

Erection of two dwellings with associated garages including the creation of a new vehicular access (Outline application access and layout for approval)

**Report Item No
A3**

**Land Adjacent To The Cottages Stoney Lane Coleorton
Leicestershire**

**Application Reference
16/00558/OUT**

**Applicant:
Mr Bannister and Mrs Stewart**

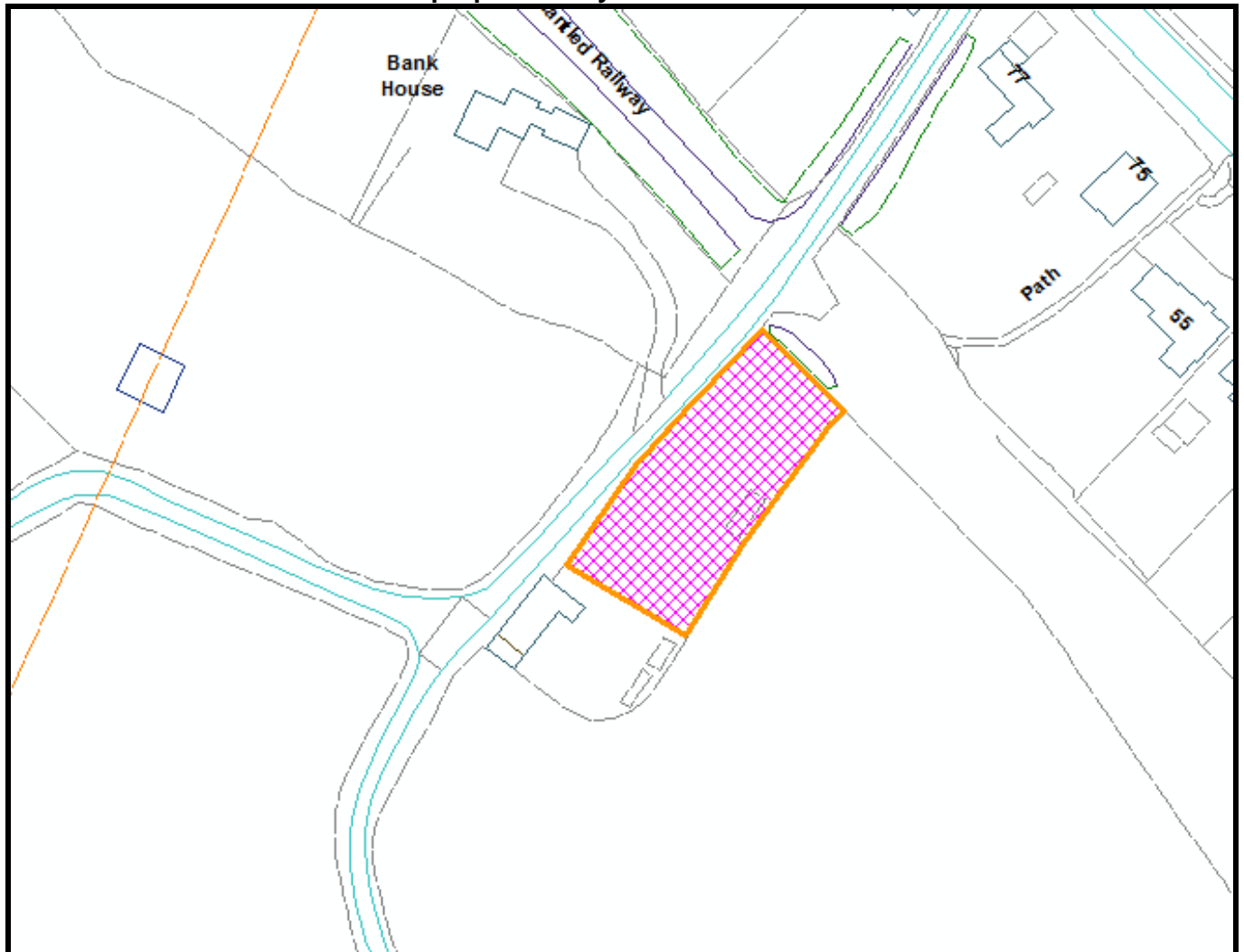
**Date Registered
10 June 2016**

**Case Officer:
Adam Mellor**

**Target Decision Date
5 August 2016**

**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 at the request of Councillor Stevenson in order to allow the Committee to assess the sustainability credentials of the development and its impacts on the rural environment.

