

Conversion of block of garages to form one two bedroom dwelling.

Report Item No
A5

7 Elder Lane Griffydham Coalville Leicestershire LE67 8HD

Application Reference
18/00054/FUL

Applicant:
Mrs Diane Brooks

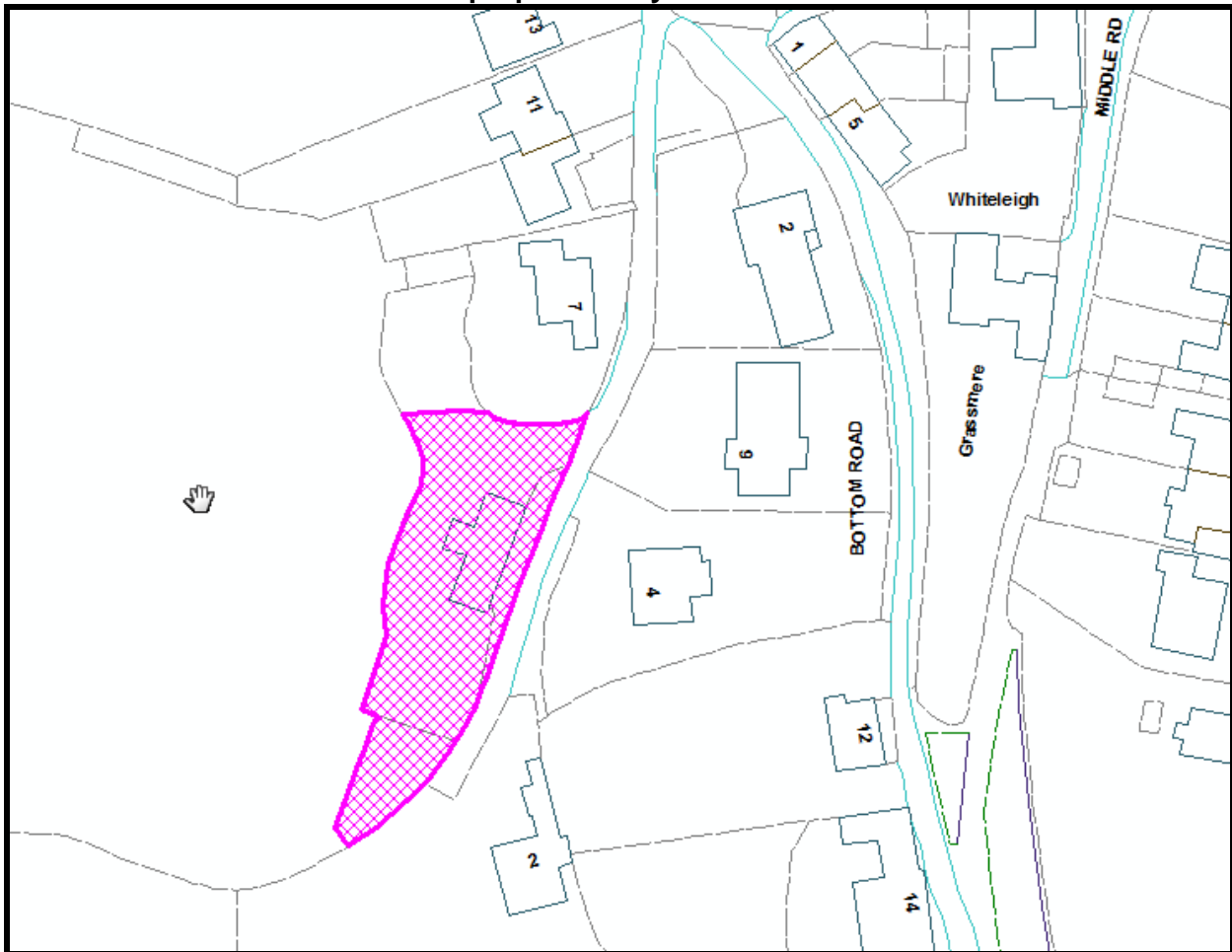
Date Registered:
26 January 2018
Consultation Expiry:
17 April 2018
8 Week Date:
23 March 2018

Case Officer:
Hannah Exley

Extension of Time:
6 July 2018

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office
©copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence LA 100019329)

Executive Summary of Proposals and Recommendation

Call In

The application is brought to the Planning Committee due to neighbour objections being raised.

