

Erection of a detached two-storey dwelling with associated off-street parking

**Report Item No
A5**

**Land Adjacent To 94 Moor Lane Coleorton Coalville
Leicestershire LE67 8FQ**

**Application Reference
15/00727/FUL**

**Applicant:
Mr N Redburn**

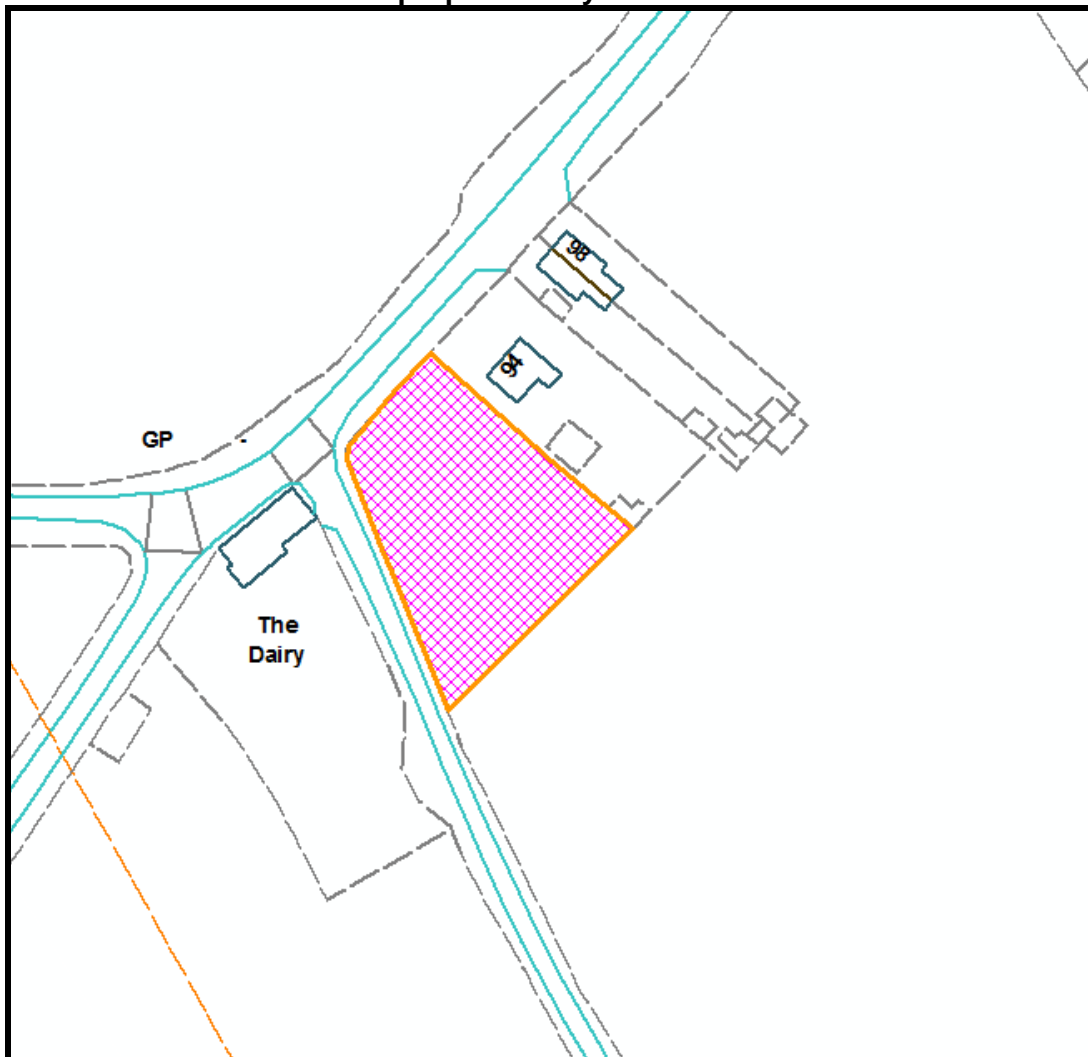
**Date Registered
8 September 2015**

**Case Officer:
Adam Mellor**

**Target Decision Date
3 November 2015**

**Recommendation:
REFUSE**

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 to allow them to assess the 'local need' for the dwelling given that consideration will be given to a similar development at land off Bakewells Lane, Coleorton under application reference 15/00958/FUL which is within the vicinity of the site, and also reported to this Planning Committee agenda.

