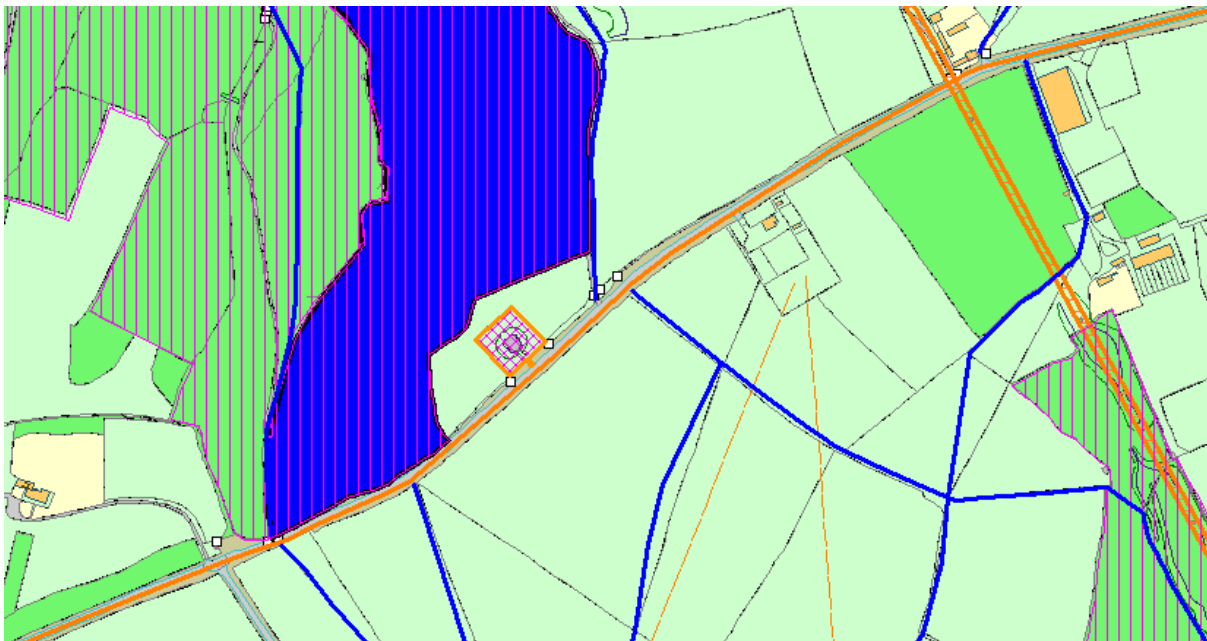


**Reference:** 18/00633/FUL  
**Date Submitted:** 25<sup>th</sup> May 2018  
**Applicant:** Mr S Jones  
**Location:** Reservoir At Six Hills Lane, Six Hills Lane, Old Dalby  
**Proposal:** Proposed conversion of Reservoir to one dwelling



**Introduction:-**

The application seeks full planning permission to convert an underground reservoir to one dwelling. The proposed development would be located off Six Hills Lane, outside the village envelope of Old Dalby. The site is approximately 1.1km from Old Dalby and 760m from Grimston. It is proposed that access to the site will be via the existing access off Six Hills Lane.

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

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area**
- **Highway safety**
- **Sustainable development**
- **The role of the emerging Local Plan.**

The application is required to be presented to the Planning Committee as it represents a departure from the development plan.

**Relevant History:-** There is no relevant planning history associated with this site.

**Planning Policy:-**

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

Policy OS2 - This policy restricts development including housing outside of town/village envelopes.

Policy BE1 - 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.

### **National Planning Policy Framework**

The revised National Planning Policy Framework was published on 24<sup>th</sup> July 2018. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. In doing so, the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Plan and decisions should apply a presumption in favour of sustainable development. For decision taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. 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.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. At paragraph 48, Local planning authorities may give weight to relevant policies in emerging plans according to:

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

b) 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

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

**Other relevant policies in the NPPF relevant to this application include:**

Delivering a sufficient supply of homes

- To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)
- Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

e) the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Promoting sustainable transport

- The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- When assessing applications, it should be ensured that:
  - a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) safe and suitable access to the site can be achieved for all users; and
  - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles.

