

18/01471/FUL: Top View, 3 Main Street, Burrough on the Hill

Proposed part demolition and creation of three detached dwellings.

1. Summary:

The site occupies an approximate rectangular shaped parcel of land accommodating a large predominantly single storey dwelling. The building is set back from the highway, served by a shared drive with Eastfield (1A) and The Gatehouse (1B) and is an approximate L shape. The rear garden lies to the north-east and north-west of the dwelling. There is countryside to the north and north-west and bungalows to the east.

The proposal comprises the proposed part demolition of the existing bungalow together with alterations and extensions to sub-divide into two dwellings. A further new build dwelling is also proposed.

2: Recommendations:

It is recommended that the application is refused.

3: Reasons for Recommendation:

The development occupies an unsustainable location where there are limited local amenities, facilities and jobs, and where future residents are likely to depend highly on the use of a private motor vehicle. The proposal does not meet an identified proven local need and would be contrary to Policy SS3 of the Melton Local Plan which seeks to restrict development in such settlements to that which is based on a local proven need.

4: Key factors:

Reason for Committee Determination

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

Relevant Policies

The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area.

- **No inconsistency with the NPPF has been identified that would render Local Plan policies 'out of date'.**

Please see Appendix D for a list of all applicable policies

Main Issues

The main issues for this application are considered to be:

- Principle of development
- Impact upon the character of the area including heritage assets
- Impact upon residential amenities
- Highway Safety

5: Report Detail:

5.1 Position under the Development Plan policies

The site is within Burrough on the Hill and policies SS1-SS3 apply.

5.2 Principle of Development

The site is within Burrough on the Hill with the host dwelling being in close proximity to the neighbouring dwellings to the south-west which are served by the shared access drive. Burrough on the Hill is a Rural Settlement under the Local Plan. Policy SS1 supports the principle of sustainable development, Policy SS2 relates to the development strategy for the Borough and states that 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 states in rural settlements planning permission will be granted for new residential development in the rural area within or on the edge of existing settlements, provided it is in keeping with the scale and character of the host settlement and where:

1. The development provides housing which meets a proven local need as identified by substantive evidence, for example within in a Neighbourhood Plan or appropriate community-led strategy, or a housing assessment or other evidence provided by the applicant; and
2. Through repeated application will not result in a level or distribution of development that is inconsistent with the development strategy, and
3. The development respects the Borough's landscape and settlement character such that it conforms with policies EN1, EN4 and EN6; and that (where relevant), the design conforms with Policy D1 and applicable environmental policies in any relevant Neighbourhood Plan; and
4. The development will be served by sustainable infrastructure and or provide new infrastructure or services to the wider benefit of the settlement; and
5. The development respects ecological, heritage and biodiversity features and where appropriate provides mitigation to prevent any potential harm; and
6. Where possible the development does not result in the loss of best and most versatile agricultural land; and
7. The development can be adequately drained and would does not increase the risk of flooding, in accordance with Policy EN11.

In support of the application the Agent stated the following:

- There was a Housing Needs Assessment undertaken in April 2016 by Midlands Rural Housing. The Parish includes Somerby, Burrough and Pickwell and of the 381 properties it was sent to, 128 were completed (roughly a third). This identified a need for 5 market homes and 14 affordable homes in the Parish for those with a local connection. This included the need for 4 x 2 bedroom bungalows as open market purchase units. The fact that only 1 in 3 households completed this survey would suggest this should be considered the minimum need for the Parish;
- The new unit proposed is a 2 bedroom bungalow and as such clearly meets the identified need for the Parish. From a supply and demand perspective based against identified need, this should be sufficient to comply with Policy SS3. To my knowledge, only one new bungalow has been approved/provided in the Parish in the last 2 years. This was a garage conversion in Burrough but this was sold to someone, who I am informed previously lived in Asfordby and had no local connection with the village;
- Augmenting the need for housing, the more recent Somerby Parish Questionnaire (July 2017) was undertaken as part of the Neighbourhood Plan preparation. This provides more up to date and in depth responses from parishioners on housing needs and how these should be delivered. With responses from just under 400 people, it provides a good representation of the Parishes needs and desires, as governed by the residents themselves. Question 11 identifies strong support for small scale developments (less than 10 units) on sites that are within the settlement boundaries (infill development)