Proposal

Outline planning permission is sought for the erection of two detached dwellings with associated garages and the creation of a new vehicular access off Stoney Lane with the access and layout for approval at this stage. The 0.14 hectare site is currently an allotment associated with Stoney Cottages and is situated on the south-eastern side of Stoney Lane. It is proposed that one of the dwellings would meet a 'local need' with the site being outside the defined Limits to Development.

Consultations

A total of 11 individual representations have been received with 3 representations opposed to the development and 8 representations in support of the proposal. Coleorton Parish Council and the County Highways Authority also object to the development. A revised consultation response from the Coal Authority, as well as any consultation response from Leicestershire County Council Archaeology and Severn Trent Water, are awaited and will be reported to Members on the Update Sheet. All other statutory consultees have raised no objections subject to the imposition of conditions on any consent granted.

Planning Policy

The application site lies outside the Limits to Development as defined in the adopted North West Leicestershire Local Plan and in the publication version North West Leicestershire Local Plan. The application has also been assessed against the relevant policies in the NPPF, the adopted and publication version Local Plans and other relevant guidance.

Conclusion

The site is a greenfield site outside Limits to Development which is significantly detached from the nearest settlement boundary and would not be within a socially sustainable location due to inability to access basic services by means other than the private car. On this basis the proposal would not be environmentally or socially sustainable and as such results in fundamental conflicts with the core policies of the NPPF, as well as in particular Paragraph 17. The location of the site would also result in conflict with Policy S3 of both the adopted and publication version Local Plans and would exacerbate ribbon development.

Given the substandard width of the highway and lack of pedestrian footway provision on Stoney Lane, as well as the inadequacies in the width of the junction of Stoney Lane with Zion Hill, it is considered that the introduction of additional vehicular traffic would be to the overall detriment of pedestrian and highway safety. Furthermore, inadequate visibility splays would be provided at the access serving plot 1 which would prevent the future occupant from exiting the site in a slow and controlled manner thereby causing further detriment to pedestrian and highway safety. On this basis the development would conflict with Paragraph 32 of the NPPF, Policy T3 of the

adopted Local Plan and Policy IF4 of the publication version Local Plan.

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

Outline planning permission (with access and layout included for determination) is sought for the erection of two dwellings on land adjacent to The Cottages, Stoney Lane, Coleorton. The site is 0.14 hectares in size and currently forms an allotment associated with The Cottages which is located on the south-eastern side of Stoney Lane. The site is identified as being outside the defined Limits to Development in both the adopted and publication version Local Plans, with the surrounding area comprising mainly open agricultural fields as well as residential properties of varying designs and scales which are sporadically placed.

The submitted drawings indicate that the dwellings would be two-storey in height, with the first floor to plot 1 being within its roof space, but this is indicative only. In terms of layout the proposed dwellings would be situated to the north-east of The Cottages, in close proximity to the highway, and orientated so as to be parallel with Stoney Lane. Both dwellings would be served by separate vehicular accesses which would allow for off-street parking as well as for vehicular manoeuvres to be undertaken clear of the highway.

A planning statement, incorporating a design and access statement, coal mining risk assessment, ecological statement and arboricultural statement have been submitted in support of the application. A revised Coal Mining Risk Assessment has been submitted following the initial objection of the Coal Authority.

During the course of the application additional information has been supplied to outline that one of the dwellings (plot 1) would be provided as a 'local need' dwelling for the applicants who wish to reside in a one and a half storey property. It is also stated that both properties would be constructed to Code for Sustainable Homes Level 4.

No recent relevant planning history was found.

2. Publicity

5 neighbours have been notified (date of last notification 13 July 2016)

Site Notice displayed 1 July 2016

Press Notice published 22 June 2016

3. Consultations

Coleorton Parish Council consulted 15 June 2016

LCC Flood Management

County Highway Authority

LCC ecology

County Highway Authority

Severn Trent Water Limited

Head of Environmental Protection

County Archaeologist

Coal Authority

4. Summary of Representations Received

The following summary of representations is provided. Members may inspect full copies of

correspondence received on the planning file.

