

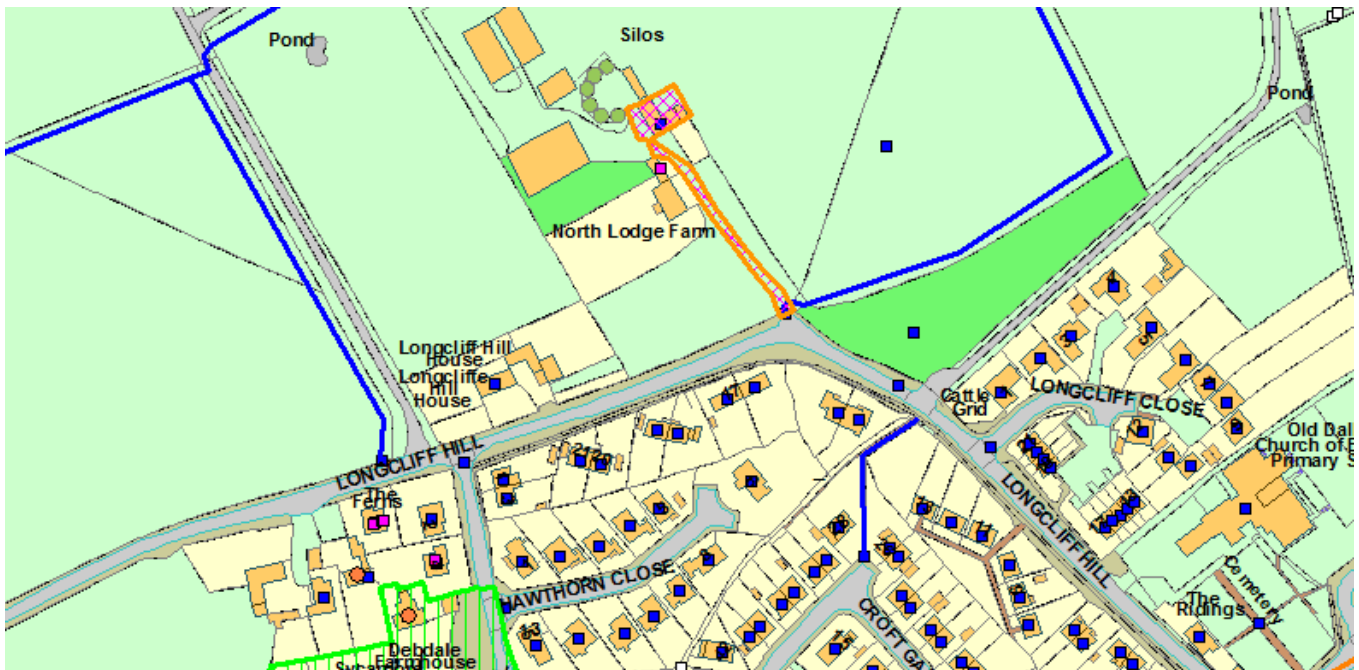
**Reference:** 18/00506/FUL

**Date Submitted:** 30.04.2018

**Applicant:** Cllr. J T Orson

**Location:** North Lodge Farm, Longcliff Hill Old Dalby LE14 3LP

**Proposal:** Conversion of existing brick and tile building to form one dwelling and associated garden and parking area.



**Introduction:-**

The proposal seeks full planning permission to convert an existing agricultural building to a new dwelling and the creation of two parking spaces for the house and two for the existing dwelling. The site is located to the north of Old Dalby village itself, along an access track where an existing dwelling is already present to the west.

The dwelling itself is proposed as a single storey construction made of two distinct components with a hipped roof on one and another one with a flat roof with apex roof in the centre. It will be a two bedroom property with its entrance on the southern elevation. Various openings and windows will be created to make the property well ventilated in terms of light and be in a combination of timber cladding and existing brickwork.

**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**
- **Impact upon highway safety**

The application is presented to the Planning Committee owing to the applicant being an elected member of Melton Borough Council.