and reflect the character and density of the surrounding area. This describes the application site perfectly. Question 12 then specifies the number of respondents that considered what type of new dwellings are needed in the village. Smaller private units were noted as the highest requirement, followed by low cost purchase, additional need units, bungalows and then larger private properties. In particular these latter two are proposed as part of this development, and are identified as being needed by around a third of existing residents;

- These two documents both show the desire and need for such units within the Parish, and that in reality, the need for units is most likely greater than that identified in the Midlands Rural Housing Assessment. This includes for example, the requirements of the applicant which was not captured in the 2016 assessment;
- It has been indicated that specific individuals need to be identified for each unit, the lack of alternative accommodation being available in the village, and in this instance, whether the existing property could be subdivided to create the smaller bungalow that is required;
- It is intended that the applicant will downsize to Plot 3 – a four bedroom property, such that sufficient space is still available to accommodate their children and their family when they visit;
- The new bungalow (Plot 2) will be occupied by the applicants parents who are in their 80s. The proximity of plots 2 and 3 will allow palliative care and enable the parents to retain a degree of independence. The intention is that in time, once the parents have passed away, the applicant can then move into the bungalow (Plot 2), hopefully with one of their children and family then occupying the house (Plot 3);
- Plot 1 will provide in essence a three bedroom property, to which friends of the applicant have expressed a need for a smaller property at this scale and a desire to remain in the Parish. They currently reside in a large older stone property in Somerby with high running costs. They have in particular highlighted the benefits of being able to incorporate ground floor sleeping accommodation (and thus future proofing themselves), plus additional bedrooms to house family when visiting. Discussions have indicated that they are likely to convert the utility in the future to a bathroom to aid ground floor living;
- In terms of the availability of alternative accommodation, the subjective question is where to draw the boundary line. Arguably, the parish boundary, given the need has to come from within this area. In Burrough, there are currently two properties for sale: a five bedroom property with 15+ acres of land for in excess of £1.5 million. This is clearly not what is being proposed, being too large and incorporating a substantial holding which is not desired for downsizing/older residents and a four bedroom property with 1.17 acres of garden and paddock land priced at £650,000. This represents a sizable holding, which is not desirable for people wishing to downsize, particularly where there is no use for the paddock, which elevates the cost of the property due to its inclusion. In Somerby a substantial five bedroom property with a separate two bedroom cottage is for sale at £895,000. This provides a main property in excess of the unit size required, so is not practical. Secondly, the smaller unit has accommodation set over two floors so not suitable for less able bodied occupants, particularly as most accommodation is provided on

the first floor. There is also a four bedroom detached house priced at £895,000. This represents a substantially sized property, which is reflected in the high sale price. Its scale, although only four bedrooms, does not therefore represent a notable reduction in size from the existing accommodation for the intended occupants, whilst it also offers no bedrooms on the ground floor, so is more limited as to its potential use in the future by more ailing occupants. There is understandably, a desire to only need to move once by all parties involved. A three bedroom cottage is for sale at £310,000. This compact property is smaller than desired by the occupants of the two conversion units on the application site, and has accommodation set across two levels so is of no use for the bungalow occupants. It also incorporates no parking and a very small courtyard garden. This is not the sort of property that any of the interested parties are seeking to downsize to;