Coal Authority have initially objected to the application given it has not been demonstrated that the proposed dwellings would not be subject to risk from shallow coal mine workings.

Coleorton Parish Council object to the application given that the application site is outside the defined Limits to Development and that Stoney Lane is not a suitable to accommodate additional vehicular movements.

Leicestershire County Council - Archaeology no representation received, any response will be reported to Members on the Update Sheet.

Leicestershire County Council - Ecology has no objections.

Leicestershire County Council - Highway Authority object to the application given that the site is in an unsustainable location, inadequate visibility splays would be provided and that the carriageway is not of an appropriate width to accommodate additional vehicular movements.

NWLDC - Environmental Protection has no objections.

NWLDC - Environmental Protection (Contaminated Land) has no objections subject to conditions.

Severn Trent Water no representation received, any response will be reported to Members on the Update Sheet.

Third Party Representations

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

- The application site is in an unsustainable area and would also be isolated with there being no benefits which would outweigh this harm.
- The proposed access position for plot 2 would result in detriment to highway safety due to its proximity to a sub-standard access at Bank House and there is no evidence to suggest that the widening of Stoney Lane is possible.
- The proposed development would be out of keeping with the prevalent form of development in the area where dwellings are varied in their form and orientation with irregular plot shapes.
- The width of Stoney Lane is not suitable to cater for additional traffic which would be associated with the development.
- Inadequate visibility will be achieved at the site access given the proximity to a blind summit leading to the junction of Stoney Lane with Zion Hill.
- Proposed dwellings will not accord with the streetscape given that they would be higher than the existing dwellings.

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

- The development will be more sympathetic than the residential scheme being progressed at the site associated with the former doctors surgery at the opposite end of Stoney Lane.
- The applicant has a desire to reside and retire at this site given his longstanding

- affiliation with the area.
- The application site is currently scrubland which is difficult to maintain and as such this sympathetic development would be of benefit to the visual amenity of the area.
 - There should be no questions over the sustainability of the site's location given approval for a dwelling on Zion Hill.
 - The dwelling would have a 'low carbon footprint.
 - Occupants of the dwelling would help to support local businesses.

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 NPPF. The closer the policies in the development plan to the policies in the NPPF, the greater weight they may be given.

Save where stated otherwise, the policies of the adopted 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 due 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 118 (Conserving and enhancing the natural environment);
Paragraph 120 (Conserving and enhancing the natural environment);
Paragraph 123 (Conserving and enhancing the natural environment);
Paragraph 141 (Conserving and enhancing the historic 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 Local Plan. The following adopted Local Plan policies are relevant to this application:

Policy S3 - Countryside;
Policy E3 - Residential Amenities;
Policy E4 - Design;

Policy E7 - Landscaping;
Policy F1 - National Forest: General Policy;
Policy F2 - Tree Planting;
Policy F3 - Landscaping and Planting;
Policy T3 - Highway Standards;
Policy T8 - Parking;
Policy H4/1 - Housing Land Release; and
Policy H7 - Housing Design.

Publication Version North West Leicestershire Local Plan

The publication version of the Local Plan was agreed by Council on 28th June 2016 with a view to its submission for examination in September 2016. Given the advanced stage that has now been reached it is considered that weight can be attached to the following policies: -

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 H6 - House Types and Mix;
Policy IF4 - Transport Infrastructure and New Development;
Policy IF7 - Parking Provision and New Development;
Policy En1 - Nature Conservation;
Policy En3 - The National Forest;
Policy En6 - Land and Air Quality;
Policy He1 - Conservation and Enhancement of North West Leicestershire's Historic Environment;
Policy Cc2 - Water - Flood Risk; and
Policy Cc3 - 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 NPPG 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 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 (2002 (as amended)).

The application site lies outside the defined Limits to Development with residential dwellings not being a form of development permitted by Policy S3 of the adopted Local Plan, nor Policy S3 of the publication version Local Plan.

