

Reference: 10/00252/FUL

Date submitted: 19.04.10

Applicant: Mr Neil Herries

Location: 22 Main Street, Stathern, LE14 4HW

Proposal: Alterations to existing bungalow to add first floor and new 3 bedroom dwelling to the side.

Proposal :-

This application seeks planning permission to raise the roof of an existing bungalow to add first floor accommodation containing two bedrooms and for the construction of a two storey 3 bedroom dwelling to the northeast of the dwelling within the existing curtilage. The application site is situated within the village envelope and designated Conservation Area for Stathern. The existing bungalow is of simple form constructed from red brick and has a pantile roof and sits within a triangular curtilage bound by mature hedging with access to the site from the southwest, which is shared with No. 24 Main Street; a grade II listed building. This part of Stathern is fairly open with a designated Protected Open Areas immediately opposite the site to the east and to the rear. The built form of Stathern consists of a variety of styles, sizes and construction materials.

The application is to be considered by Committee as it proposes a departure from emerging LDF policy..

Relevant History:-

There are no planning histories relevant to this site.

Planning Policies:-

PPS 1: Delivering Sustainable Development - The guidance says that planning should promote sustainable and inclusive patterns of development. PPS1 requires local authorities to deliver development that is located in areas which reduce the need to travel by car and provide access to all members of the community to jobs, health, housing, education, shops, leisure, and community facilities. PPS1 suggests that the focus for development should be existing centres and discourages any new development which would impact negatively on the environment and actively encourages development which reduces the impacts of climate change.

PPS 3: Housing - amplifies the advice set out in PPS1, and particularly says that housing should be developed in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure. The priority for development in such locations should be previously developed land, where appropriate. The amended statement has removed residential garden area from the brownfield classification. PPS3 also sets out clear advice on determining planning applications, stating that we should have regard to the suitability of a site for housing (including its environmental sustainability) and that we should ensure that proposals are in line with housing objectives and do not undermine wider policy PPS3 specifically states that “Developers should bring forward proposals for market housing which reflect demand and the profile of households requiring market housing, in order to sustain mixed Communities” (Para 23). In relation to market housing PPS3 states that “One of the Government’s key objectives is to provide a variety of high quality market housing. This includes addressing any shortfalls in the supply of market housing and encouraging the managed replacement of housing, where appropriate. Local Planning Authorities should plan for the full range of market housing. In particular, they should take

account of the need to deliver low-cost market housing as part of the housing mix” (Para 25 & 26) objectives.

PPS 7 - Sustainable Development in Rural Areas - states that many country towns and villages are of considerable historic and architectural value, or make an important contribution to local countryside character. Planning authorities should ensure that development respects and, where possible, enhances these particular qualities. It should also contribute to a sense of local identity and regional diversity and be of an appropriate design and scale for its location, having regard to the policies on design contained in PPS3.

Melton Local Plan (saved policies):

Policies OS1 and BE1 allow for development within Village Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

Policy H6 states that planning permission for residential development within village envelopes will be confined to small groups of dwellings, single plots or the change of use of existing buildings.

Melton LDF Core Strategy: seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough, with expectations to produce mixed, integrated housing developments and meet local needs by addressing identified imbalances in housing stock in all locations.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority – No objections subject to conditions. The existing access serving the site is considered very poor as it has extremely restricted visibility splays from which vehicles reverse out into the highway. The proposed development would result in the closure of this access and provision of a new and better access, albeit serving two dwellings and not just one. As part of the proposal the Highways Authority would wish to see the footway on the site frontage widened which would also provide a benefit to pedestrian safety. On that basis the Highway Authority are prepared to look favourably upon the application as it provides highway safety gains.</p>	<p>The existing access to the site is via a shared drive to the east. Following on from discussions with the Highways Authority it was agreed to relocate the existing access further to the west; closing the existing access off. The existing hedge is to be removed and a low wall constructed further into the site to achieve appropriate visibility splays. The setting back of the wall also contributes to providing a wider footpath, which currently is not wide enough to accommodate a parent and child and to still allow a person to pass. This will be considered a highways gain and one that benefits pedestrians in the village.</p>
<p>MBC Conservation Officer – No objection. The proposed extension to the existing bungalow will add a first floor but will not increase its footprint. The increase in the ridge height and mass of the building and will of course increase its visual prominence on the streetscene. The features reflecting the local vernacular have been included within the design including dormer windows (which help to minimise ridge height), eaves detailing, a plat band between storeys and stone window cills. The Officer also notes that the</p>	<p>The site lies within the designated Conservation Area for Stathern. The existing bungalow is very plain and offers no benefit to the Conservation Area. The proposed application seeks to modernise the building and incorporates a first floor with an overall ridge height of 7.8 metres sloping to eaves height of 4.4 metres and introduces three pitched dormer windows to the front and rear, which breaks up the massing of the roof. An oak frame pitched roof porch is proposed on the front elevation providing a focal point to the principle elevation. There are no windows proposed on the side elevations. It is proposed to</p>