### **Achieving well-designed places**

- The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.
- Planning policies and decisions should ensure that developments:
  - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
- **In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.**

### **Consultations:-**

Consultation Reply	Assessment of Assistant Director of Strategic
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	<b>Planning and Regulatory Services</b>
<p><b>Broughton and Old Dalby Parish Council - Support</b></p> <p>Whilst the proposed development is on brownfield land, and as such any development should be closely controlled, it will not be very visible and is quite innovative in its design. As such the PC is happy to support the plans.</p>	<p>Noted comments received from the Parish Council in relation to the application.</p>
<p><b>LCC Highways</b></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>It is proposed that off street parking provision will be provided for four vehicles, exceeding the LCC Highways requirement of 3 spaces. Additionally, the proposed development would utilise an existing access to the site.</p>
<p><b>LCC Ecology</b></p> <p>The ecology report submitted in support of this application (Curious Ecologists, April 2018) is satisfactory. No protected species or ecological features of note were identified, and the site was not considered to have potential to support protected species. No further action is therefore required.</p>	<p>Noted.</p>
<p><b>LCC Forestry and Arboriculture</b></p> <p>An arboricultural assessment or tree survey has not been included as part of the proposed development. Where there are trees on or adjacent to a proposed development there is a need to conduct an appropriate appraisal, in accordance with BS 5837: 2012; Trees in relation to design, demolition and construction – Recommendations.</p> <p>BS 5837 requires the following:</p> <ul style="list-style-type: none"> <li>• A tree survey - to establish tree species, health, location and retention category;</li> <li>• An impact assessment – to establish which trees may be affected by the development, which could be retained or removed, required measures around retained trees (e.g. protective fencing, changes in construction methodology), mitigation measures to compensate for tree removal (i.e. suitable replacement tree planting)...etc.;</li> <li>• A constraints plan – showing the location of protective fencing; requirements for changes in construction methodology.</li> <li>• Identification of the root protection area (RPA) for trees which are being retained. The RPA is a sacrosanct area which MUST be fully excluded from all construction activities, including site storage and excavation/soil stripping.</li> </ul> <p>There are no trees within the site boundary. There are three trees on adjacent properties which might be affected by the development:</p> <ul style="list-style-type: none"> <li>• Two are white poplars on the eastern side of the development; both are marked on the site</li> </ul>	<p>Noted comments received.</p> <p>Conditions can be included in the decision as required.</p> <p>The Tree Officer has raised concerns that the proposed garage would be located within the root protection</p>

<p>layout plans (T1 &amp; T2).</p> <ul style="list-style-type: none"> <li>• The third is a large, mature ash which is located on the southern boundary of the site; the tree stands within the adopted highway extent, as managed by Leicestershire County Council (LCC). It is marked on the site layout plans but not identified.</li> <li>• The proposed construction work does not require that any of the three trees are removed. However, it would be prescient to ensure that the RPA of all three trees remains undisturbed by installing appropriate protective fencing.</li> </ul> <p>o The RPA of T1 is a circle with a radius of 7.5 metres</p> <p>o The RPA of T2 is a circle with a radius of 3.6 metres</p> <p>o The RPA of the ash is a circle with a radius of 14.4 metres</p> <ul style="list-style-type: none"> <li>• The proposed site layout indicates that a garage is to be created in close proximity to the LCC managed ash. This has the potential to create a number of conflicting issues.</li> </ul> <p>o The foundations required for the garage could cause irrevocable damage to the delicate root system of the tree, with a proportion of the construction being inside the tree's RPA.</p> <p>o The garage's location may lead to future conflict between the property owners and tree owners due to potential of falling debris (leaves, seeds, bird mess, dead branches... etc.), resulting in increased pressure for unwarranted pruning work.</p> <p>o The garage's location may result in an increased risk of hazard by placing a target directly under the canopy of a mature tree, i.e. there is an increased hazard of falling branches causing damage to parked cars and the built structure.</p> <p>o In order to avoid such issues I would strongly advise that the location of the garage be changed to the south eastern corner of the plot.</p> <p>o If the location cannot be changed then the architect and developer must recognise the current and future needs of the tree as well as the potential increased hazards. The nature of construction must be changed to a "no dig technology" or cellular confinement systems so as to avoid excavation damage to the tree's roots.</p> <p>o Consideration should also be given to utilising gutter covers and robust materials which are not readily damaged by trees debris.</p> <p>I would strongly advise that adequate protective fencing is installed around retained trees before any site works commences. I have attached the example of fencing recommended in accordance with BS 5937 to this report. Failure to afford trees adequate protection can result in irrevocable damage being caused to trunk, branch, nutrient rich soils and delicate root systems. Excessive damage can cause trees to become unstable and/or decline in health, which may then require that they be removed. To mitigate for potential</p>	<p>area of an LCC Ash tree and has suggested that the garage be re-located to the South East of the site or that the garage be constructed using "no dig technology". To the South East of the site, T1 is located and repositioning the garage in this location may affect this tree.</p>
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<p>tree damage MBC should place onus onto the developer though formal conditions. A possible approach would be for the developer to engage an independent arboricultural specialist, at the developers' expense. This could be a local tree warden or a separate, unbiased and appropriately accredited independent expert. The arboricultural specialist would report to both developer and MBC planning at pre-arranged times e.g. prior to and during demolition and land preparation phases, during construction and prior to site completion. The arboricultural specialist would be charged to ensure that adequate protective fencing is in place prior to works commencing, and that it remains in place for the entirety of the development.</p> <p>The arboricultural specialist should provide written statement and photographic evidence to both MBC and the developer at each site inspection.</p>	
<p><b>LLFA</b></p> <p>The above detailed planning application is not considered to be major, as such the Lead Local Flood Authority (LLFA) are not a statutory consultee and have no comment in relation to this application.</p>	<p>Noted.</p>
<p><b>MBC Building Control</b></p> <p>This proposal appears satisfactory for refuge access but, further checks would need to be done for fire.</p>	<p>Noted.</p>

