neighbouring residential occupiers
- Sustainable development
- Impact on open countryside.

The application is required to be presented to the Committee due to the number of representations received.

Relevant History:-

01/00184/FUL – Proposed Roadside Access – Permission Granted.

01/00682/FUL - Proposed reconstruction of first floor groom's quarters together with garage and prefabricated loose boxes – Permission Refused and Appeal Dismissed. The original application was refused permission for the following reason: *The proposal is contrary to Melton Local Plan Policies OS2, C10 and Leicestershire Structure Plan Strategy Policy 4 as it represents built development in the open countryside for the purpose of creating new residential accommodation that is not essential for the operational requirements of either agriculture or forestry.* The application was later dismissed at appeal. The Inspector noted that the existing stable block “complements and respects the scale of Jubilee House” and that a first floor extension would increase the visual impact of development on open countryside despite existing screening from trees, shrubs and hedges. The Inspector considered that the development would be “significantly detrimental to the rural character and appearance of the countryside”, stating that there “*would be harm to the character and appearance of the countryside because the proposal as a whole would add to the visual impact and in my opinion would intensify and consolidate development, making it appear cramped within the restricted curtilage of Jubilee House*”,

02/00955/FUL - Proposed house alteration/extension. Demolition of existing rear entrance lobby/toilet/utility room and replace with new rear entrance lobby/cloakroom/utility room/family room – Permission Granted

Planning Policies:-

Melton Local Plan (saved policies)

Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map except for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism and change of use of rural buildings.

Policy BE1 - allows for new buildings subject to criteria including buildings designed to harmonise with surroundings (including height, form, mass, siting, materials and details), no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

Policy C7 – Outside village envelopes, planning permission will not be granted to reuse and adapt a rural building for residential use unless it is to be used as an agricultural or forestry workers dwellings, or to provide affordable housing and several criteria are met. These include that the building is of permanent, substantial and sound construction, the form, bulk and general design is in keeping with its surrounding, any conversion work respects local building styles and materials, the traffic to be generated by the new use can be safely accommodated by the site access and the local road system, there is sufficient room in the curtilage of the building to park the vehicles of those who will live or visit there without detriment to the visual amenity of the countryside, and no fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it will be erected which would harm the visual amenity of the countryside.

Policy C11 - planning permission will be granted for extensions and alterations to existing dwellings outside the town and village envelopes shown on the proposals map provided the size, scale, form, design and construction materials are in keeping with the dwelling and locality.

Policy C15 – This policy states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development and the development is designed to protect the species or arrangements are made for the transfer of the species to an alternative site of equal value.

The National Planning Policy Framework 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 also establishes 12 core planning principles that should underpin decision taking. Those relevant to this application include:

- proactively drive sustainable economic development to deliver homes, infrastructure and thriving local places 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,
- Take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it,
- Actively manage patterns of growth to make the fullest possible use of public transport, walking, cycling, and focus significant development in locations which are or can be made sustainable.

On Specific issues it advises:

Promoting sustainable transport

Paragraph 34 of the NPPF states that decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. This needs to take into account policies set elsewhere in the NPPF, particularly in rural areas.

Delivering a wide choice of high quality homes

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 55 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the viability of rural communities.

Requiring good design

Paragraph 56 states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Paragraph 57 further explains that it is important to plan positively for the achievement of high quality and inclusive design for all development.

Paragraph 61 states that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

Paragraph 118 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. Opportunities to incorporate biodiversity in and around developments should be encouraged. Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

The 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
<p>LCC Ecology</p> <p>The ecology report submitted in support of this application (Curious Ecologists, January 2018) is satisfactory. No protected species were identified. However, we would recommend that a note to applicant is added to any permission granted to draw the applicants' attention to the recommendations in the report. We would also recommend that the applicant is required to provide replacement swallow nesting sites within a suitable outbuilding on site.</p>	<p>Noted. An informative can be added, should permission be granted.</p>
<p>LCC Highways</p> <p>The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011</p>	<p>Noted.</p> <p>The access for the building onto Station Hill will be located where the previous access was granted permission in 2001.</p> <p>It is considered that there is appropriate parking and access to the proposed development.</p>
<p>Twyford and Thorpe Satchville Parish Council</p> <p>No comments received.</p>	<p>Noted.</p>

Representations:-

One letter of notification and a site noticed was posted to advertise the application. Representations in support from 9 separate addresses have been received, which are summarised below.