The NPPF requires that the District Council should be able to identify a five year supply of housing land with an additional buffer of 5% or 20% depending on its previous record of housing delivery. The Local Authority is able to demonstrate a five year supply of housing (with 20% buffer) against the requirements contained in the publication version 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 therefore be given to whether the proposals constitute sustainable development (inclusive of its economic, social and environmental roles) given the presumption in favour of such as set out in the NPPF. Further consideration of the proposals' compliance with the three dimensions of sustainable development is set out below.

With regards to the sustainability credentials of the site, the following services are within an acceptable walking distance of 800 metres, or 1000 metres for a school: -

- Public Houses (New Inn, Zion Hill - 474 metres and George Inn, Loughborough Road - 728 metres);
- Recreation Ground (Zion Hill - 474.0 metres);
- Bus Stops for Two Services (Paul S Winson Coaches no. 129 - Ashby De La Zouch to Loughborough Monday to Saturday on Zion Hill - 523 metres and Arriva Service 9 1 hourly between Burton on Trent to Loughborough via Ashby De La Zouch Monday to Sunday (limited service on a Sunday) - 730 metres on Loughborough Road);

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 wellbeing. Whilst the above services exist within a reasonable walking distance of the application site, no footway or substantial street lighting is provided on either Stoney Lane or Bakewells Lane, which is used to access Loughborough Road, and as a consequence walking to such services would not be a desirable option for any future residents particularly in the hours of darkness or during inclement weather. In these circumstances future residents would be isolated from services which would provide for their 'day to day' needs with the nearest public transport provision on Zion Hill offering a service which is two hourly and which does not extend into the evening hours, consequently access to services is likely to be limited to the private car. Such a reliance on the private car would conflict with the social role of sustainability, as defined by the NPPF, given that accessibility to a range of local services for future residents would be severely limited.

The site would be classed as greenfield and is detached from the Limits to Development on both the Proposals Maps to the adopted and publication version Local Plans. On this basis the proposal would be assessed in the context of Policy S3 of the adopted Local Plan and Policy S3 of the publication version Local Plan, particularly as the Local Authority is able to demonstrate a five year supply of housing.

Although at present the application site is an unmanaged allotment associated with nos. 1 and 2

Stoney Cottages, it is closely associated with the open rural landscape to the east and west. As a consequence it contributes positively to the open and undeveloped nature of the area which would be its defining characteristic. In addition the application site is not well related to the nearest settlement boundary where new residential development would usually be provided. A residential development of two dwellings and the associated infrastructure would result in the urbanisation of the site. This would diminish its present open character and would be an incongruous encroachment into the rural environment which should be protected for its own sake. There is also no overriding need for this type of proposal to come forward on the land. There would be conflict with a fundamental principle of the NPPF by virtue of the failure of the development to protect or enhance the natural environment. As the application site is outside the defined Limits to Development it would also conflict with Policy S3 of the adopted Local Plan and Policy S3 of the publication version Local Plan.

Whilst it is considered that the proposed development will impact adversely on the 'openness' of the rural environment, the dwellings would not be 'isolated' due to the relationship they would have with nos. 1 and 2 Stoney Cottage to the immediate south-west. However, a development of this nature would exacerbate ribbon development which would result in further conflict with Policy S3 of the publication version Local Plan.

Although it is proposed that the dwellings would be constructed to meet Code 4 for Sustainable Homes, as well as including renewable energy technologies which could assist in off-setting the environmental harm caused by a heavy reliance on the private car to access basic services, such construction is considered to not overcome the fundamental harm caused to the environment by the urbanisation of a rural greenfield site detached from the nearest settlement boundary. It also not been adequately demonstrated that the proposed development would be necessary to meet a 'local need' and as such this matter would not weigh in favour of the development being appropriate in the rural environment.

In conclusion, any support warranted to the economic benefits of the scheme, which would be simply associated with the construction of the dwellings, would be significantly and demonstrably outweighed by the negative social and environmental impacts of the proposal. Accordingly the proposal cannot be considered to represent sustainable development and, therefore, the application is not considered to be acceptable in relation to the NPPF as well as relevant policies of the adopted Local Plan and publication version Local Plan.

