



Planning Committee

28 November 2019

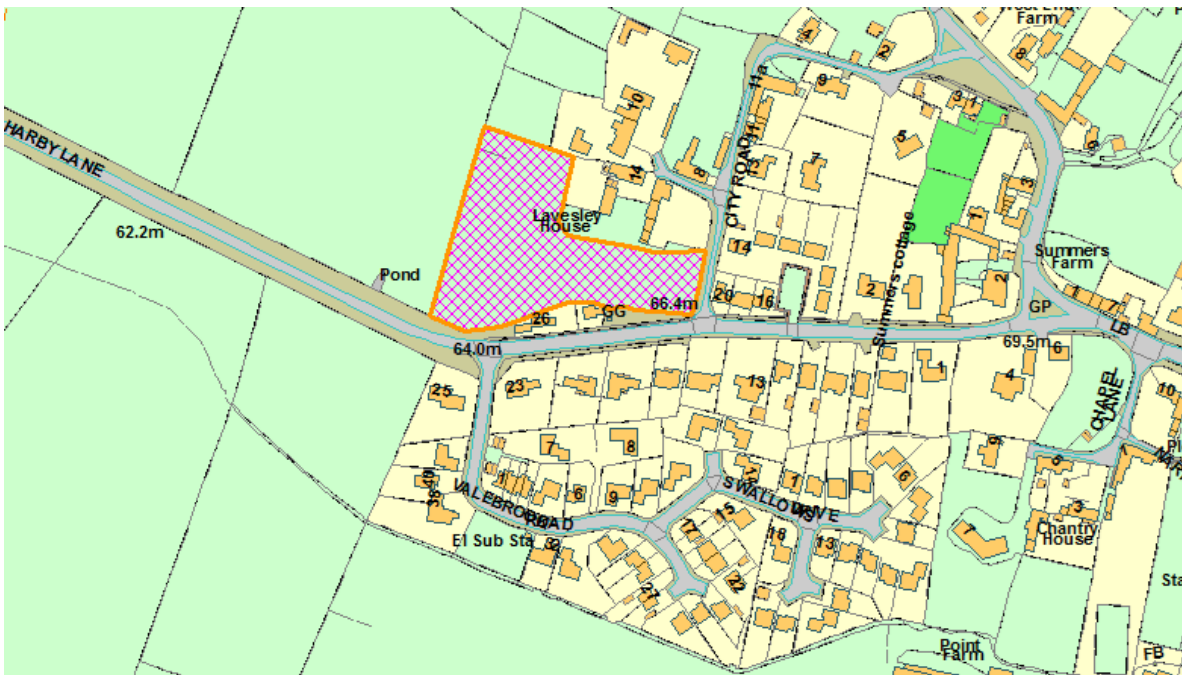
Report of:

Assistant Director for Planning
and Delivery

19/00500/FUL: Levesley House, 14 City Road, Stathern.

Proposed variation of conditions 2 and 10 of application 18/00980/FUL for the erection of 8 dwellings and the formation of vehicular access.

1. Summary:



The application site is located to the east of Stathern partially within the built up part of the settlement and partially on the rural edge. The site comprises amenity grassland forming part of the curtilage of Levesley House and contains a number of small trees. The site is bounded by hedgerows to the south, east, west and partial north boundaries and there are mature hedgerow trees along the western boundary and partly along the southern boundary.

The site lies within Stathern Conservation Area and to the north-west of the proposed development are listed buildings. To the north-east is a grade II listed building, Levesley House, which has recently been granted consent for conversion to two dwellings. North of Levesley House there are further listed buildings,

Greensmiths Cottage and the 'three cottages' at The Old Nurseries. The eastern part of the site is also designated as a Protected Open Area.

To the east of the site, on the other side of City Road, are residential properties and to the south there are two dwellings fronting Harby Lane. Further to the south, on the other side of Harby Lane, are residential properties which front the highway. To the west of the site is open countryside.

The proposal comprises variations of conditions 2 and 8 of 18/00980/FUL for the erection of 8 dwellings and the formation of a vehicular access. Revised plans have been received to address the concerns of Officer's regarding visual impact.

2: Recommendations:

Grant planning permission.

3: Reasons for Recommendation:

The proposals seek to vary the design and layout of the approved scheme and following the receipt of revised plans the proposals are deemed to be visually acceptable and adequately safeguard the residential amenities of neighbouring properties.

4: Key factors:

Reason for Committee Determination

The application is required to be presented to the Committee at the request of the Chair of the Committee.

Relevant Policies

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

Please see Appendix D for a list of all applicable policies

Main Issues

The main issues for this application are considered to be

- Impact upon the character of the area
- Impact upon residential amenities

- Impact upon highways and parking

5: Report Detail:

5.1 Position under the Development Plan policies

The site is within the settlement of Stathern and is allocated for housing. Policies SS1-SS3 apply.