Proposal

The application relates to the provision of a two-storey detached dwelling with associated detached garage at land adjacent to 94 Moor Lane, Coleorton. It is noted that the application site is outside the defined Limits to Development; it is proposed by the applicant that the dwelling would meet a 'local need'.

Consultations

No representations from third parties have been received with all statutory consultees raising no objections subject to the inclusion of conditions on any consent granted.

Planning Policy

It is considered that the development would result in conflict with the social and environmental strands of sustainability and Paragraphs 17 and 55 of the National Planning Policy Framework as well as Policies S3 and H4/1 of the adopted North West Leicestershire Local Plan.

Conclusion

The report above indicates that this is a Greenfield site outside the Limits to Development of the nearest settlement being Coleorton.

A heavy reliance on the private car, an unsustainable mode of transport, for any future occupants to undertake their daily duties would not support the move towards a low carbon economy or seek to use natural resources prudently. In these circumstances, the proposed development of the site is unacceptable in principle and would conflict with the environmental strand of sustainability enshrined within the NPPF as well as Policies S3 and H4/1 of the adopted Local Plan.

In addition, the site would not be situated within an acceptable walking distance of local services which would meet the day to day needs of the occupants and therefore the development of the site would not provide accessibility to an appropriate level of services. Consequently the development would also conflict with the social strand of sustainability enshrined within the NPPF.

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 a detached two-storey dwelling with associated off-street parking at land adjacent to 94 Moor Lane, Coleorton. The land in question is agricultural pasture and is situated on the south-eastern side of Moor Lane at the junction with Limby Hall Lane and would be to the south-west of No. 94 Moor Lane. It is identified, on the Proposals Map to the North West Leicestershire Local Plan, that the site is outside the defined Limits to Development with the surrounding area consisting predominately of open countryside with residential dwellings sporadically located along Moor Lane generally in close proximity to the highway.

Following amendments to the plans the proposed four bedroomed dwelling would be situated 13.0 metres from Moor Lane and would have a floor area of 167.22 square metres and use of a pitched gable ended roof with an overall height of 8.5 metres. A detached double garage would also be formed which would cover a ground area of 54.74 square metres and would utilise a pitched gable ended roof with a ridge height of 6.2 metres. It is proposed that a new vehicular access off Limby Hall Lane would be formed to serve the dwelling, with an existing access located in the north-western corner at the junction of Moor Lane with Limby Hall Lane being closed. Manoeuvring facilities would be provided within the curtilage with off-street parking being accommodated within the detached double garage.

It is proposed that the dwelling would meet a 'local need' with the supporting information identifying the following: -

- *"The applicant's parents live in a small bungalow on Limby Hall Lane approximately 350m to the south of the application site. They have lived at the bungalow for approximately 20 years and before that lived at the Mill House on Moor Lane for about 10 years. Before they lived at Beaumont Farm on Lower Moor Road which is where the applicant was born and raised until he was 20 years old;*
- *The applicant moved to Coalville in circa 1989 and later Whitwick in 1999 because he could not afford to buy a house within the Parish. The applicant's mother and father are 86 years and 76 years old respectively and his father suffered a heart attack early this year and now needs frequent attention and attendance by the applicant due to his age and ill-health;*
- *So far as the choice of location is concerned, affordability and proximity to the applicant's parents house are important considerations as well as ensuring that the development does not have a harmful impact on the character of the countryside. Whilst not located within Limits to Development, nonetheless, the site is more closely related to the existing group of adjoining houses than other sites in the area and it is also within a short walk of the applicant's parents house so he does not have to use his car for daily visits and is on-hand at short notice;*
- *Any land/sites within the identified Limits to Development with development potential will fetch a premium (assuming they were for sale) and therefore, would render the proposal unaffordable. Seen in this light, the availability of land within Limits to Development (or on the edge) with development potential is irrelevant because if it were available, it would make the project unaffordable;*
- *The information attached, illustrates that the nearest groups of houses with Limits to Development drawn around them. It will be noted from this that there are no sites within Limits to Development that are closer to the applicant's parents house than the application site and to our knowledge, there are no sites with planning permission*