Representation	Assessment of Head of Strategic Planning and Regulatory Services
<ul style="list-style-type: none"> • Conversion will improve charm of current property and enhance. • No harm to the landscape/ rural setting. • Not visible from the road. • Smaller dwelling will encourage younger families to stay in country and get on property ladder. • Additional dwelling without harming the environment. 	<p>Further consideration of the design of the proposed development is given below.</p>

<ul style="list-style-type: none"> • Make use of a redundant building – not suitable for horses due to the main road. • No impact on neighbours. • Previous development on site. <ul style="list-style-type: none"> • Lack of bungalows in rural community – development is necessary for applicant. • Designed for potential care facilities in the future. • Single storey dwelling – help with disability/ age. • Need to keep mix of age groups in the hamlet. 	<p>The building does not directly face onto the main road and therefore it is unclear how the road (which is historic) would have an impact on the stables not being suitable for equestrian use.</p> <p>Noted</p> <p>The previous planning history of the site has been listed above, including a previous refusal and dismissed appeal of the building proposed for conversion/ extension.</p> <p>The personal circumstances of the applicant cannot be taken into consideration when determining the application.</p>
<ul style="list-style-type: none"> • Applicants are long term residents. • Allow residents to stay in the hamlet. • Upstanding couple/ active members of community. • Applicant wouldn't need to move from the area. 	<p>These matters are not considered to be material considerations to take into account when determining the application, for the purpose of the planning decision, the application proposes an open market dwelling that the LPA cannot control the ownership of.</p>

Other Material Considerations not raised in representations:

Other Considerations	Assessment of Head of Strategic Planning and Regulatory Services
<p>Planning Policies and compliance with the NPPF</p>	<p>The application is required to be considered against the Local Plan and other material considerations. The proposal is contrary to the local plan policy OS2; however, the NPPF is a material consideration of some significance because of its commitment to boost housing growth. 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.</p> <p>The Council's most recent analysis shows that there is the provision of a 5 year land supply and as such the relevant housing policies are applicable.</p> <p>However, 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>

The (new) Melton Local Plan – Pre submission version.

The Pre Submission version of the Local Plan was agreed by the Council on 20th October went through the Examination in Public process in late January, early February 2018.

The NPPF advises that:

From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- 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).

The Pre Submission version of the Local Plan identifies John O’Gaunt as a ‘rural settlement’ in respect of which, under Policy SS3, Rural Settlements will accommodate a proportion of the Borough’s housing need, to support their role in the Borough through planning positively for new homes as ‘windfall’ sites within and adjoining settlements by 2036. This development will be delivered through small unallocated sites which meet needs and enhance the sustainability of the settlement in accordance with Policy SS3.

In rural settlements outside of the main urban area, the Council will seek to protect and enhance existing services and facilities and will support sustainable development proposals which contribute towards meeting local development needs, contributing towards the vision and strategic priorities of the plan, and improving the sustainability of our rural areas.

Draft Policy D1 provides a number of criteria that development should be assessed against, including:

- a) Siting and layout must be sympathetic to the character of the area
- 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
- d) Amenity of neighbours and neighbouring properties should not be compromised.
- f) Sustainable means of communication and transportation should be used where appropriate,
- i) Proposals include appropriate, safe connection to the existing highway network

Whilst clearly the Local Plan has progressed by advancing to Examination stage, it remains in preparation and as such can be afforded only limited weight.

The proposal is contrary to the emerging local plan as John O’Gaunt is not considered to be a sustainable location for new development. Draft Policy SS3 requires that development would be served by sustainable infrastructure or provides new infrastructure or services to the wider benefit of the settlement.

Although the proposed development would result in the addition of one new dwelling, it is not considered that this development has been demonstrated to satisfy an unfulfilled need (for example affordable housing) nor would improve the sustainability of the hamlet.

Policy SS2 of the Local Plan states that “Outside the settlements identified as Service Centres, and those villages identified Rural Hubs and Rural Settlements, new development will be restricted to that which is necessary and appropriate in the open countryside.”