Accessibility

The County Highways Authority has raised concerns with regards to the suitability of the provision of new dwellings on Stoney Lane given the substandard nature of its width and pedestrian footway provision. Whilst amended plans have been submitted to identify that a section of the carriageway (50 metres) outside the application site would be widened to 4.8 metres in order to allow two vehicles to pass each other, this 'highway gain' is not considered sufficient to address the inadequacies associated with the carriageway in general and the lack of width at the junction of Stoney Lane with Zion Hill. On the basis that Stoney Lane is unsuitable to accommodate an increase in vehicular movements, as well as the fact that no pedestrian footway exists, it is considered that the proposal would result in a severe detriment to pedestrian and highway safety and therefore is contrary to Paragraph 32 of the NPPF as well as Policy T3 of the adopted Local Plan and Policy IF4 of the publication version Local Plan.

Further to this, the identified visibility splays for plot 1 are incorrectly positioned given that they would not be set at the required distance from the edge of the carriageway should the highway be widened as suggested by the amended plan. As a consequence of this it has not been

adequately demonstrated that plot 1 would be provided with satisfactory visibility splays so as to enable the future occupant to exit the site in a slow and controlled manner. On this basis there would be further conflict with the aforementioned policies identified above.

The amount of off-street parking required for each dwelling would be dictated by the overall amount of bedrooms proposed and, as such, this matter would be addressed and assessed during the consideration of any subsequent reserved matters application submission. Whilst this is the case it is considered that the proposed layout shows each dwelling could be served by an appropriate level of off-street parking and as such the scheme would be compliant with Paragraph 39 of the NPPF, Policy T8 of the adopted Local Plan and Policy IF7 of the adopted Local Plan.

Neighbours and Future Occupants' Amenities

The proposed layout is for approval at this stage and it is considered that the properties most immediately affected by the proposal would be no. 2 The Cottages, Stoney Lane, to the south-west, and Bank House to the north-west.

In respect of Bank House a distance of 49.0 metres would exist between the elevations of this property and plot 2, with plot 2 also being set 8.0 metres from the south-eastern boundary to Bank House. Whilst the scale of plot 2 is not to be determined at this stage the indicative street elevation highlights plot 2 as a two-storey, with habitable accommodation in the roof slope, detached dwelling with a ridge height of 6.9 metres. Given the distance between elevations it is considered that no adverse overbearing or overshadowing impacts would arise. Whilst plot 2 would be located close to the south-eastern (front) boundary of Bank House, no direct views would be established into this property nor would there be any direct views onto the private amenity associated with the dwelling. In this context, therefore, no adverse overlooking impacts would arise with the final position of the windows to plot 2 being agreed at the reserved matters stage.

The north-eastern (side) elevation of no. 2 The Cottages, Stoney Lane contains windows which serve habitable rooms. In order to alleviate any overbearing or overshadowing impacts, plot 1 has been set 15.5 metres from this elevation. Such a distance is considered satisfactory in protecting the amenities of no. 2 The Cottages. In respect of overlooking impacts the position and glazing of the windows to plot 1 would be finalised at the reserved matters stage and subject to careful consideration being given to their positions, an acceptable relationship with no. 2 The Cottages could be established.

An adequate separation distance between plots 1 and 2 would be created so that future amenities would be protected with any direct views from the habitable windows in the north-eastern (side) elevation of no. 2 The Cottages being towards the vehicular manoeuvring area for plot 1.

Overall, the development proposals are considered to be compliant with, Policy E3 of the adopted Local Plan and Policy D2 of the publication version 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 adopted Local Plan Policies E4 and H7, as well as Policy D1 of the publication version Local Plan, but also Paragraphs 57, 60 and 61 of the NPPF.

In terms of topography the application site slopes upwards from south-west to north-east with a mature hedgerow to a height of 1.2 metres currently defining the boundaries. Bank House is set to the north-west with other properties on Stoney Lane being due west of the site. Dwellings on Zion Hill are to the north-east although these are not visible on Stoney Lane due to the presence of the embankment associated with the former railway. Open countryside exists to the immediate west and east of the site as well to the south beyond nos. 1 and 2 The Cottages. Properties within the immediate area are a mix of single and two-storey dwellings which are predominately detached types.