- available for sale within or on the edges of these Limits to Development;*
- *The applicant would not be able to afford to live within the Parish if it were not for this opportunity to "self build" a house for himself and his family. The applicant is not relying on the argument that he seeks permission here because he does not own land elsewhere - this is the most realistically "available" plot of land to accommodate the proposals in a way that satisfies his requirements but at the same time having as little impact on the countryside as possible by being closely related to existing buildings. The fact that there are no reasonably available alternative is borne out in the Best Price Guide. There are no other available sites and the submitted estate agent Best Price Guide proves that the cost of housing in the area is unaffordable."*

A planning statement, incorporating a design and access statement, coal mining risk assessment and best practice house price guide have been submitted in support of the application.

No previous planning history was found.

2. Publicity

8 no. neighbours have been notified (Date of last notification 9 September 2015)

Site Notice displayed 16 September 2015

Press Notice published 16 September 2015

3. Consultations

Swannington Parish Council consulted 9 September 2015

County Highway Authority

Severn Trent Water Limited

Head of Environmental Protection

Coal Authority

4. Summary of Representations Received

The following summary of representations is provided. Members will note that full copies of correspondence received are available on the planning file.

Coal Authority has no objections subject to the imposition of a condition on any consent granted.

Leicestershire County Council - Highways initially advised that they had no objections subject to the standing advice being considered. Following the proposed changes to the access position the County Highways Authority has no objections subject to conditions.

NWLDC - Environmental Protection has no objections.

Severn Trent Water no representation received.

Swannington Parish Council has no objections.

Third Party Representations

No third party representations have been received.

5. Relevant Planning Policy

National Policies

National Planning Policy Framework

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

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

Paragraph 10 (Achieving sustainable development);
 Paragraph 14 (Presumption in favour of sustainable development);
 Paragraph 17 (Core planning principles);
 Paragraph 28 (Supporting a prosperous rural economy);
 Paragraph 32 (Promoting sustainable transport);
 Paragraph 39 (Promoting sustainable transport);
 Paragraph 49 (Delivering a wide choice of high quality homes);
 Paragraph 53 (Delivering a wide choice of high quality homes);
 Paragraph 55 (Delivering a wide choice of high quality homes);
 Paragraph 57 (Requiring good design);
 Paragraph 60 (Requiring good design);
 Paragraph 61 (Requiring good design);
 Paragraph 75 (Promoting healthy communities);
 Paragraph 103 (Meeting the challenge of climate change, flooding and coastal change);
 Paragraph 112 (Conserving and enhancing the natural environment);
 Paragraph 118 (Conserving and enhancing the natural environment);
 Paragraph 120 (Conserving and enhancing the natural environment);
 Paragraph 121 (Conserving and enhancing the natural environment);
 Paragraph 203 (Planning conditions and obligations);
 Paragraph 206 (Planning conditions and obligations);

Adopted North West Leicestershire Local Plan (2002)

The application site is outside the Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Policy S3 - Countryside;
 Policy E3 - Residential Amenities;
 Policy E4 - Design;
 Policy E7 - Landscaping;
 Policy F1 - General Policy;
 Policy F2 - Tree Planting;
 Policy F3 - Landscaping and Planting;
 Policy T3 - Highway Standards;
 Policy T8 - Parking;
 Policy H4/1 - Housing Land Release;

Policy H6 - Housing Density;
Policy H7 - Housing Design;

Draft Consultation North West Leicestershire Local Plan

On 15 September 2015 the District Council's Full Council considered a draft Local Plan and resolved to approve the draft Local Plan for consultation. The draft policies listed below are considered relevant to this application. However, in view of the very early stage to which the draft Local Plan has progressed, only very limited weight can be attributed to its policies at this stage.