**Representations:-** A site notice was posted to advertise the application. No representations were received for the application.

**Other Material Considerations:-**

<p><b>Other Material Consideration</b></p>	<p><b>Assessment of Assistant Director of Strategic Planning and Regulatory Services</b></p>
<p><b>Application of planning policy</b></p> <p>Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and advises that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, a Local Planning Authority should grant permission unless: the application of the policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.</p>	<p>The application is required to be considered against the Development Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>5 year land supply issues: 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. Therefore this consideration does not weigh against the Development Plan.</p> <p>Paragraph 213 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to its publication. . Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).</p>

	<p>The 1999 is considerably out of date in terms of its compatibility with the NPPF. The NPPF is therefore considered to form the policy basis for decision making in this instance.</p> <p>Whilst the proposed development does not accord with the provisions of the emerging Local Plan or saved Local Plan policies, it is considered that the proposed development would accord with the NPPF.</p>
<p><b>Emerging Local Plan</b></p> <p>The new local plan has now completed Examination and the Inspector has recently received comments on Modifications. The remains stage is to receive the Inspector’s decision.</p> <p>Paragraph 47 of the NPPF states that:</p> <p>Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing</p> <p>It is stated in paragraph 48 that:</p> <p>Local planning authorities may give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> <li>a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</li> <li>b) 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>c) the degree of consistency of the relevant policies in the emerging plan to 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>Policy SS2</b> 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.</p> <p><b>Policy EN1 – Landscape</b> The character of Melton Borough’s landscape and countryside will be conserved and, where possible, enhanced by:</p> <ul style="list-style-type: none"> <li>I. Ensuring new development is sensitive to its landscape setting and that it seeks, where possible, to enhance the distinctive qualities of the landscape character areas (as defined in the Landscape Character Assessment); and</li> <li>II. Requiring new developments to respect existing</li> </ul>	<p>The Local Plan has progressed through Examination stage and the Main Modifications consultation has concluded.</p> <p><b>The relatively minimal amount of work required to complete the local plan modifications that do not impact upon the main policies of the plan means the plan can be afforded significant weight.</b></p> <p>Due to the characteristics of the site and proposed development with the band of trees to the North West of the site, the proposed development would not be highly visible from public vantage point and is not considered to have a harmful impact on the landscape.</p>