It is noted that scale, appearance and landscaping are all included as matters to be considered at a later stage although the layout is for approval under this application. Properties on this part of Stoney Lane are generally orientated to face onto the highway and are at differing distances to this carriageway, Bank House having the most significant detachment. The character of the lane is also defined by clusters of dwellings at irregular intervals. The layout highlights that the proposed dwellings would front onto Stoney Lane and would be in close proximity to the roadside to try and maintain a consistent building line with nos. 1 and 2 The Cottages, albeit it is acknowledged that nos. 1 and 2 The Cottages do abut Stoney Lane. Whilst representations which have been received consider the maintenance of a building line to be at odds with the character of the area, it is considered that the application site lacks the required depth to have any significant difference in the proximity of dwellings to Stoney Lane and in any event such consistency is found in development elsewhere on Stoney Lane, in close proximity to Lower Moor Road, as well as Bakewells Lane to the immediate south. The provision of the dwellings would also create a 'cluster' of dwellings consistent with the character of Stoney Lane. On this basis the layout of the development proposed would not result in detriment to the character of the streetscape or appearance of the wider area.

The appearance of the dwellings would be agreed at the reserved matters stage and it is considered that at this point an appropriate design could be achieved which would accord with the Council's current design agenda. This is by responding to the positive characteristics of the dwellings within the immediate area as well as having a National Forest identity. A scheme progressed along the details and appearance shown on the street elevation would be considered acceptable

Overall the development is considered to be compliant with Paragraphs 57, 60 and 61 of the NPPF as well as Policy E4 of the adopted Local Plan and Policy D1 of the publication version Local Plan.

Landscaping

As the application site is situated within the National Forest a strong landscaping scheme would be a necessity for the development with Policies E7 and F2 of the adopted Local Plan, as well as Policy En1 of the publication version Local Plan, seeking to ensure existing vegetation is retained and enhanced. The landscaping on the site is confined to the boundaries which mainly consist of hedgerows. Whilst a new vehicular access would be created to serve plot 1, this would not impact adversely on the integrity of this hedgerow given the length which would be retained and would also not lead to an 'over-engineered' access being created. In respect of the position of the dwellings, it is considered that they would be set outside the root protection areas of the hedges which would therefore ensure that they could be retained on any scheme progressed at the reserved matters stage.

Additional landscaping to supplement the existing vegetation would also be secured under any subsequent reserved matters application.

Overall the development would be compliant with the aims of Policies E7, F1, F2 and F3 of the adopted Local Plan as well as Policy En3 of the publication version Local Plan.

Ecology

The County Ecologist has no objections and advises that there are no requirements for ecology surveys or mitigation to be undertaken. On the basis of these conclusions it is considered that the proposal is unlikely to adversely affect protected species and therefore it complies within the aims of Paragraph 118 of the NPPF, Circular 06/05 and Policy En1 of the publication version Local Plan.

Archaeology

No representation to the application has been received from the County Council Archaeologist and in this circumstance it is considered that archaeological remains would not act as a constraint on the development. This would ensure that it accords with Paragraph 141 of the NPPF and Policy He1 of the publication version Local Plan. Should a representation be received following the publication of the Committee agenda the precise comments, and any suggested conditions, will be reported to Members via the Update Sheet.

Drainage and Flood Risk

The site lies within flood zone 1 and is not identified as a site with a critical drainage issue on the Environment Agency's Surface Water Flooding Maps. It is highlighted on the application forms that surface water run-off would be addressed by the provision of a soak-away and in the circumstances that the site is not within Flood Zones 2 or 3, nor a critical drainage area, it is anticipated that any surface water run-off solution identified would not further exacerbate any localised flooding issue. As a result of this the development is considered to be compliant with Paragraph 103 of the NPPF, as well as Policies Cc2 and Cc3 of the publication version Local Plan.

Insofar as foul drainage is concerned it is indicated on the application forms that this would be discharged into the main sewer with such discharge being agreed with Severn Trent Water under separate legislation. Severn Trent Water have not raised an objection to the application and therefore this means of foul drainage is considered appropriate and would ensure compliance with Paragraph 120 of the NPPF.