**Relevant History:-**

None

**Planning Policies:-****Melton Local Plan 2011-2036**

**The New Local Plan is expected to be adopted on 10th October 2018 and will form the Development Plan for the area. Under s 38(6) planning decisions must follow the policies of the Plan unless material considerations indicate otherwise**

**Policy SS1 - Presumption in favour of Sustainable Development**

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

**Policy SS2 – Development Strategy**

Provision will be made for the development of at least 6,125 homes and some 51 hectares of employment land between 2011 and 2036 in Melton borough.

Alongside Service Centres and Rural Hubs, 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 the needs and enhance the sustainability of the settlement in accordance with Policy SS3.

**Policy SS3 – Sustainable Communities (unallocated sites)**

In rural settlements outside the main urban area, the Council will seek to protect and enhance existing services and facilities and will support sustainable development proposals in accordance with Policy SS2 above 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.

**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:

- a) Siting and layout must be sympathetic to the character of the area;
- b) New development should meet basic urban design principles outlined in this plan and any accompanying Supplementary Planning Documents (SPD);
- 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;
- e) Appropriate provision should be made for the sustainable management of waste, including collection and storage facilities for recyclable and other waste;

- f) Sustainable means of communication and transportation should be used where appropriate;
- g) Development should be designed to reduce crime and the perception of crime.
- h) Existing trees and hedges should be utilised, together with new landscaping, to negate the effects of development;
- i) Proposals include appropriate, safe connection to the existing highway network;
- j) Performs well against Building for Life 12 or any subsequent guidance and seeks to develop the principles of 'Active Design' for housing developments;
- k) Makes adequate provision for car parking; and
- l) Development should be managed so as to control disruption caused by construction for reasons of safeguarding and improving health well-being for all.

### **Broughton and Dalby Neighbourhood Plan**

**Policy S2: development proposals outside the defined limits to development** - 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.

### **Policy BE3: re-use of agricultural and commercial buildings.** -

The re-use, conversion and adaptation of rural buildings for small businesses, residential, recreation, or tourism purposes (including equestrian activities) will be supported where:

- a) The use proposed is appropriate to the rural location;
- b) The conversion/adaptation works respect the local character of the surrounding area;

### **National Planning Policy Framework (NPPF)**

The revised NPPF was published on 24<sup>th</sup> July 2018.

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

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

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).

**Consultations:-**

<b>Consultation Reply</b>	<b>Assessment of Assistant Director of Strategic Planning and Regulatory Services</b>
<p><b>LCC Highways</b> The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.</p>	<p>This has been fully considered and as a result of the advice:</p> <ul style="list-style-type: none"> <li>• Two parking spaces have been provided in line with the standards for a three bedroom property</li> <li>• There is adequate visibility for users leaving the spaces</li> <li>• Drainage will be conditioned so that any outfall will not be deposited within the highway network.</li> <li>• These spaces will be conditioned to be hard bound to ensure no deleterious material is deposited in the highway (loose stones etc.)</li> </ul>
<p><b>LCC Ecology</b>  <i>Revised response following survey – 19.09.2018</i> The ecology report submitted in support of this application (CBE Consulting, September 2018) is satisfactory. No evidence of bats was found within the buildings and they were generally considered to be of negligible to low value for roosting bats. No further surveys are therefore required and we have no further comments on, or objections to, this development. vised response following survey.</p>	<p>Noted.</p>
<p><b>MBC Building Control</b> Layout would be satisfactory for both Fire and Refuge access.</p>	<p>Noted</p>
<p><b>Broughton and Old Dalby Parish Council</b> Whilst Cllrs did not object to this individual plan they expressed real concern regarding the cumulative impact of this application in addition to 33 other dwellings all also approved all exiting on a narrow road on to a dangerous section of highways. Cllrs seek assurance that the full impact of all approved applications will be considered by Highways.</p>	<p>This concern is noted but in this instance is considered that the impact of an extra two bedroom dwelling would not have a demonstrable and severe impact on highway safety.</p> <p>Being a development of less than five dwellings, standing advice applies and as above this has been fully assessed with suitably worded conditions as imposed below.</p>

**Representations:-**

As a result of a site notice, neighbour notification letters no letters of representation have been received.