<p>use of rendering to cover the relatively modern brickwork is proposed. Taken together these serve to reduce the visual impact on the CA street scene as well as the setting of the adjacent listed building.</p>	<p>render the dwelling as any new bricks will not be matched to the existing bricks and will provide for a more appealing appearance upon the character of the conservation area.</p> <p>The new dwelling will be two storeys in height and constructed from red brick. It will reflect the design features of the existing property to be extended but on a smaller scale. The principle elevation will consist of a central pitched porch with windows either side at ground floor, with three pitched roof dormers at first floor. The rear elevation will be simpler with two pitched dormers and no windows to the southwest elevation. The northeast elevation will have a pair of doors at ground floor. It is considered that the overall design of the dwellings will better reflect the character of the area thus contributing to enhancing the Conservation Area.</p>
<p>Housing Policy Officer – Amended plans have now been submitted which make some alterations to the proposal with both properties now aiming to meet Lifetime Homes standards and some alterations to internal configurations.</p> <p>However, whilst these changes are an improvement the two dwellings which result will still be of a similar nature as previously proposed. The application seeks consent for the conversion of a 3 bed bungalow to create a 4 bed, two storey dwelling; and, the erection of a new 3 bed two storey dwelling.</p> <p>The amended dwellings proposed by the application are not supported as they would continue to add to the local imbalance of the housing market through the further addition of two larger properties and as such are considered inappropriate. This detrimental impact is further exacerbated by the loss of the existing bungalow, of which there is a substantiated need. On this basis the application is recommended for refusal as the local over supply of larger family accommodation and the under supply of bungalow accommodation would be further exacerbated, contrary to PPS3.</p> <p>If, despite this objection to the application, it is approved the adoption of Lifetime Homes standards should be ensured through condition requiring the dwellings be constructed to the standard</p>	<p>The LDF Core Strategy introduces a significant redirecting of policy requirements in terms of housing provision and it is considered that the Core Strategy, particularly in conjunction with the advice of PPS3 that it is intended to implement at the local level, is of sufficient importance to outweigh the Local Plan. This therefore introduces revised requirements for new development to address housing market imbalances.</p> <p>The application seeks the consent for alterations to an existing 3 bedroom bungalow to incorporate a first floor which will increase the no. of bedrooms to 4, which is considered contrary to the objectives of the Core Strategy and PPS3. The applicant has proposed to construct a smaller 3 bedroom dwelling within the curtilage of the site which will still maintain the housing stock in its current form for the village, although the loss of a bungalow would be regrettable. The existing dwelling is of a 1970's construction and is inadequate for the existing families needs due to having small kitchen and bathroom facilities and lack of bed space for the growing family. The no. of bedrooms could be increased under permitted development rights in the form of a loft conversion and an application to extend the existing property to increase its size is also unlikely to be resisted.</p> <p>The application has been amended and a wet room has been added to the ground floor and provisions for a ground floor bedroom can be provided in order to satisfy the policy objections of Lifetime Homes. The new 3 bed dwelling is still considered to not meet local need however it complies with Lifetime Homes and will offset the loss of the three bedroom property in Stathern. There is also the option for a bedroom to be used as a home office or study room as there is limited</p>