Other Matters

The Council's Environmental Protection team have raised no objections with regards to ground contamination subject to the imposition of conditions on any consent granted. The imposition of such conditions would ensure that future occupants would not be at risk from contamination. Therefore this would ensure compliance with Paragraphs 120 and 121 of the NPPF and Policy En6 of the publication version Local Plan.

Whilst the Coal Authority have initially objected to the application, and a revised consultation response is awaited, it is considered that on several applications within the area which are associated with the legacy of coal mining activity no objections have been raised subject to conditions on any consent. On this basis it can be reasonably assumed that no objections will be raised to the revised Coal Mining Risk Assessment although any comments which are received, along with suggested conditions, will be reported to Members on the Update Sheet.

Subject to the objection being removed the scheme would be compliant with Paragraphs 120 and 121 of the NPPF as well as Policy En6 of the publication version Local Plan.

Conclusion

The site is a greenfield site outside Limits to Development which is significantly detached from the nearest settlement boundary and would not be within a socially sustainable location due to inability to access basic services by means other than the private car. On this basis the proposal would not be environmentally or socially sustainable and as such results in fundamental conflicts with the core policies of the NPPF, as well as in particular Paragraph 17. The location of the site would also result in conflict with Policy S3 of both the adopted and publication version Local Plans and would exacerbate ribbon development.

Given the substandard width of the highway and lack of pedestrian footway provision on Stoney Lane, as well as the inadequacies in the width of the junction of Stoney Lane with Zion Hill, it is considered that the introduction of additional vehicular traffic would be to the overall detriment of pedestrian and highway safety. Furthermore, inadequate visibility splays would be provided at the access serving plot 1 which would prevent the future occupant from exiting the site in a slow and controlled manner thereby causing further detriment to pedestrian and highway safety. On this basis the development would conflict with Paragraph 32 of the NPPF, Policy T3 of the adopted Local Plan and Policy IF4 of the publication version Local Plan.

It is therefore recommended that the application be refused.

RECOMMENDATION - REFUSE, for the following reasons;

- 1 Policy S3 of the adopted Local Plan and Policy S3 of the adopted Local Plan provide a presumption against non-essential residential development outside the Limits to Development with Paragraph 17 of the NPPF indicating that planning should recognise the intrinsic character and beauty of the countryside. The NPPF also 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. The proposed development being on a greenfield site would adversely affect and diminish the present open character of the environment in which it would be set and would represent an incongruous encroachment of development into the rural environment which should be protected for its own sake. As a consequence of this the development would fail to protect or enhance the natural environment and would represent inappropriate ribbon development. Stoney Lane also does not benefit from a raised footway or substantial street lighting and as a consequence future occupants would be socially isolated and heavily reliant on the private car to access basic services. On this basis to permit the development would be contrary to the environmental and social strands of sustainability enshrined within the NPPF, as well as Paragraph 17 of the NPPF, Policy S3 of the adopted Local Plan and Policies S2 and S3 of the publication version Local Plan.
- 2 Paragraph 32 of the NPPF outlines, amongst other things, that development should only be prevented or refused on transport grounds where the residual cumulative impact of development are severe. Policy T3 of the adopted Local Plan identifies that development will be permitted only where its highway design and layout make adequate provision for vehicular access and circulation, and servicing arrangements. This guidance is further reflected in Policy IF4 of the publication version Local Plan. Given the substandard width

and lack of pedestrian footway provision on Stoney Lane, as well as the inadequacies in the width of the junction of Stoney Lane with Zion Hill, it is considered that the introduction of additional vehicular movements onto the highway would be to the overall detriment of pedestrian and highway safety. Furthermore, inadequate visibility splays would be provided at the access serving plot 1 which would prevent the future occupant from exiting the site in a slow and controlled manner thereby causing further detriment to pedestrian and highway safety. On this basis to permit the proposal would be contrary to Paragraph 32 of the NPPF, Policy T3 of the adopted Local Plan and Policy IF4 of the publication version Local Plan.

Notes to applicant

- 1 Outline 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.