**Other Material Considerations Not Raised By Representations:-**

<b>Other Material Consideration</b>	<b>Assessment of Assistant Director of Planning and Regulatory Services</b>
<p><b>Melton Local Plan</b>  The New Local Plan is expected to be to be adopted on 10th October 2018 and will for the Development Plan for the area. Under s 38(6) planning decisions must follow the policies of the of the Plan unless material considerations indicate otherwise</p>	<p>The proposed development would be located in a rural hub which is considered to be a village with a relatively good sustainable ‘rating’ with access to key facilities. For Old Dalby, there is a good bus service, primary school nearby, village hall, public house and</p>

	<p>church will offer many options that reduce dependency on the use of the private car. The development would provide a two bedroom property that is in most need within the village according to the 2015 housing needs report.</p> <p><b>The development is considered to accord with these policies.</b></p>
<p><b>NPPF</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 Local Plan has been Examined and is it has been concluded it is compatible with the NPPF 2012 version. There are not considered to be any changes in the 2018 version that it is 'out of date' applicable to this application.</p>
<p><b>Broughton and Dalby Neighbourhood Plan</b></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 BE3: RE-USE OF AGRICULTURAL AND COMMERCIAL BUILDINGS.</b> - The re-use, conversion and adaptation of rural buildings for small businesses, residential, recreation, or tourism purposes (including equestrian activities) will be supported where: a) The use proposed is appropriate to the rural location; b) The conversion/adaptation works respect the local character of the surrounding area;</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: 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 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</p>	<p>The application is in accordance with National and Local policies (see above).</p> <p>The dwelling is a conversion of an existing agricultural building which in itself is a rural structure which will be of a character of the local area.</p> <p>As above.</p>

<p>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</p> <p>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</p> <p>d) Street and curtilage lighting should be at low level and shaded above so that light pollution is maximally controlled; and</p> <p>e) Development proposals will be required to protect designated historic assets and their setting where appropriate; and</p> <p>f) Appropriate landscaping including the provision of indigenous trees and large shrubs.</p>	<p>The property is two bedrooms and off street parking has been provided in line with this policy requirement.</p> <p>No lighting is proposed.</p> <p>The development would not impact on any designated asset.</p> <p>The development is located well within the agricultural site which is well screened with high trees.</p>
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**Conclusion:-**

It is considered that on balance, the proposed dwelling will contribute to the development of housing in what is a sustainable village of Old Dalby owing to its 'Rural Hub' status within the Melton Local Plan. The scheme is reasonably well connected to Old Dalby and within the neighbourhood plan there is an overall support for conversions of agricultural buildings for residential purposes. Being also an existing agricultural building it is considered that the change of use will not impact upon the local area character and be overall sensitive to the area setting.

It is considered that the proposed development is compliant with the Local Plan and the policies contained within the NPPF. There are no material considerations present which it is considered would justify a departure from the Development 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 drawing numbered 7720-01-01 received by the Local Planning Authority on 16th July 2018 and drawing numbered 7720-03-02 received by the Local Planning Authority on 30th July 2018. The recommendations within the CBE Consulting, September 2018 report should also be followed.
3. The car parking and any turning facilities shall be provided hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained.
4. 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
5. The residential curtilage of the dwelling hereby approved shall be that shown on drawing 7720-01-01 as indicated by a red line and shall be retained as such in perpetuity.
6. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 or any subsequent amendment to that order, no development within class A, specified in A, B, C and E shall be carried out unless planning permission has first been granted for that development by the Local Planning Authority.

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 that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.
4. To ensure the finished development is of a high standard of design as indicated by the submitted plans
5. In order to ensure the development and associated structures does not encroach onto countryside land adjacent to the site.
6. In order for the LPA to control further extensions in the interests of neighbour and visual amenity.

**Officer to contact: Glen Baker-Adams**

**Date: 10<sup>th</sup> October 2018**