Policy S1 - Presumption in Favour of Sustainable Development;
Policy S2 - Future Housing and Economic Development Needs;
Policy S3 - Settlement Hierarchy;
Policy S4 - Countryside;
Policy S5 - Design of New Development;
Policy H6 - House Types and Mix;
Policy IF4 - Transport Infrastructure and New Development;
Policy IF7 - Parking Provision and New Development;
Policy En1 - Nature Conservation;
Policy En6 - Land and Air Quality;
Policy Cc2 - Sustainable Design and Construction;
Policy Cc4 - Water - Sustainable Drainage Systems;

Other Policies

National Planning Practice Guidance

In March 2014 the Government published National Planning Practice Guidance (NPPG) to supplement the NPPF. The Guidance does not change national policy but offers practical guidance as to how such policy is to be applied;

6Cs Design Guide (Leicestershire County Council)

The 6Cs Design Guide sets out the County Highway Authority's requirements in respect of the design and layout of new development;

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

Circular 06/2005 sets out the procedures that local planning authorities should follow when considering applications within internationally designated sites and advises that they should have regard to the EC Birds and Habitats Directive in the exercise of their planning functions in order to fulfil the requirements of the Directive in respect of the land use planning system. The Circular sets out a flow chart for the consideration of development proposals potentially affecting European sites.

6. Assessment

Principle of the Development

In respect of this particular application it is noted that the dwelling is proposed to be provided to meet a 'local need' with the need in this circumstance being outlined in the Proposals and Background section of this report. The supporting information also specifies that the 'need' for a dwelling of a similar scale cannot be met from existing housing stock and in this regard The Best Price Guide by Andrew Johnson and Company (Ashby De La Zouch) identifies the prices of available four bedroom detached properties within a 0.5 mile radius of Coleorton postcode

LE67 8FQ between the 28th August 2014 to the 29th August 2015. This document indicates that there are ten 4 bedroom properties within the immediate area which are for sale at prices ranging from £325,000 (Loughborough Road, Coleorton) to £515,000.00 (The Old Joiners Workshop, Prestons Lane).

An Internet search on Right Move on the 27th November 2015 reveals that there are eight 4 bed detached dwellings within one mile of the post code of the application site which range in price from £700,000 (Outwoods Lane, Coleorton) to £290,000 (Main Street, Swannington). If the search area is reduced to 0.5 miles then the only property available costs £300,000 and is located on Loughborough Road, Coleorton.

Using build cost figures of 2015 (www.homebuilding.co.uk) the District Council finds that to build a two-storey detached dwelling, with detached double garage, in the area using the most expensive build route (Main Contractor) and building to an Excellent specification, which would take into account better materials and improved building regulations standard (as well as VAT), would amount to £240,583. Using subcontractors would reduce the price to £208,834. Given these figures it would appear that the costs associated with building a new dwelling would be substantially less than any of the properties within the immediate area which would meet the 'needs' of the applicant.

Whilst a dwelling to suit the 'needs' of the applicant may not be available from the existing housing stock in the area this is not a justification to simply allow dwellings of this nature to be erected anywhere particularly when the adopted local plan, the emerging local plan and the Paragraphs of the NPPF contain no policies relating to the provision of dwellings to meet a 'local need'.

Within Paragraph 001, associated with Rural Housing, within the Planning Practice Guidance it states the following: -

- *"It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements";*
- *"A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities."*

In a dismissed appeal decision relating to land adjacent to no. 1 Zion Hill (ref: APP/G2435/A/14/2221844), which also related to the provision of a detached dwelling on a site outside the defined limits to development within the immediate area, the above Paragraph was considered, the Planning Inspector stated that: *"Like the Framework, LP Policies S3 and H4/1 do not prohibit development within countryside areas but rather set out the circumstances in which such proposals would be permitted. These policies do, however, differ to national guidance in that the Framework seeks to ensure that new housing is located where it will enhance or maintain the vitality of rural communities. Residential development in a rural area could contribute in this way and not necessarily fall into the categories of development deemed acceptable under LP Policies S3 and H4/1. As such, there is a tension between these LP Policies and the Framework in this regard. However, the board thrust of LP Policies S3 and H4/1 is broadly consistent with national guidance and I attach significant weight to them."*

Whilst acknowledging the sentiments of the Rural Housing guidance it is considered that although the future occupants of the dwelling could support some local businesses, services

and facilities, as well as public transport, the likely contribution of the development to the vitality of the local community as a whole would be fairly limited given the modest scale of the development proposed.