	<p>ground floor space which could increase the sustainability of the development allowing the occupier to work from home reducing the need to travel which complies with national policy objectives contained within PPS1 and PPS3.</p> <p>In this instance it is considered that the existing property could be enlarged to a four bedroom property and the proposed three bedroom dwelling off sets the loss of the three bedroom bungalow. Therefore, it is considered that a reason for refusal on these grounds would be unsustainable..</p>
Parish Council –	No comments received.
Leicestershire County Council Ecology: No objection to the proposal.	The application was supported with a protected species report and the county Ecologist was consulted who have raised no objection to the proposal.
<p>Leicestershire County Council Archaeology:</p> <p>The Leicestershire and Rutland Historic Environment Record (HER) shows that the application site lies in an area of archaeological interest, as it is within the historic medieval and post-medieval settlement core of Stathern. The site is also situated on the street frontage in an area which appears to show as undeveloped land on the late 19th century 1st edition Ordnance Survey map. Consequently, there is likelihood that buried archaeological remains will be affected by the development.</p> <p>Recommend that any planning permission be granted subject to the planning conditions to safeguard any important archaeological remains potentially present.</p>	Noted. Conditions can be applied as recommended.

Representations:

A site notice was posted and neighbouring properties consulted. As a result 2 letters have been received, objecting to the proposal on the following grounds:

Representation	Assessment of Head of Regulatory Services
<p>Impact upon Highway Safety:</p> <ul style="list-style-type: none"> The new access would be near to the bend Adequate parking facilities are required as parking on the highway has serious impact upon traffic flow. 	<p>The Highways Authority has been consulted and do not object to the proposed access as the existing access is considered to be very poor in terms of visibility out of the site. The existing access is to be conditioned to be closed off should approval be granted. The relocation of the access further to the west and removal of the hedge, which will provide a wider foot path, is considered to give greater visibility and the application is therefore an improvement and is acceptable.</p> <p>Parking provisions for both dwellings will be provided within the site and will utilise the same access. Conditions are to be imposed to secure</p>

	adequate parking.
<p>Impact upon the Character of the Area:</p> <ul style="list-style-type: none"> • The loss of the hedge will have a detrimental impact upon the Conservation Area. • Garden too small to squash in another dwelling. 	<p>The hedge is a domestic hedge and consent is not required for its removal. The hedge overhangs the pavement which has resulted in the width being considerably reduced. By removing the hedge and replacing with a low wall ensure that the pavement does not become obstructed in the future.</p> <p>The existing curtilage of the dwelling is triangular tapering off to the west of the dwelling. The area will be split to allow for a building plot and amenity space for the new dwelling. Residential garden area for the existing dwelling will still be provided to the rear. Planning Policy PPS3 has been amended which removes residential garden from brownfield classification, which ensures greater protection of residential gardens in locations where housing is not supported by the development plan and national statements. It is considered that the sub division of the plot to allow for a further dwelling is acceptable and can comply with the local plan policy BE1 which seeks to ensure that adequate space around and between dwellings is provided. The Council has no adopted space standards for residential amenities but it is considered that both dwellings can be served by appropriate amenity area.</p>

Considerations not raised through Representations.

Representation	Assessment of Head of Regulatory Services
<p>Impact upon the Street scene :</p>	<p>The site is situated along Main Street and is considered to be a prominent location. The bungalow is set back behind a front boundary hedge with access from a shared driveway to the west. The proposal will introduce 2no. two storey dwellings with alterations to the access and removal of a hedge to enable the construction of a 600mm high wall. In that regards the streetscene will under go some changes. However it is considered that given that the area consists of a mixture of house size, types and ages of dwellings and there being no particular building line to the street. The pair of dwellings are considered to not have a detrimental impact upon the streetscene and therefore can comply with policies OS1 and BE1. The change to land classification to Greenfield, in PPS3, is a material consideration but in this instance it is not considered to be so significant to warrant a departure from the development plan.</p>
<p>Impact upon Neighbouring Properties:</p>	<p>The new dwelling will be sited to the west of the host building and the proposal has been designed to have no impact upon either residents. The arrangement to the west of the existing property will remain unaffected. The addition of a first</p>

	<p>floor will introduce windows at first floor level; however there are no residential properties to the rear. To the east of the proposed new dwelling is a property fronting Narrow Lane, the rear elevation consists of a no. of windows however no windows are proposed on the east elevation of the proposed dwellings. The separation distance complies with standards and it is considered that the residential amenities will not be affected by the proposal. Across the highway to the southeast is a protected open area which is the recreation green for the village.</p> <p>The proposal has been assessed and it is considered that no residential properties will be affected by the development to an unacceptable level.</p>
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Conclusion