Proposal

Planning permission is sought for the conversion of a single storey garage building currently used in connection with No.7 Elder Lane to form one two-bedroomed residential dwelling. The curtilage to the proposed converted dwelling also includes an existing garage building and vehicular access to the dwelling would be via an existing vehicular access off Elder Lane that would be shared by the occupiers of the existing dwelling at No.7 Elder Lane.

Consultations

A total of 7 letters of representation have been received 6 stating support for/ and 1 raising objection to the proposals. No response had been received from Worthington Parish Council at the time of writing this report and objections have not been raised by other all statutory consultees.

Planning Policy

The site is located outside the Limits to Development on the Policy Map to the adopted Local Plan. The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

The proposal is acceptable in principle, and would not have an adverse impact in terms of design, the character and visual amenities of the area, residential amenities, highway safety and protected species. As such the proposal is considered to constitute a sustainable form of development. There are no other relevant material planning considerations that indicate planning permission should not be granted. It is therefore recommended that planning permission be granted.

RECOMMENDATION:- PERMIT SUBJECT TO THE IMPOSITION OF CONDITIONS

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 and the Officer's assessment, 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 conversion of a single storey garage building currently used in connection with No.7 Elder Lane to form one two-bedroomed residential dwelling. The curtilage to the proposed converted dwelling also includes an existing garage building and vehicular access to the dwelling would be via an existing vehicular access off Elder Lane that would be shared by the occupiers of the existing dwelling at No.7 Elder Lane.

Amended plans have been secured during the course of the application following officer concerns about the design of the proposed dormer windows and the design and positioning of ground floor windows/glazing.

The site is located outside the Limits to Development as defined by the adopted Local Plan (2017).

The application submission was accompanied by a Design and Access Statement and a Bat Survey was provided during the course of the application.

Relevant planning history:

93/1121 - Extensions to dwelling, garage and stable block (Permitted).

2. Publicity

4 neighbours notified.

Site Notice displayed 8 February 2018.

3. Summary of Consultations and Representations Received

The following summary of responses is provided.

Worthington Parish Council - no response received.

Leicestershire County Council - Highways refer the Authority to Highways Standing Advice.

Leicestershire County Council - Ecology advises that following the submission of a Bat Survey no further surveys or mitigation is required.

NWLDC - Environmental Protection has no environmental observations subject to contaminated land conditions.

Severn Trent Water - no response received.

Coal Authority - no response received.

Third Party Representations:

A total of 7 letters of neighbour representation have been received.

6 letters of have be received stating support for the following reasons:

- re-use of an existing building to provide much needed accommodation in the village;
- it would allow existing residents to downsize and remain in the village and for a large family home to become available;

- another dwelling would help contribute to the retention of services in the village, particularly the school as it would free up a family home;
- the building is suitable for conversion and the proposals are sympathetic to the village;
- previous developments undertaken by the applicant have been carried out to a high standard;
- the proposal accords with national and local policies;
- the size of the building would remain as existing and therefore would have no impact on the streetscene or the outlook of neighbouring residents;
- the lane is lightly trafficked and there is ample off-street parking and so the proposal would cause little issue;
- there would be no disruption to neighbours as there is adequate space within the site for delivery vehicles to turn without affecting the Lane;
- other conversion schemes have been granted in the village.

1 letter has been received raising the following concerns:

- additional traffic using the Lane which is only single lane width;
- if permission is granted, restrictions should be placed on the hours for building work.

4. Relevant Planning Policy

National Policies

National Planning Policy Framework

The policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF. The following paragraphs of the NPPF are considered relevant to the determination of this application:

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

Paragraph 17 (Achieving sustainable development);
Paragraph 14 (Presumption in favour of sustainable development);
Paragraphs 32 (Promoting sustainable transport);
Paragraph 57, 60, 61 (Requiring good design);
Paragraph 109 and 118 (Conserving and enhancing the natural environment); and
Paragraph 203 and 206 (Planning conditions and obligations);

Adopted North West Leicestershire Local Plan (2017)

The following Local Plan policies are relevant to this application:

Policy S1 - Future Housing and Economic Development Needs
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

Other Guidance

National Planning Practice Guidance - March 2014.

Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System.

Leicestershire Highways Design Guide (Leicestershire County Council) - sets out the County Highway Authority's requirements in respect of the design and layout of new development.

Good Design for North West Leicestershire SPD.

5. Assessment

Principle of Development

In accordance with the provisions 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 North West Leicestershire Local Plan (2017).

The application site lies outside the defined Limits to Development and Policy S3 of the adopted Local Plan permits the re-use and adaptation of rural buildings for appropriate purposes including housing, in accordance with the settlement hierarchy set out in Policy S2. Policy S2 of the adopted Plan identifies Griffydam as a small village with very limited services and where development will be restricted to conversions of existing buildings or the redevelopment of previously developed land. Therefore, it is considered that the re-use of an existing rural buildings for residential purposes would be acceptable in principle, for the purposes of Policies S2 and S3 of the adopted Local Plan.

Paragraph 17 of the NPPF highlights the need to recognise the intrinsic character and beauty of the countryside, but does not specifically preclude development within the countryside. Consideration must also be given to whether the proposals constitute sustainable development (including in its economic, social and environmental roles) given the presumption in favour of such as set out in the NPPF.

In terms of social sustainability, whilst the proposal would not result in an 'isolated' dwelling in the countryside given the proximity of other dwellings, Griffydam does not benefit from many services and as such any future resident would be isolated from key services that meet day to day needs. The limitations of the public transport available would also restrict the opportunity to access services other than via the private car. The concept of new development being directed to locations that minimise reliance on the private motorcar is contained within the NPPF. However, in this case, on balance the use of an existing rural building, which is encouraged within the NPPF, is considered to outweigh the conflict with the social strand of sustainable development.

In terms of environmental sustainability as set out in more detail below, the proposal would not result in any unacceptable impacts on the natural or built environment. There would also be very limited economic benefits which would include local construction jobs and helping to maintain local services in the area.

In conclusion, the proposal would not have unacceptable impacts on the natural or built environment and would have very limited economic benefits. Whilst future occupiers of the dwellings would be reliant upon the private motorcar to access basic day to day needs, which

weighs against the site being socially sustainable, the use of an existing building is considered to outweigh the conflict with the social strand of sustainable development.

Therefore, in the overall balance it is considered that whilst the proposal would represent a sustainable form of development as it would not significantly conflict with paragraphs 14 and 17 of the NPPF and would comply with both Policies S2 and S3 of the adopted Local Plan.

Design and Visual Impact

The need for good design in new residential development is outlined in adopted Local Plan Policy D1 of the adopted Local Plan and Paragraphs 57, 60 and 61 of the NPPF.

The existing building is a symmetrical structure and the proposed amended plans would enable this strong symmetry to be retained. Two dormer windows would be added at first floor level and the roof pitch of these has been amended to reflect that of the existing building. The dormer windows are modest in size and do not appear out of scale or character with the existing building. At ground floor level, the amended plans show the existing large garage doors to be fully glazed and a single door opening enlarged to provide to large glazed openings either side of the entrance door, which has been inserted into a former larger opening beneath an existing canopy. To the rear elevation a large opening filled with metal railings is to be infilled, and two existing openings are to be utilised, albeit one window light being removed. To the side elevations, one would remain blank and a single light window is to be added to the other side elevation at ground floor level.

The site could accommodate all of the necessary requirements (private garden, parking/turning space, bin collection area) and would not be cramped or overdeveloped. As such it is considered that the proposal would not be significantly harmful to the character and visual amenities of the streetscene and countryside and would comply with the provisions of Policy D1 of the adopted Local Plan and Paragraphs 57, 60 and 61 of the NPPF.

Residential Amenities

The properties that would be most immediately affected by the proposed dwellings would be Nos. 2, 7 and 9 Elder Lane.

No. 2 and 9 Elder Lane are located to the east of the application site on the opposite side of Elder Lane on higher land levels and set back from the highway. The application building would present its rear elevation to the highway and the only changes to this elevation relate to windows at ground floor level and no windows are proposed at first floor level in this elevation. The size of the building would remain unchanged from the east and therefore, there would be no additional overbearing or overshadowing impacts arising as a result of the development. The ground floor windows would serve an open plan living area, utility and en-suite bathroom and due to the distance available between these windows and the neighbouring properties, along with rising land levels to the east, it is not considered that there would be any significant overlooking of these neighbouring properties.

