

Erection of detached dwelling with alterations to existing access

Report Item No
A7

30 Ashby Road Newbold Coalville Leicestershire LE67 8PB

Application Reference
17/01606/FUL

Applicant:
Mr T M Holmes

Date Registered:
20 October 2017

Case Officer:
Rob Duckworth

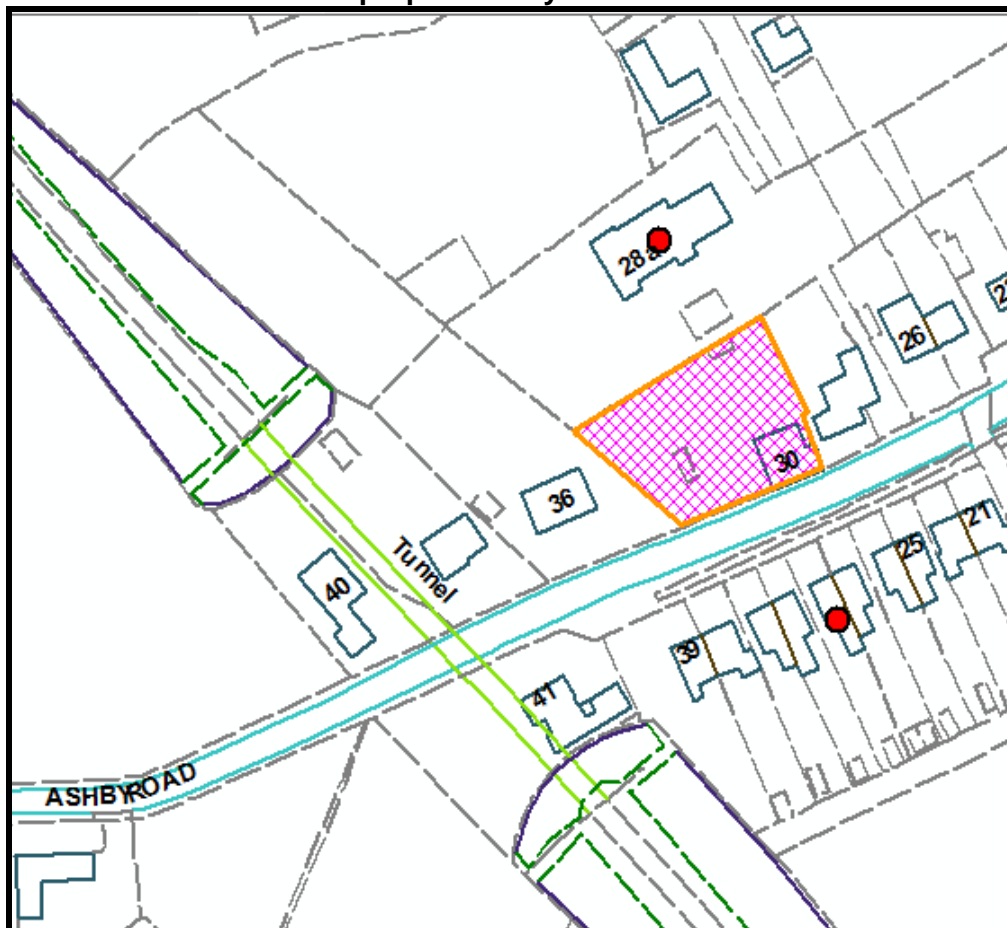
Consultation Expiry:
18 November 2017

Recommendation:
REFUSE

8 Week Date:
15 December 2017

Extension of Time:
12 January 2018

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS

Call In

The application is brought to the Planning Committee at the request of the Local Ward Councillor to assess the suitability of the proposal in the context of Policy S2 of the Council's adopted Local Plan.

Proposal

Planning permission is sought for the erection of one detached dwelling adjacent to No.30 Ashby Road, Newbold. The plans show a detached, two-bed, dormer bungalow of similar footprint size to the host property. Access to the site is proposed from an amended shared drive off Ashby Road.

Consultations

A total of three individual representations have been received which support the proposals. There are no objections from other statutory consultees subject to conditions.

Planning Policy

The site lies outside the Limits to Development as identified in the North West Leicestershire Local Plan 2017. The application has been assessed against the relevant policies in the NPPF, the Local Plan and other relevant guidance.