- Consequently, it is evident that from the small number of options available to purchase in the parish, there are no realistic alternatives, as those available are either too small, too large or not practical given the layout or quantity of land associated with them as retirement/downsizing units;
- Turning to the query of why the 2 bedroom bungalow cannot be created as part of the subdivision of the existing house, viability is the key reason. The existing house (Top View, 3 Main Street) was for sale during the latter part of 2018 with an asking price of £895,000. This was a reduced price from the £1,000,000 it was marketed for in early 2018. No offers were received for the property, reflecting a lack of demand for six bedroom properties in this location. The prices associated with the other units noted above indicate that this was a realistic value to be attributed to the property and land;
- As a subdivided unit, it is expected that plots 1 and 3 are likely to be valued at £690,000 and £560,000 respectively. This is comparable to the value as a single property, but it is expected that the additional service connections, demolition works, conversion, extensions and external works will cost in the order of £290,000 + VAT / £348,000 including VAT to undertake. This does not represent a viable option, without a third unit to increase the return on the site. [$£560k + £690k - £348k$ build/conversion costs for two units = £902k compared to current house value of £895k. These figures are subject to inflation and the rates per sq.m are conservative, so could easily increase];
- Likewise, if the extensions are omitted to plots 1 and 2, there are still costs associated with service connections, demolition works and internal conversions, such that both the end value and the project costs reduce almost equally; this results in the end value of the properties being less than the existing dwelling. Again, a third property is required to generate a viable development as a reduction in site value would prevent any alterations coming forward.

In addition to this, a letter from the parents of the applicants has been received, stating their health has deteriorated, acknowledging that assistance will be required to aid their daily lives, and the proposed subdivision of the property would allow them to live next to their family but independently.

Furthermore, a letter from a couple currently residing in Somerby states they have lived in a large dwelling in Somerby for many years and are looking to downsize which ideally would be a 3-4 bedroom dwelling on a single floor or a dwelling with at

least one bedroom on the ground floor and the ability to install a lift. No appropriate property has been on the market in the Parish and the proposed dwelling would suite these needs.

The test to comply with Policy SS3 is set high to reflect the limited number of dwellings that are to be provided under this policy and to ensure new dwellings in such villages are approved only when they meet a **proven, local need**. Although no objection is raised in principle to the subdivision of the existing property it is not clear why this property could not be subdivided to provide the accommodation sought to allow the current occupiers to downsize and to provide a separate unit of accommodation to accommodate their parents. This would negate the need for the additional third dwelling on the site. Although evidence has been submitted to demonstrate there is a couple interested in living in part of the dwelling to be subdivided, there is little evidence to demonstrate they have to live in Burrough rather than elsewhere within the Parish or that alternative existing accommodation will not come onto the market in the short term future.

As such, a convincing case to justify the third dwelling on the site has not been made in order to comply with the strict criteria of Policy SS3. It appears alternative proposals could be implemented which subdivide the additional property into two smaller units which could satisfactorily accommodate the current occupiers and their parents.

As such, the principle of development is not acceptable.

5.3 Impact upon the character of the area

Policy D1 of the Local Plan states that all new developments should be of high-quality design. Development proposals will be assessed against criteria including the siting and layout must be sympathetic to the character of the area, new development should meet basic design principles, buildings and development should be designed to reflect the wider context of the local area and respect the local vernacular without stifling innovative design, existing trees and hedges should be utilized, together with new landscaping, to negate the effects of development and development should be managed so as to control disruption caused by construction for reasons of safeguarding and improving health well-being for all.

Policy EN1 of the Local Plan requires development to be sensitive to its landscape setting and to respect existing landscape character and features. In addition, development will be supported where it does not have an unacceptable adverse effect upon an area's sense of place and local distinctiveness or upon areas of tranquility. Policy EN6 relates to settlement character and states that development proposals will be supported where they do not harm open areas which contribute positively to the individual character of a settlement. Policy SS3 refers to landscape and settlement character. Policy EN13 refers to heritage assets as the site is within the conservation area.

The site lies within the Conservation Area; Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') imposes a requirement in relation to the consideration and determination of planning applications which affect

conservation areas, that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.