<p>landscape character and features. Proposals will be supported where they do not have an unacceptable adverse effect upon important landscape features including:</p> <ol style="list-style-type: none"> <li>1. Distinctive topography;</li> <li>2. Important trees, hedges and other vegetation features;</li> <li>3. Important ponds, watercourses &amp; other water areas;</li> <li>4. Important views, approaches and settings.</li> </ol> <p>In addition, new developments will be supported where they:</p> <ol style="list-style-type: none"> <li>5. Do not have an unacceptable adverse effect upon an area's sense of place and local distinctiveness; and</li> <li>6. Do not have an unacceptable adverse effect upon areas of tranquillity, including those benefiting from dark skies, unless proposals can demonstrate how it is intended to contribute towards minimizing light Pollution.</li> </ol> <p><b>Policy D1 – Raising the Standard of Design</b> All new developments should be of high quality design. All development proposals will be assessed against all the following criteria:</p> <ol style="list-style-type: none"> <li>a) Siting and layout must be sympathetic to the character of the area;</li> <li>b) New development should meet basic urban design principles outlined in this plan and any accompanying Supplementary Planning Documents (SPD);</li> <li>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;</li> <li>d) Amenity of neighbours and neighbouring properties should not be compromised;</li> <li>e) Appropriate provision should be made for the sustainable management of waste, including collection and storage facilities for recyclable and other waste;</li> <li>f) Sustainable means of communication and transportation should be used where appropriate;</li> <li>g) Development should be designed to reduce crime and the perception of crime.</li> <li>h) Existing trees and hedges should be utilised, together with new landscaping, to negate the effects of development;</li> <li>i) Proposals include appropriate, safe connection to the existing highway network;</li> <li>j) Performs well against Building for Life 12 or any subsequent guidance and seeks to develop the principles of 'Active Design' for housing developments;</li> <li>k) Makes adequate provision for car parking; and</li> <li>l) Development should be managed so as to control disruption caused by construction for reasons of safeguarding and improving health well-being for all.</li> </ol>	<p>Consideration of the proposed design of the development has been given below.</p> <p>Due to the location of the proposed development, there are no neighbouring occupiers to take into consideration or any local characteristics.</p>
<p><b>Broughton and Old Dalby Neighbourhood Plan</b></p> <p>The Broughton and Old Dalby Neighbourhood Plan was made on 6<sup>th</sup> June 2018 and forms part of the development plan for the area. It is considered that the following policies are relevant to this application:</p>	<p>It is considered that the proposed development generally accords with the provisions of the Neighbourhood Plan. Policy S2 in particular does not prohibit the proposal <i>provided</i> it accords with wider</p>

<p><b>POLICY S2: DEVELOPMENT PROPOSALS OUTSIDE THE DEFINED LIMITS TO DEVELOPMENT</b> - Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies.</p> <p><b>POLICY H6: HOUSING DESIGN</b> - Development proposals are encouraged to have regard to the following building design principles to a degree that is proportionate to the development:</p> <ul style="list-style-type: none"> <li>a) It is of a density, size, scale, massing and height that reflects Broughton and Old Dalby’s character and that of its rural settlements giving an impression of space, pleasant street scenes and an inclusive road layout with short cuts linking existing roads together; and</li> <li>b) The design and materials are in keeping with the individual character and local distinctiveness of the Parish. Building styles should be diverse and make a valuable contribution to retaining the integrity of the rural character of the individual settlements. Developments should utilise and be complementary to existing neighbouring buildings’ features e.g. interlocking eaves, flashing buttresses, local slate and brickwork; and</li> <li>c) Adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of three bedrooms or less, and three spaces for dwellings of four bedrooms or more; and</li> <li>d) Street and curtilage lighting should be at low level and shaded above so that light pollution is maximally controlled; and</li> <li>e) Development proposals will be required to protect designated historic assets and their setting where appropriate; and</li> <li>f) Appropriate landscaping including the provision of indigenous trees and large shrubs.</li> </ul> <p><b>POLICY ENV 9: BIODIVERSITY</b>– Provision is encouraged to be made in the design and construction of new development in the Plan area to protect and enhance biodiversity, including:</p> <ul style="list-style-type: none"> <li>a) Roof and wall construction following technical best-practice recommendations for integral bird nesting sites and bat habitat;</li> <li>b) Hedges (or fences with ground-level gaps) for property boundaries that maintain connectivity of habitat for hedgehogs;</li> <li>c) Security lighting operated by intruder switching, not on constantly. Site and sports facility lighting to be switched off during ‘curfew’ hours between March and October, following best practice guidelines in Bats and Lighting LRERC 2014. Maximum light spillage onto bat foraging corridors should be 1 lux.</li> </ul>	<p>polices.</p> <p>Due to the location of the development and design of the dwelling, there are no neighbouring buildings to take into account or character of the area.</p> <p>The proposed development would accord to this parking requirement.</p>
<p><b>Design</b></p> <p>NPPF para 79 advises that decisions should avoid the development of isolated homes in the countryside unless the design is of exceptional quality, in that it:</p>	<p>In order to protect the character of the area and taking into account that the proposed development is in the open countryside, it is proposed that all permitted</p>