The application site lies within the village envelope and thus benefits from a presumption in favour of development under policies OS1 and BE1. The proposed development has been designed to have a limited impact on adjoining properties, and is considered capable of reflecting the character and appearance of the surrounding area. Although the new dwelling would represent the introduction of a building on land currently used as garden area it is considered that the character of the Conservation Area will be preserved through the design of the proposal being in keeping with the locality. The dwellings as proposed are not considered to support the Boroughs housing needs as open market dwellings however the bungalow has been designed specifically for the future needs of the existing family. Both dwellings have been design to assist with providing dwellings accessible to all and capable of being adapted in the future which complies with Lifetime Homes standards and as such the existing 'balance' of the stock would not be adversely affected.. Accordingly, it is not considered there are grounds for refusal and the proposal is recommended for approval.

RECOMMENDATION:- Approval subject to conditions:-

1. The development shall be begun before the expiration of three years from the date of this permission.
2. No development shall start on site until representative samples of the materials to be used in the construction of all external surfaces have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. The proposed development shall be carried out strictly in accordance with the amended plans deposited with the Local Planning Authority on the 14th June 2010.
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before (the use hereby permitted is commenced) or (before the building(s) is/are occupied) or (in accordance with a timetable agreed in writing with the Local Planning Authority). Development shall be carried out in accordance with the approved details.
5. Notwithstanding the details submitted, the existing footway across the whole site frontage shall be widened to a minimum width and constructed in accordance with Highway Authority standards before the proposed dwelling is first occupied. Such works shall require the relocation of existing street furniture (lamp column, telegraph pole etc)

6. Before building works first commence, visibility splays of 2.4 metres by the maximum available within land under the applicants control, shall be provided out of the proposed access on to Main Street. These splays shall be cleared of any obstruction that exceeds a height of 0.6 metres above the level of the adjacent carriageway and shall thereafter be permanently so maintained.
7. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected across the vehicular access or the proposed parking and turning areas.
8. Within one month of the new access being provided, the existing vehicular access currently serving the existing dwelling shall have been permanently closed.
9. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.
10. The gradient of the proposed access drive shall not exceed 1:12 for the first 5 metres behind the highway boundary.
11. The proposed parking and turning facilities shown serving both the existing dwelling and the proposed dwelling, shall be provided, hard surfaced in tarmac, concrete paving or other similar hard bound material and made available for use before the proposed dwelling is first occupied and shall thereafter be permanently so maintained.
12. Notwithstanding the details submitted, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on both sides of the access at the back of the widened footway with nothing within those splays higher than 0.6 metres above the level of the adjacent footway, in accordance with the current standards of the Highway Authority before building works commence and shall be so maintained in perpetuity.
13. During the course of the proposed development a strict watching brief shall be maintained for protected species. In the event of any protected species being discovered work must cease temporarily whilst expert advice is sought.
14. No development shall take place within the application area until the applicant has secured the implementation of an appropriate programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved by the planning authority. The development shall be undertaken only in full accordance with the approved written scheme. No variation shall take place without the prior written consent of the local planning authority.
15. The applicant shall notify the local planning authority of the intention to commence works (including site works of any kind) at least one week before such commencement. Thereafter, the programme of archaeological work shall be completed in accordance with the approved written scheme of investigation, including any necessary fieldwork, post-excavation analysis, report writing and archive deposition, as detailed in the approved scheme. The report and archive shall be prepared and deposited no later than six months after the commencement of fieldwork. No variation shall take place without the prior written consent of the local planning authority.
16. The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
3. For the avoidance of doubt; the initial proposals being considered unsatisfactory.
4. To preserve the amenities of the locality.
5. In the interests of pedestrian safety.
6. To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.
7. To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic, including pedestrians, in the public highway.
8. To reduce the number of vehicular accesses to the site and consequently to reduce the number of potential conflict points.
9. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users.
10. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.
11. In the general interests of highway safety
12. In the interests of pedestrian safety.
13. To preserve any protected species
14. To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation.
15. To ensure satisfactory archaeological investigation and recording
16. To produce flexible, accessible and adaptable homes appropriate to diverse and changing needs.

Officer to contact:

Mrs Denise Knipe

8th July 2010