The existing dwelling covers a substantial footprint but is predominantly single storey and is set well back from the highway. As a result, it is not a prominent building despite occupying an edge of settlement location. The proposal to subdivide and alter the existing dwelling would result in the partial demolition of the dwelling to allow access through to the proposed Plot 2. Alterations would result in the creation of two x four bedroom dwellings in place of the existing single 5/6 bedroom dwelling. Visually, the proposed subdivided dwellings would be acceptable, with the relatively low lying building forms being retained. First floor accommodation would be provided; however, the dwellings would retain the appearance of dormer bungalows and due to the siting within the plot would have a limited visual impact beyond the site boundaries.

Plot 2 would be a new building utilising a modern design approach but would be single storey and of a low profile. It would take the built form closer to the boundary with the open countryside. However, the dwelling would be contained within the existing curtilage and given the limited size and scale, would not result in a dominant structure within the settlement.

The impact on dark skies and the scheduled monument have also been considered; however, given the relatively limited scale of proposals, it is not considered there are grounds to resist the proposal.

The site forms a large curtilage on the edge of the settlement with the existing dwelling set towards the east of the plot. The proposed works to the existing building would have a limited visual impact beyond the site given the siting, scale and design of the proposals. The proposed additional new dwelling would take the built form closer to the western boundary of the site; however, it would be small-scale and low level and set away from the site boundaries. Subject to suitable materials and landscaping it is not considered the proposal would be harmful to the character or appearance of the conservation area.

As such, the proposals are considered to acceptable on the grounds of visual amenity and comply with the above policies and Act.

5.4 Impact upon residential amenities

Policy D1 of the Local Plan states that the amenity of neighbours and neighbouring properties should not be compromised. The site occupies something of a sheltered location and with the additional dwelling comprising a bungalow it is not considered the built form of the dwelling would unduly harm the amenities of occupiers of existing dwellings to the east. Adequate separation distances would be achieved. The access would run between two properties (those to be subdivided); however, the additional dwelling would generate only a limited amount of traffic which would not be at such a degree as to be harmful to the amenities of occupiers of each dwelling.

To the north, north-east and north-west the site borders open countryside. To the east the site borders single storey dwellings. The proposed units are generally set away from this boundary and the proposed alterations and extensions would have no undue adverse impact on these properties. To the south and south-west the site

borders 1A and 1B. The proposed development has been designed to ensure there would be no undue impact on these properties or the neighbouring property to the south-west.

Within the site the proposal would result in three dwellings. Generally the relationship between them would be satisfactory and adequate private amenity space would be provided.

The proposal would not have an adverse impact on the amenity of neighbouring land uses and as such the proposal would comply with the NPPF and Policy D1 of the Local Plan.

5.5 Highway Safety

Policy D1 states that development proposals should include appropriate, safe connection to the existing highway network and should make adequate provision for car parking. Policy IN2 requires that development does not unacceptably impact on the safety and movement of traffic on the highway network and provides appropriate and effective parking provision and servicing arrangements.

The proposed layout would be served by an existing access. This has adequate visibility and allows vehicles to pull clear of the highway. Although the proposal would result in a more intensive use of the site traffic generation would not be at a level harmful to the local highway network or to highway safety.

Overall, it is considered there are no highway safety implications.

Consultation & Feedback

A site notice was posted, the application advertised and neighbouring properties consulted. As a result, 20 representations have been received, three in support and 17 objecting.

Financial Implications:

There are no financial implications identified.

Background Papers:

There is detailed history that includes 01/00432/FUL Proposed alterations to house and garage and new conservatory extension new wall and gate within site facing highway – Permitted. 02/00752/FUL Proposed conversion of workshop to dwelling, erection of car port, brick walls and timber gates and associated external works - Permitted.