In any event it is considered that the above Rural Housing NPPG paragraphs do not set a principle that development in all rural areas should simply be accepted. Given the above conclusions of the Planning Inspector in the decision associated with land adjacent to no. 1 Zion Hill due regard still needs to be given to Policies S3 and H4/1 of the Local Plan as well as the overall sustainability credentials of the proposed site (be it for a market housing or a dwelling stated to meet a 'local need') considering the presumption in favour of sustainable development contained in the NPPF.

In terms of the sustainability credentials of the site, it is located the following distances away from a range of services:

- Viscount Beaumont Church of England School (Ashby Road, Coleorton) - 1212.50 metres;
- Recreation Ground (Zion Hill, Peggs Green) - 1170.64 metres;
- Bus Stop on Loughborough Road, Coleorton (for Arriva Service 9 1 hourly between Burton on Trent and Loughborough via Ashby De La Zouch Monday - Sunday (limited service on a Sunday)) - 738.19 metres;
- Bus Stop on The Moor, Coleorton (for Robert Coaches Air Link Service 155 1 hourly between Coalville and East Midlands Airport Monday to Saturday) - 639.36 metres;
- Public House (Angel Inn, 85 The Moor, Coleorton) - 708.90 metres;
- Shop/Post Office (Lower Moor Road, Coleorton) - 1098.76 metres;
- Church (St Johns Chapel, Ashby Road, Coleorton) - 1117.60 metres;
- Social Centre (Beaumont Social Centre, Nottingham Road, Peggs Green) - 1378.51 metres;

In a recent appeal decision relating to a residential development on Willesley Road in Ashby De La Zouch (ref: APP/G2435/W/15/3027396), which was dismissed, reference was made to the Institute of Highways and Transportation document 'Providing for Journeys on Foot' which outlines that the preferred maximum walking distance to local services would be 800 metres. Previous assessments have been based around the Department of Transport (DoT) statistics which show that the average trip length undertaken by foot would be 1km, however the Inspector in the above appeal outlined that such a statistic does not take into account those people who would walk but are put off by such distances and choose to travel by alternative means. The 'Providing for Journeys on Foot' document indicates that only the bus stops and public house would be within the preferred maximum walking distance and therefore most services which the applicant would rely on to meet their 'day to day' needs (i.e. school and shop) would not be within a reasonable walking distance. The walk to such services would also involve walking along rural roads, often with no surfaced footpath provision. If this were to be after dark or during inclement weather this would not be an attractive proposition for any future resident, even if the dwelling were meeting a local need criterion. Public footpaths within the area which might provide a more convenient access to local services would also be difficult to use by those with mobility difficulties or using pushchairs given that they are not hard surfaced. It is therefore considered that the occupants of the dwelling are likely to use their personal vehicles for most journeys that they will undertake.

It is considered that this planning judgement is a reasonable one particularly in light of the decision of the Planning Inspector in respect of the appeal decision at land adjacent to no. 1 Zion Hill (ref: APP/G2435/A/14/2221844), which is not too dissimilar to the context of this

application site, where it was stated that: *"it cannot be reasonably assumed that future occupiers would regularly walk or cycle the considerable distance to any of these destinations, especially along unlit rural roads after dark or during inclement weather. For these reasons, the site is in an unsustainable location because future occupiers would be heavily reliant on the private car for most journeys to shops, schools, places of employment, health and other services."*

In respect of social sustainability the benefit of the scheme is that it would provide a dwelling stated to meet a 'local need' which would be more affordable to local residents. Relevant supporting information has been supplied to justify the connections of the applicants with the settlement, and the completion of a Section 106 Agreement would secure such a dwelling being permanently made available for such purposes (i.e. meeting a local need criteria - (a) a person or persons and their dependents residing permanently in the parish or adjoining parish, for at least 5 years or more in the previous 20 years; or (b) a person or persons required to live close to another person who satisfies Criterion (a) and is essential need of frequent attention and/or care due to age, ill health, disability and/or infirmity).