It is therefore considered that the new Local Plan adds limited weight towards refusal of the application.

<p>k) Makes adequate provision for car parking</p> <p>Draft Policy IN2 relates to Transport, Accessibility and Parking. This states that all new developments should, where possible, have regard to (including):</p> <ol style="list-style-type: none"> 1. Be located where travel can be minimised and the use of sustainable transport modes maximised, 2. Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, dedicated walking and cycling links and cycle storage/ parking links and integration with existing infrastructure. 	
<p>Design</p> <p>The proposed development would involve the conversion and extension of an existing stable block to the rear of the existing dwelling.</p> <p>It is proposed that the two storey extension to the rear of the building will project 11.06m and have a width of 7.67m and maximum height of 6.544m.</p> <p>It is also proposed that a detached garage with car port will also be erected. It is proposed that the proposed garage would have a length of 6m and width of 3.165m and the car port would add an additional width of approximately 3m. It is proposed that the garage would have a height of 3.804m (maximum).</p> <p>No specific details have been provided as to the proposed boundary treatments that will be used to separate the curtilages of Jubilee House and the new dwelling.</p>	<p>As highlighted in the property history above, a previous planning application had been refused and dismissed on appeal for the upward extension of the existing stable block, which was considered to be detrimental to the open countryside.</p> <p>It is considered that the extension as proposed in this application would also have a detrimental impact on the open countryside (as considered by the appeal Inspector).</p> <p>The existing stable block has a length of 15.85m and width of 4.5m (approximately) and is single storey.</p> <p>It is considered that the proposed two storey extension to the existing single storey building, with a much larger footprint than the original building would be a disproportionate addition to the building and would not be considered subordinate to the original building, where extensions are proposed they should harmonise well with the existing and sit unobtrusively on the land.</p>

Conclusion:-

The Borough is considered to have an adequate housing land supply. Whilst the site would add to this one dwelling, the contribution it would make is very limited. It is considered that due to the limited need for further supply and the contribution the development would make, the weight attached to provision is limited (and reduced from circumstances where there is a shortfall that needs addressing). It is not considered that this one dwelling proposed would be of significant benefit which would outweigh the harm of the siting of a development in this unsustainable location.

John O’Gaunt has a poor range of local facilities and services and therefore is not considered to be a settlement suitable for residential development. Evidence produced in the formulation of the new Local Plan shows that the sustainability ‘credentials’ of John O’Gaunt are very limited and as a result it proposes limited residential development in specific circumstances. The application does not satisfy this approach and as such this conflict is considered to add to the balance against granting permission.

Whilst it is proposed that the development will involve the conversion of the stable block, a large two storey extension is proposed to the existing single storey building. It is considered that this proposed extension, and the proposed detached garage with car port, would result in a significant over development of the site. The

development of the site and its impact on open countryside is an issue which has been raised previously at appeal in 2001.

In conclusion it is considered that, on the balance of the issues, there are limited benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply. However, the balancing issues – the poor sustainability of the hamlet, design of the proposal and the conflict with the Submission version of the Local Plan – are considered to outweigh the benefits.

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that on the balance of the issues, including the unsustainable location of the proposed development and proposed design and impact on the character and appearance of the open countryside, permission should be refused.

Recommendation: Refuse, for the following reasons:

1. The proposed extension, by reason of its scale, size and massing, would not be sympathetic to the character and appearance of the site and wider countryside. The proposal is therefore considered to be contrary to saved Policies OS2, C11 and BE1 of the adopted Melton Local Plan and to the National Planning Policy Framework regarding 'Requiring Good Design'. It is considered that the harm arising from the development significantly and demonstrably outweigh the benefits.
2. The proposed new dwelling would be sited in an unsustainable location with poor accessibility to local services, community facilities and frequent public transport. Future occupiers of the development would lack viable transport alternatives and thereby be overly reliant on the use of a private motor vehicle. It is considered that there is insufficient reason to depart from the guidance given in the NPPF on sustainable development in this location and would therefore be contrary to the "core planning principles contained" within Para 17 of the NPPF. The identified harm significantly and demonstrably outweighs the proposal's benefits.

Officer to contact: Mrs J Lunn

Date: 26th March 2018