The dwelling at No.7 Elder Lane is located approximately 21m to the north of the application building and the side/rear garden to this dwelling would be located 9.5-10.5m from the side elevation of the application building. There are no windows at first floor level in the side elevation of the proposed dwelling which faces No.7 that would allow any overlooking of this neighbouring property or its garden area. Furthermore, it is not considered that the additional dormer windows would significantly affect the size of the building as viewed from the north and

therefore, there would be no significantly greater overbearing or overshadowing impacts from the development on this neighbouring property.

The proposal would result in additional comings and goings out of the access drive, which would be shared by No.7 Elder Lane but when having regard to the fact that the proposal is for one dwelling only, it is not considered that any noise and disturbance associated with these vehicular movements would result in any significant adverse impact on the amenities of the neighbouring occupiers at Nos. 2, 7 and 9 Elder Lane.

Overall, it is considered that the development would not have any significant detrimental impact upon neighbouring residential amenities and the proposal is considered to be acceptable in relation to Policy D2 of the adopted Local Plan.

Access and Highway Safety

The County Highways Authority advise that the application falls to be considered under highways Standing Advice.

The proposed development would utilise an existing access which currently serves the existing dwelling at No.7 Elder Lane. This is one of two accesses serving the existing dwelling with the other providing access to parking at the front of the existing dwelling. The access for the proposed dwelling would also continue to serve No.7 Elder Lane which also has a parking area and stables to the rear of the existing dwelling.

The existing access which would serve the proposed dwelling is off a road of narrow width which is considered to be unsuitable for additional traffic. In addition, the visibility splays available at the proposed access are restricted and the required standards cannot be achieved. The public highway outside the site forms the route of a public footpath and therefore, there would also be concerns about additional conflicts between vehicles and pedestrians.

Having sought additional advice from the County Highways Authority, the County Officer has advised that when having regard to the land within the control of the applicant, there is an opportunity to improve the existing visibility splays at the access in both directions by reducing the height of shrubs and walls within the splay to 0.6m or below, which would represent a highway gain. It is considered that the likely speed on this stretch of highway would be 15mph, resulting in a visibility splay requirement of 2.4m x 17m in both directions. The applicant has provided an amended plan showing the above-mentioned visibility splays, and it is considered that such improvements to the access represent a highway gain that could overcome the highway concerns about additional traffic on a narrow unsuitable road.

In summary, subject to conditions, it is considered that the highway impacts of the development are not severe and the scheme is acceptable in relation to Policies IF4 and IF7 of adopted Local Plan and the Leicestershire Highways Design Guide and Paragraph 32 of the NPPF.

Ecology

The proposals include the conversion of a rural building and during the course of the application, a Bat Survey was provided at the request of the County Ecologist. The County Ecologist has been re-consulted following the submission of the Bat Survey and advises that the ecology information provided is acceptable. No bats or evidence of bats were found and the County Ecologist advises that the building is of low risk for bat roosts, and that no further surveys or mitigation is required.

Therefore, it is considered that protected species would not be adversely affected the proposal meets the requirements of the Habitats Regulations 2010 in respect of protected species, and would also comply with Policy EN1 of the adopted Local Plan and paragraphs 109 and 118 of the NPPF.

Other

The site lies close to an area designated as a Coal Mining Referral Area but the designation only affects the vehicular access to the site and does not cover the building for which approval is sought to convert. The Coal Authority has been consulted on the application proposal but no response has been received. Whilst no response has been received, the proposal relates to the conversion of an existing rural building and referral designation only covers a small part of the site where no ground works are proposed.

Conclusion

The proposal is acceptable in principle, and would not have an adverse impact in terms of design, the character and visual amenities of the area, residential amenities, highway safety and protected species. As such the proposal is considered to constitute a sustainable form of development. There are no other relevant material planning considerations that indicate planning permission should not be granted. It is therefore recommended that planning permission be granted.

RECOMMENDATION - PERMIT, subject to the following condition(s):

1. Time Limit
2. Approved Plans
3. Materials to Match
4. Curtilage Plan
5. Contaminated Land
6. Contaminated Land
7. Visibility Splays
8. Parking