However the social role, as defined in Paragraph 7 of the NPPF, requires the supply of housing to be linked to accessible local services which meet the needs of the community and support its health, social and cultural well being. As concluded above, although the site is located within walking distance of a few services those which would meet the 'day to day needs' of the occupant would not all be within a reasonable walking distance with the walk to such services being along predominately unlit rural roads which would not be an attractive proposition for any future occupant. On this basis any future occupants would be heavily reliant on the private car for most journeys to services that meet their 'day to day' needs and as such the development would conflict with the social strand of sustainability.

From an environmental sustainability point of view the land is identified as agricultural pasture land and would be situated at a distance of 390.0 metres from the Limits to Development of the southern part of Coleorton (The Moor), 450.0 metres from the Limits to Development of the northern part of Coleorton (Lower Moor Road), 680.0 metres from the Limits to Development of Swannington (St Georges Hill) and 850.0 metres from the Limits to Development of Peggs Green (Nottingham Road) which would be the nearest settlements. Whilst the dwelling would be associated with existing dwellings, and therefore it would be difficult to conclude that the dwelling was 'isolated' in the context of Paragraph 55 of the NPPF, it would result in the loss of greenfield land. Given the detachment of the dwelling from the Limits to Development of neighbouring settlements it is considered that it would impact negatively on the openness of the rural environment; therefore the development would fail to protect or enhance the natural environment, contrary to the intentions of Paragraph 17 of the NPPF, Policy S3 and the ministerial letter from Brandon Lewis of the 27th March 2015 urging Inspectors to protect the intrinsic beauty of the countryside.

It is also considered, taking into account the views of the Planning Inspectorate relating to an appeal decision at Tea Kettle Hall in Diseworth (APP/G2435/A/13/2208611), that due to the distance from shops, services and employment opportunities the private car would be the most likely mode of transport for the majority of trips to and from the proposed dwelling. This would involve lengthy trips in an unsustainable mode of transport for shopping, work and leisure purposes which again would conflict with the environmental aims of the NPPF which seek to use natural resources prudently and move towards a low carbon economy.

Although the development would be constructed on agricultural land this land is Grade 3/4 Agricultural Land and as such would not be considered the best and most versatile agricultural

land (defined as Grades 1, 2 and 3a of the Agricultural Land Classification) in the context of Paragraph 112 of the NPPF.

In conclusion, whilst sympathetic to the personal needs of the applicants such circumstances do not outweigh planning policy considerations. Therefore whilst there may be some benefit to the social strand of sustainability by the provision of an affordable local need dwelling, this need would be heavily outweighed by the overall negative social and environmental impacts of the development. Therefore the proposal is unacceptable in principle and would not represent sustainable development.

Residential Amenity

The properties most immediately affected by the proposed development would be no. 94 Moor Lane, a two-storey detached dwelling, situated to the north-east and The Dairy (84 Moor Lane), a two-storey detached dwelling, situated to the south-west.

One ground floor window exists in the south-western (side) elevation of no. 94 Moor Lane with two ground floor and one first floor window being situated in the north-eastern (side) elevation of The Dairy. Given the size of these windows it is considered that they would likely be secondary windows to the principal windows located in the front and rear elevations of the properties.

The proposed dwelling would be set 2.2 metres from the shared boundary with no. 94 Moor Lane and 5.2 metres from its south-western (side) elevation. In the circumstances that the ground floor window at no. 94 would be a secondary window, and that the length of the proposed dwelling would not project beyond the front of rear elevations of no. 94, it is considered that the position of the dwelling would not have a significantly detrimental overbearing or overshadowing impact on the occupants' amenities. No windows would be proposed in the north-eastern (side) elevation of the dwelling and as such there would be no direct overlooking implications with views from the first floor windows in the south-eastern (rear) elevation being at an oblique angle. A 'Juliette' balcony would be installed at first floor level on the south-eastern (rear) elevation but this would have a minimal projection from the elevation and as such would not result in any direct overlooking implications.