Conclusion

The site is located within the countryside and residential development is not listed as an acceptable use under Policy S3 of the adopted Local Plan 2017. Therefore, the proposal would be fundamentally at odds with the settlement hierarchy and strategic housing aims of Policy S2 and the countryside Policy S3 in the adopted Local Plan 2017. Newbold Coleorton is not considered to be a sustainable settlement and occupiers of the dwelling would be reliant upon the private motorcar to access basic day to day needs.

There are no material planning considerations that would outweigh this harm. Accordingly, the proposal cannot be considered to represent sustainable development and, therefore, the application is not considered to be acceptable. Therefore, it is recommended that the application be refused for this reason.

It is therefore recommended that the application be refused.

RECOMMENDATION - REFUSE.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Planning permission is sought for the erection of one detached dwelling adjacent to No.30 Ashby Road, Newbold. The plans show a detached, two-bed, dormer bungalow of similar footprint size to the host property. Access to the site is proposed from an amended shared drive off Ashby Road. Two car parking spaces have been provided for both the proposed and host property.

The application site is located outside of the Limits to Development in the Council's Local Plan 2017.

There is no relevant Planning history for the site.

2. Publicity

13 Neighbours have been notified.
Site Notice displayed 27 October 2017.
Press Notice published Leicester Mercury 1 November 2017.

3. Summary of Consultations and Representations Received

Worthington Parish Council - No representation received.

Severn Trent - No representations received.

NWLDC Environmental Health - No objections.

NWLDC Environmental Protection / Contamination - No objections subject to conditions.

Third Party Representations

Three representations have been received from third parties which support the proposed development and whose comments are summarised as follows: -

- Supporting local need and affordable housing.
- Suitable for village.
- No amenity issues.
- Well Designed

4. Relevant Planning Policy

National Planning Policy Framework

The following sections of the NPPF are considered relevant to the determination of this application:

- Paragraph 7 (Achieving sustainable development)
- Paragraph 14 (Presumption in favour of sustainable development)

Paragraph 32, 34 (Promoting sustainable transport)
Paragraph 47, 49 (Delivering a wide choice of high quality homes)
Paragraph 57, 59, 61 (Requiring good design)

North West Leicestershire Local Plan 2017

The following policies of the adopted local plan are consistent with the policies of the NPPF and should be afforded weight in the determination of this application:

Policy S2 - Settlement Hierarchy
Policy S3 - Countryside
Policy D1 - Design of New Development
Policy D2 - Amenity
Policy IF4 - Transport Infrastructure and New Development
Policy IF7 - Parking Provision and New Development
Policy En1 - Nature Conservation
Policy Cc2 - Water - Flood Risk
Policy Cc3 - Water - Sustainable Drainage Systems

Other Guidance

National Planning Practice Guidance (NPPG)
6Cs Design Guide (Leicestershire County Council)
The Good Design SPD

5. Assessment

Principle and Sustainability

In accordance with the provision of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the Development Plan which, in this instance, includes the adopted Local Plan (2017).

In terms of the Council's adopted Local Plan, Policy S2 of the adopted Local Plan contains a settlement hierarchy and Newbold Coleorton is specified as a 'Small Village' with limited services and facilities and where residential development is not supported unless it is a conversion or redevelopment of previously developed land (as defined by the NPPF). The area would be classified as a built up area but still rural and not supported by any shops or other services other than bus stops (with notably poor service), pub, and primary school. The concept of new development being directed to locations that minimise reliance on the private motorcar is also contained within the NPPF. Given the above, it is considered the future occupiers of the dwelling would be heavily reliant upon the private motorcar to access basic day to day needs, which weighs heavily against the site being socially sustainable.

The site is located within the countryside where residential development is not listed as an acceptable use under Policy S3 of the Local Plan 2017. Therefore, the proposal would be fundamentally at odds with the settlement hierarchy and strategic housing aims of Policy S2 and the countryside Policy S3 in the adopted Local Plan.

The site currently represents part of the residential curtilage associated with the host property, No.30 Ashby Road, Newbold Coleorton. Garden land in built up areas is excluded from the definition of previously developed land set out in the NPPF and therefore effectively constitutes a greenfield site. The NPPF states that decisions should encourage the effective use of land by re-using land that has been previously developed and that Local Planning Authorities should consider the use of policies to resist inappropriate development of residential gardens. As the Council does not have a specific policy that prevents development on gardens, it is deemed that

a reason for refusal on the basis of the loss of part of the residential garden could not be justified in this instance.