Appendices:

- A: Consultation responses
- B: Representations received
- C: Recommended conditions
- D: Applicable Development Plan Policies

Report Timeline:

Assistant Director Approval

22nd July 2019

Report Author: Mr J Mitson, Planning Officer, Development Management

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Appendix A : Consultation replies

Parish Council

Object on the grounds the application would create 2 x 4 bed houses and 1 x bungalow on a plot currently containing 1 bungalow, a net gain of 2 x 4 bed houses. The housing needs survey shows no requirement for 4 bed properties. Bungalows, for which there is a need, are not increased. This application overdevelops the site and does not achieve an appropriate density in relation to prevailing character of the area. Adding a first floor to Plots 1 and 3 means that these buildings are going to seriously overlook the immediate neighbours (especially on the western and south western sides), increasing the height of the building on the western side by 3 metres. The most immediate neighbour's property is 5 metres away. The first-floor additions will increase very significantly the light pollution from the site. This is a dark skies area which so many residents appreciate; it will no longer be such which will change the whole character of the area. This property is situated on a very prominent ridge, visible for miles, particularly from Burrough Hill Fort, our scheduled ancient monument. This development will adversely affect the view of Burrough from Burrough Hill both during daylight and night-time, when the increased light will be particularly damaging. Most immediate neighbours have serious concerns about the practicality, feasibility and safety of the actual build. The sole entrance and exit is via a single width road, the entrance of which is situated within less than 100 metres of a right angled bend in the main road. The traffic dangers are self-evident and provide another compelling reason why the application should be turned down. The traffic to and from the build will be enormously inconvenient and disruptive to immediate neighbours. When this application is considered it must be in conjunction with a detailed build and traffic plan which needs to address all the concerns. Insufficient

attention has been given to the parking required for the increase in vehicles resulting from 2 additional 4-bed properties. Although the application does seem to overdevelop the site compared to what is presently there, the proposed plots are still fairly generous by current standards. Plots 1 & 3 do not significantly change the existing footprint. Plot 2 does, but whilst not fairly described as in-fill, neither is it on open countryside. The impact of the increased height of Plot 3 on the immediate neighbours to the west is mitigated by the additional storey being a dormer window. It does not appear to overlook or overshadow the neighbour in a harmful way. LCC Highways guidance would only require 9 parking spaces and the proposal has 15.

LCC Footpaths Officer

Public Footpath D77 was diverted away from this site in 2016 and therefore is not directly affected by the development.

LCC Archaeology

No objection.

LCC Ecology

The ecology report is satisfactory. The building was not considered to be suitable to support a bat roost and no evidence of bats were recorded. No further surveys are required with regard to this species. The report also identifies that the pond to the north of the site has an average potential to support great crested newts (GCN). GCN have also previously been recorded just over 100m to the south of the site. The application site is currently sub-optimal for GCN and any potential risk can be managed through a Method Statement. Request that the application site is maintained as sub-optimal prior to the works commencing (not left to overgrow). The site should also be kept clean throughout the development, with spoil removed from site daily or retained in skips overnight.

Appendix B : Summary of representations received

Neighbours

3 representations received in support of the proposal on the grounds that the proposal in effect only proposes an additional bungalow and the subdivision of the existing dwelling which already has a first floor element, the application makes use of the garden rather than greenfield, the applicants are valued in the community, Melton has a housing need and Burrough can make a contribution, the proposed density is appropriate for the village, from within the village the visual impact is limited, beyond landscaping could help to mitigate the impact.

13 representations objecting of the grounds that the development would be out of keeping, over-development of the site, development is within the conservation area, access is a concern, development on the ridge will result in worsening light pollution, two storey development is out of keeping, urban housing not sympathetic to the village, there are limited facilities in the village, overlooking single storey dwellings, dangerous access for construction vehicles, site visible from the country park and hill

fort, grass roof not consistent with the area, additional pollution, loss of privacy, the property type is not needed, retention of dark skies is important.

Appendix C: Recommended Conditions

N/A

Appendix D : Applicable Development Plan Policies

Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy SS2 Development Strategy.
- Policy SS3 Sustainable Communities (Unallocated Sites)
- Policy C2 Housing Mix.
- Policy EN1 Landscape.
- Policy EN6 Settlement Character.
- Policy EN8 Climate Change.
- Policy EN13 Heritage Assets.
- Policy IN2 Transport, Accessibility and Parking.
- Policy IN4 Broadband.
- Policy D1: Raising the Standard of Design.