In respect of The Dairy, which is separated from the application site by Limby Hall Lane, it is noted that the proposed dwelling would be set 17.6 metres from the north-eastern (side) elevation which would be sufficient in ensuring that no adverse overbearing or overshadowing impacts would occur. This distance would also ensure that there would be no adverse overlooking implications particularly given that no windows are proposed in the south-western (side) elevation of the dwelling.

It is also considered that the position and scale of the detached garage would not result in any adverse implications to the amenities of neighbours.

With regards to the amenities of any future occupants it is considered that the distance of the dwelling from neighbouring properties would be sufficient with there being no adverse overlooking implications given that any views established from first floor windows in the south-eastern (rear) elevations of no. 94 Moor Lane and The Dairy would be at an oblique angle towards the rear amenity area of the new dwelling. This general relationship would also be no different to that which currently exists between nos. 94 and 96 Moor Lane.

On this basis the proposed development is considered to accord with Policy E3 of the Local Plan.

Impact on the Character and Appearance of the Area and Streetscape

The need for good design in new residential development is outlined not only in Local Plan Policies E4 and H7 but also Paragraphs 57, 60 and 61 of the NPPF with Paragraph 61 outlining that *"although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."*

The land on which the dwelling would be situated is relatively flat and is bordered by a mature hedgerow ranging from 1.5 to 1.8 metres in height. Existing properties on this part of Moor Lane are predominately two-storey in height and are set in close proximity to the highway with their principal elevations fronting onto the road. As part of the revision to the originally submitted plans the proposed dwelling has now been situated so that it would be flush with the front elevation of No. 94 Moor Lane and would have its principal elevation fronting onto Moor Lane. These amendments have ensured that the position and height of the dwelling would not detract from the character and appearance of the wider area or streetscape and it would therefore be considered to be 'in keeping' with the environment in which it would be set.

In terms of the design of the dwelling itself it is considered that it would be acceptable and would include design features which the Local Authority deems desirable (i.e. chimneys, stone cills and brick headers, brick plinth and timber supported canopy) with these features also being consistent and in keeping with the design of properties within the village which are considered to make a positive contribution to the area such as Beaumont Villa (116 Moor Lane) and The Dairy (84 Moor Lane). Whilst 'gablets' are not a consistent feature of properties on Moor Lane they are widely used on properties located on Prestons Lane, to the immediate north of the site, and as such this feature would not be considered to be out of keeping with the general design characteristics of dwellings within the area. The overall footprint of the dwelling would also be consistent with dwellings in the vicinity.

With regards to the detached garage it is considered that this would be subservient in relation to the main dwelling and would follow a design approach consistent with that of the proposed dwelling which would ensure it would be acceptable in preserving the character and appearance of the streetscape and wider area. The works required to form the new access would also not have significant implications to the visual amenity of the streetscape given that the existing vehicular access would be closed and reinforced with new hedging which would mitigate that lost to form the new access.

It is proposed that the dwelling would be constructed from bricks with the use of clay tiles and timber windows and doors. The surrounding area is characterised by a mixture of materials, with render also being widely used, and as such the use of such materials would be acceptable in principle and would preserve the character and appearance of the surrounding area and streetscape. As no precise details have been supplied it is considered reasonable to impose a condition on any permission granted for the materials to be agreed.

Overall the layout, design and scale of the dwelling is considered to be appropriate and would ensure that the development accords with Paragraphs 57, 60 and 61 of the NPPF and Policies E4 and H7 of the Local Plan.

Highway Safety

Following consultation with the County Highways Authority it was determined that the proposed vehicular access to serve the dwelling be relocated due to the existing access being situated on the junction of Limby Hall Lane with Moor Lane and thereby lacking adequate visibility.

The plans have been subsequently amended so that the access would now be situated 9.8 metres from the junction of Limby Hall Lane and Moor Lane and as such adequate visibility can be provided in both directions to ensure vehicles entering and exiting the site can do so in a safe manner. As part of the reconsultation process the County Highways Authority have raised no objections, subject to the imposition of conditions, and as such it is considered that the development would not be severely detrimental to highway safety and would therefore accord with Paragraph 32 of the NPPF and Policy T3 of the Local Plan.