Taking this into account it is not considered that the proposal is in accordance with the development plan and cannot be considered to represent sustainable development. Therefore, the application is not considered to be acceptable in principle.

Design

The need for good design in new residential development is outlined not only in adopted Local Plan Policy D1 but also Paragraphs 57, 60 and 61 of the NPPF.

There are a variety of dwellings in the vicinity, most being inter or post war style, but there are some more modern additions. The houses are a mix of bungalows, two storey, detached and semi-detached with most fronting Ashby Road. The host property is a detached 19th Century dwelling that has been heavily modified and is noted as being one of few rendered properties along the street. The site is notably different from most on the street as the house is towards the eastern corner with the remainder of the site being a large side and rear garden.

The proposed dwelling is of a rural dormer bungalow design not readily identifiable within the village but acceptable nonetheless. The general scale, form, massing and materials proposed would be acceptable for the site and would be appropriate within the street scene.

In terms of wider visual impacts on the countryside, the site is bounded by residential development and therefore, it is not considered that the development of the site would result in significant harm in this regard.

Therefore, it is considered that the proposed design would comply with Policy D1 of the Local Plan 2017, the NPPF and the Good Design SPD.

Neighbours' Amenities

Based on the location, orientation and design of the proposed dwelling it is considered that there will be no adverse impacts upon neighbouring properties nor for the future occupants. There is sufficient resultant amenity space for the proposed and the host dwelling.

The District Council's Environmental Protection team has reviewed the submitted information and has no objections and it is not considered that the proposal would result in significant adverse impacts on health or quality of life. Accordingly, the requirements under Policy D2 of the Local Plan 2017 are considered to have been met by the scheme and the proposal would not conflict with paragraph 123 of the NPPF.

Highway Safety

Access to the site would be altered by moving it closer to the existing house. This would serve both the host property and the proposed house. A total of four car parking spaces have been proposed which is an acceptable provision for both dwellings and the access arrangements are considered to accord with the 6Cs Design Guide, the LCC Highways Standing Advice and the Good Design SPD.

Overall, the proposal is considered to be acceptable in relation to Policies IF4 and IF7 of the adopted Local Plan as well as the County Council 6Cs design guidance.

Other

The applicant's agent has, during the course of the application, indicated that the dwelling would

be both 'self-build' and a 'local needs' dwelling. There are no policies within the Local Plan 2017 or the NPPF which attach any weight to a potential 'local need' dwelling. In respect of 'self-build' there is policy support for such dwellings in the NPPF but this would not outweigh the substantial conflict with the adopted Local Plan and the advice in the NPPF identified above.

Conclusion

The site is located within the countryside and residential development is not listed as an acceptable use under Policy S3 of the adopted Local Plan 2017. Therefore, the proposal would be fundamentally at odds with the settlement hierarchy and strategic housing aims of Policy S2 and the countryside Policy S3 in the adopted Local Plan 2017. Newbold is not considered to be a sustainable settlement and occupiers of the dwelling would be reliant upon the private motorcar to access basic day to day needs.

There are no material planning considerations that would outweigh this harm. Accordingly, the proposal cannot be considered to represent sustainable development and, therefore, the application is not considered to be acceptable. Therefore, it is recommended that the application be refused for this reason.

RECOMMENDATION - REFUSE, for the following reason:

- 1 Policy S2 of the Local Plan (2017) contains a settlement hierarchy and Newbold Coleorton is specified as a 'Small Village' that has limited services and facilities and where residential development is not supported. Policy S3 of the Local Plan (2017) does not support residential development unless it is a conversion or redevelopment of previously developed land (as defined by the NPPF). The proposal would be fundamentally at odds with the settlement hierarchy and strategic housing aims of Policy S2 and the countryside Policy S3 in the Local Plan (2017) and future occupiers of the dwelling would be heavily reliant upon the private motorcar to access basic day to day needs. Approval of the application would result in the unnecessary development of land located outside Limits to Development, not constituting sustainable development, and contrary to the policies and intentions of Policy S2 and S3 of the Local Plan (2017) and the advice in the NPPF.