5.2 Principle of Development

The principle of development has been established on the site under the previous, extant approval through 18/00980/FUL and the site being allocated for housing in the Local Plan.

5.3 Impact upon the character of the area

The layout, design and number of dwellings has been established under the previous applications. This application seeks to make changes to fenestration, increases to eaves heights, creation of accommodation in the roofspace, changes to footprints, insertion of rooflights etc.

Revised plans have been received addressing the issues of Officers and have amended fenestration, lintels, detailing etc. These have been discussed with the Conservation Officer and have incorporated most of the changes sought. Overall, the proposal is now considered to be visually acceptable.

The proposal is therefore in line with policies EN1, EN6 and D1 of the Local Plan.

5.4 Impact upon residential amenities

The relationship between the approved scheme and the existing properties was assessed during the previous application and deemed to have a limited impact. This current scheme would have a minimal impact on the amenity of occupiers of neighbouring properties. The changes sought relate mainly to minimal increases in eaves heights to the main dwellings and garages, utilising roofspace more effectively, minor changes to footprints (both increases and decreases), an increase to the ridge of a bungalow (plot 3), a minor increase in the ridge of plot 5 (15mm) and minor increases in garage heights.

These changes are relatively minimal and it is not considered the proposals would be harmful to residential amenity. **Therefore, it is not considered that the proposal would have a negative effect on the amenity of any neighbouring properties and complies with Policy D1.**

5.5 Highway Safety

The issue of highway safety, to include access, parking and turning was fully assessed under the previous application. The general arrangements remain as per the approved scheme other than Plot 6 where the vehicular access would now be taken from City Road whereas it was previously accessed from Harby Lane. This would be the third proposed dwelling served from this access.

The Highway Authority has not been consulted on this application but did provide pre-application advice when they raised no objection in principle subject to the access on City Road being of sufficient width to cater for the additional dwelling and the provision of a footway to link the estate with Harby Lane.

The proposed access onto City Road is as per that approved under 17/00587/FUL which was for a barn conversion into two dwellings and was also deemed acceptable under 18/00980/FUL which approved two further dwellings (on this site) from the access. The proposed access is considered suitable for the additional dwelling making five from that access.

The footway provision shown linking the development to Harby Lane is as per that approved under 18/00980/FUL and therefore complies with the Highway Authority's requirements.

The proposal is therefore considered to comply with policy and is acceptable in terms of highway safety.

5.6 Officer Comments on Consultation Responses

In relation to the comments of the Parish Council, ridge heights are generally not increasing and the ridge height on Plot 1 would be as per the approved scheme. Third storeys are not being introduced, roofspace is being used. It is not considered the marginal changes would result in significant changes to traffic generation. Plot 1 would still be set off the boundary with limited rooflights proposed in the rear roofslope; it is not considered this would lead to undue overlooking or loss of privacy. There would be some further loss of hedgerow within the site; however, this would be relatively limited to facilitate the access to plot 6.

In relation to the comments received from neighbours, the increase in height on plot 1 relates only to higher eaves heights with the ridge heights remaining the same; both increases are marginal and not considered to have an undue impact on amenity. The rooflights would be 1.7 metres from the internal floor level to minimise overlooking. The revised proposals have been assessed by the Conservation Officer who raises no objection.

The loss of hedgerow would be limited to the additional access width and being within the site does not contribute sufficiently to warrant a refusal.

Consultation & Feedback

A site notice was posted, the application advertised and neighbouring properties consulted. As a result a total of **9 letters of objection from 8 households have been received.**

Financial Implications:

There are no financial implications identified.

Background Papers:

17/01212/OUT - Erection of 10 dwellings and formation of vehicular access – Approved 14.03.18. 17/00587/FUL - Formation of access, conversion and extension of barns to form two dwellings and erection of car ports involving the demolition of a timber outbuilding – Approved 22.09.17. Application 18/00980/FUL for 8 dwellings was approved. Condition 2 stated: This permission relates to the following plans:

PL-001 Site Location Plan, PL-010 Proposed Site Plan, PL-011 Site Sections, PL-015A Plot 1, PL-016A Plot 2, PL-017A Plot 3, PL-018A Plot 4, PL-019A Plot 5, L-020A Plot 6, PL-021A Plot 7 and PL-022A Plot 8.

Condition 10 stated: The development hereby permitted shall not be occupied until such time as the parking, garage and turning facilities have been implemented in accordance with Red Sky drawing number PL-010. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Appendices:

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

Report Timeline:

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

☎: 01664 502395

Appendix A : Consultation replies

Parish Council strongly object to this application on the following grounds:

- 1) The increase in overall height on the majority of the plots and particularly on plot 1 will be far higher than the surrounding listed properties. As well as the dwelling that was granted permission directly behind this plot (18/00622). MBC Conservation stressed that any new builds should maintain a consistent ridge height with the surrounding listed properties during application 18/00622. The advised height was not above 7.6 metres;
- 2) Introducing a third storey is not in keeping with the surrounding properties or wider area;
- 3) The additional bedrooms/rooms are all expansions to the living spaces; this poses a knock-on effect of further traffic to the site that was not assessed during the initial application;
- 4) The addition of rooflights to the majority of the plots is out of keeping within the area the development sits in; this will also eliminate any privacy particularly in plot 1 for the dwelling to be built behind it (18/00622). It raises concerns that all the dwellings will become 3 storey;
- 5) Reversing the entrance to plot 6 will mean removal of more hedgerow. This development has already removed approximately 10 metres of hedgerow that should have been retained in order to facilitate an unsafe entrance onto a junction that was not in the plans. Removal of the only piece of remaining internal hedgerow is not in keeping with maintaining the rural setting on the edge of a village.