The proposed double garage would have sufficient internal dimensions (6.0 metres by 6.0 metres) in order for it to accommodate two vehicles and ample room would also be available within the curtilage so as to ensure that a further two off-street parking spaces could be provided. On this basis the proposed development would accord with Paragraph 39 of the NPPF and Policy T8 of the Local Plan.

Ecology

There are no ecological constraints on or in close proximity to the site boundaries which would be compromised as a result of the development although it would be necessary to impose a condition on any consent granted to ensure that any works to the hedgerows are undertaken outside the bird nesting season. Subject to the imposition of such a condition it is considered that the proposal would accord with Paragraph 118 of the NPPF and Circular 06/05.

Landscaping

The dwelling is sited so as to ensure it would not compromise the integrity of the boundary hedges and whilst part of the hedge would need to be removed to provide the new vehicular access this would be compensated for by the provision of a hedgerow to close off the existing access. In the circumstances that a condition is imposed on any consent granted for a landscaping scheme to be submitted for approval, which shall include work to existing vegetation as well as the provision of new landscaping, it is considered that the development would accord with the principles of Policies E7, F1, F2 or F3 of the Local Plan.

Other Matters

The Coal Authority has confirmed that they have no objections to the development subject to the imposition of a condition on any consent granted to address land stability issues. In these circumstances it is considered that the proposal would not lead to land instability issues to neighbouring properties which would ensure compliance with Paragraphs 120 and 121 of the NPPF.

Conclusion

The report above indicates that this is a Greenfield site outside the Limits to Development of the nearest settlement being Coleorton.

A heavy reliance on the private car, an unsustainable mode of transport, for any future

occupants to undertake their daily duties would not support the move towards a low carbon economy or seek to use natural resources prudently. In these circumstances, the proposed development of the site is unacceptable in principle and would conflict with the environmental strand of sustainability enshrined within the NPPF as well as Policies S3 and H4/1 of the adopted Local Plan.

In addition, the site would not be situated within an acceptable walking distance of local services which would meet the day to day needs of the occupants and therefore the development of the site would not provide accessibility to an appropriate level of services. Consequently the development would also conflict with the social strand of sustainability enshrined within the NPPF.

It is therefore recommended that the application be refused.

RECOMMENDATION - REFUSE, for the following reason;

- 1 The proposed dwelling would be situated in an area of Coleorton where access to appropriate services would be fairly limited and as a result the dwelling would not be situated within a sustainable settlement. The application site is also on unallocated greenfield land located outside the Limits to Development of Coleorton, as defined on the Proposals Map to the North West Leicestershire Local Plan (Local Plan). Policy S3 of the Local Plan provides a presumption against non-essential residential development in the countryside. Policy H4/1 sets out a sequential approach to the release of land for residential development and seeks to direct housing towards previously developed land in accessible locations, well served by, amongst other things, public transport and services. Paragraph 17 of the National Planning Policy Framework (NPPF) indicates that planning should recognise the intrinsic character and beauty of the countryside and Paragraph 55 outlines that socially, development should provide the supply of housing required to meet the needs of present and future generations with accessible local services and the support of their health, social and cultural well-being. Although the scheme may be of limited benefit to the economic strand of sustainability it would fail the environmental and social strands as it would physically intrude into the rural environment and would represent unwarranted development, by virtue of its detachment from the settlement boundaries of Coleorton, Swannington and Peggs Green, whilst also creating a development whereby future occupants would be heavily reliant on the private car to access the most basic of services. This would lead to greater vehicular emissions and would not support the NPPF approach to a low carbon economy. Insufficient local services to serve the basic 'day to day' needs of future residents would also lead to such residents being socially isolated. An approval, therefore, would be contrary to the environmental and social strands of sustainability enshrined within the NPPF, as well as Paragraphs 17 and 55 of the NPPF and Policies S3 and H4/1 of the adopted Local Plan.

Notes to applicant

- 1 Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. It is considered that the application is not acceptable in principle and as such the Local Authority has not entered into dialogue to seek any amendments. The Local Planning Authority has therefore complied with the requirements of the National Planning Policy Framework (Paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.