<p>- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and</p> <p>- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.</p> <p>It is proposed that the development would utilise the existing concrete tank of the building and would involve a small extension to the rear and the erection of two retaining walls to the side of the existing building. These alterations would allow more light into the building and create a more functional living environment. It is proposed that the extension will be timber clad, with the timber sourced locally. Due to the location of the proposed alterations and nature of the site, these will not be highly visible from public view.</p> <p>In addition to these additions, it is also proposed that glazing will be inserted into the roof of the building and a green sedum roof will cover the proposed extension. The proposed roof lights in addition to the proposed glazed extension would provide natural sunlight and ventilation to the dwelling. These design elements would also provide solar gain, reducing heating costs. It is also proposed that the dwelling will benefit from rainwater harvesting, air source heat pump and wood burning stove.</p> <p>The proposed green roof would also help to improve the flora and fauna in the locality.</p>	<p>development rights will be removed from the property.</p> <p>Using the existing concrete tank structure would help to provide insulation to the dwelling, in addition to the proposed sedum roof. It is proposed that the insulation and other design features would help to reduce the carbon footprint of the dwelling.</p> <p>Additionally, paragraph 131 states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. It is considered that the application represents outstanding and innovative design, and conditions can be attached to ensure it is promoted as such in order to assist in raising standards more generally as per the expectations of para 131(condition 9 of the recommendation below refers).</p> <p>It is considered that in this case, the proposed development would meet the above paragraphs of the NPPF.</p>
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**Conclusion:-**

The Borough is considered to have an adequate housing land supply. Whilst the development would provide one dwelling to this supply, the contribution it would make is limited. It is considered that due to the limited need for further supply and the contribution the development would make, the weight attached to the provision is limited.

The proposed dwelling would also be located in a location where housing would not normally be permitted, where there would be a reliance on the private car to access day to day facilities and services. However the NPPF at paragraph 79 does allow for development in isolated locations in exceptional circumstances. It is considered that this proposed development would fit the criteria of this paragraph of the NPPF due to its high standard of design, reuse of an existing structure and the sustainability features of the development, as considered above. It is considered that the development would help to raise the standard of design in rural areas, by setting an example of the types of high standard of design which would be expected of new development.

It is considered that given the provisions of paragraphs 79 and 131 of the NPPF and the proposed design of the building, sustainability credentials, limited extension and the reuse of an existing building, that the proposed application would warrant a departure from the existing and emerging Local Plan.

**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: PL100, PL101, PL102 and PL105, received by the Local Planning Authority on 5 June 2018 and A001A and A002A, received by the Local Planning Authority on 14 June 2018.
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
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-H inclusive, shall be carried out unless planning permission has first been granted by the Local Planning Authority.
5. Notwithstanding the provisions of Part 2 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 Class A (gate, fence, wall or other means of enclosure), shall be carried out unless planning permission has first been granted by the Local Planning Authority.
6. The garage hereby permitted shall be constructed using “no dig technology” or a cellular confinement system (geocells).
7. No development shall commence on site until all existing trees that are to be retained have been securely fenced off by the erection of post and rail fencing to coincide with the canopy of the tree(s), or other fencing as may be agreed with the Local Planning Authority, to comply with BS5837. In addition all hedgerows that are to be retained shall be protected similarly by fencing erected at least 1m from the hedgerow. Within the fenced off areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and any service trenches shall be dug and backfilled by hand. Any tree roots with a diameter of 5 cms or more shall be left unsevered.
8. Prior to first occupation the whole of the access drive and turning space shall be surfaced with tarmacadam, concrete or similar hardbound material (not loose Aggregate)
9. Prior to the first occupation of the dwelling hereby approved, details shall be submitted to the Local Planning Authority, for approval, to demonstrate how the applicant intends promote the development to interested third parties to educate such persons on how high design can be achieved in rural areas in accordance with paragraph 79 of the NPPF 2018.

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 ensure a satisfactory standard of external appearance.
4. To enable the Local Planning Authority to retain control over future development in view of the location of the development.
5. To enable the Local Planning Authority to retain control over future development in view of the location of the development.
6. To ensure that the tree on adjacent land is not compromised.
7. To ensure that existing trees are adequately protected during construction in the interests of the visual amenities of the area.
8. To ensure a satisfactory standard of development and prevent any loose material being taken onto the highway in the interests of safety.
9. The creation of the development would not normally be permitted in an isolated area, but it is considered that the proposed development would meet the requirements of paragraph 79 of the NPPF (2018) and should be used as an example to promote the highest standards of architecture in rural areas.