Conservation Officer Raised objections to the scheme as originally submitted; no objection to revised plans subject to details.

Cllr Evans I fully support the Parish Council, in that these changes are not insignificant and will alter considerably impact on surrounding properties.

Appendix B : Summary of representations received

Neighbours

A total of 9 letters from 8 households received, objecting on the following grounds:

Have permission to build a dwelling adjacent to Plot 1. Object to the considerable further enlargement and addition of a third storey internally as it would tower over both of the neighbouring grade 2 listed properties, and recently converted barns

within this conservation area, harmful to the conservation area, rooflights out of keeping, the extra height is not in keeping, the garage ridge height will further reduce the light available to the existing room above the cycle workshop that will be part of the approved new build, the proposed increase in roof height and creation of rooms in the roof will lead to overlooking and loss of privacy, loss of light. Adverse impact on the amenity of 12 City Road.

Loss of more hedgerow.

Added pressure on the junction.

Increase in density.

Appendix C: Recommended Conditions

01

The development shall be begun before 15th November 2021.

02

This permission relates to the following plans:

PL-010E Site Plan

PL-015C Plot 1

PL-016C Plot 2

PL-017B Plot 3

PL-018C Plot 4

PL-019C Plot 5

PL-020C Plot 6

PL-021B Plot 7

PL-022C Plot 8

03

The development shall be carried out using the following materials: Forterra Hampton Rural Blend facing bricks and Marley Lincoln Clay pantiles.

04

Within three months of the date of this permission a landscape scheme shall have been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also

indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.

05

The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

06

Prior to the first occupation of any dwelling hereby approved, the drainage scheme illustrated on 18-C020-235 P5 Plots 1-6 and 18-C020-230 P3 Plots 7-8 shall have been fully implemented.

07

No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The system shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.

08

Notwithstanding the submitted plans, the proposed vehicular access to the site from City Road shall have:

- a) A gradient of no more than 1:12 for a distance of at least 5 metres behind the highway boundary;
- b) Surfacing with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary;
- c) Drainage within the site such that surface water does not drain into the public highway;
- d) Visibility splays of 2.4 metres by 25 metres from the site access to the junction with Harby Lane and 2.4 metres by 43 metres to the north of the site access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway;

The vehicular access shall be provided in accordance with the details a) - d) prior to the first occupation of any dwelling hereby approved and once provided shall be so maintained at all times.

09

No part of the development hereby permitted and accessed from Harby Lane shall

be occupied until such time as the access arrangements shown on ML Consulting drawing number 100 Rev P1 have been implemented in full. The visibility splays, once provided, shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

10

The development hereby permitted shall not be occupied until such time as the parking, garage and turning facilities have been implemented in accordance with Red Sky drawing number PL-010E. Thereafter the onsite parking provision shall be so maintained in perpetuity.

11

Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary on to Harby Lane, nor shall any be erected within a distance of 5 metres of the highway boundary on to Harby Lane unless hung to open away from the highway.

12

The development shall only be carried out in accordance with the construction traffic management plan PL-101 received 5th September 2019.

13

The development shall take place in accordance with the Recommendations in Section 6 of the Preliminary Ecological Appraisal September 2017.

14

Before any dwelling hereby approved is occupied, the broadband provision, as set out in the Openreach letter dated 10.01.2019 shall have been provided.

15

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, B, C and E shall be carried out unless planning permission has first been granted for that development by the Local Planning Authority.

16

All windows shown as obscure glazed on the approved plans shall be glazed with densely obscured glass prior to the first occupation of the dwellings on the site. This arrangement shall thereafter be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

17

The development shall only be carried out in accordance with the approved details below:

- a) Details of windows/doors/doors heads/cills (Agent's letter dated 5th September 2019 and Plan PL-100A);
- b) The bond, mortar and pointing technique Plan PL-102 and Agent email of 5th September 2019 clarifying the proposed bond);
- c) Details of treatment of verges & eaves (Plan PL-100A).

18

Trickle vents shall not be inserted into the windows/doors hereby granted permission. Ventilation of the roof space shall not be provided via tile vents.

Appendix D : Applicable Development Plan Policies

Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy SS2 Development Strategy.
- Policy C1 A Housing Allocations
- 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.