

Item No. 7

Application Reference Number P/19/2340/2

Application Type: Full **Date Valid:** 14/11/2019
Applicant: Mrs S Pole
Proposal: Conversion of stables building to a dwelling.
Location: The Stables
School Lane
Woodhouse
Leicestershire
Parish: Woodhouse **Ward:** Forest Bradgate
Case Officer: Deborah Liggins **Tel No:** 01509 634733

This item is referred to Plans Committee in accordance with the Council's scheme of delegation embedded within section 8.2 of the Constitution.

Description of the Site

The application site is located towards the end of School Lane and although the building is outside the conservation area, the boundary runs down its north-eastern wall so some of the site is within the designated Conservation Area with the remainder being adjacent. The building is a high-quality stable building constructed of stone to its rear elevation and render to its front with brick quoins and a tiled roof. The building has overhanging canopies to the front and rear elevations.

The property has a history of refusals in respect of the conversion of the stables building to a dwelling, as set out below. The site is also currently subject to a planning enforcement investigation as various new and unauthorised structures have been erected in the yard and the adjacent paddock. These, however, do not have a bearing on the application currently before the Council. In this regard, the applicant has more lately submitted a retrospective application to retain additional timber stables and a hay store adjacent to the current stables under application P/19/2558/2 and for the continuation of the use of land for the keeping and riding of horses under application reference P/19/2559/2. It is anticipated that that these proposals will come before members at a future Plans Committee meeting.

The surrounding land uses are as follows:

Boundary	Adjacent land use
To the west	Paddock land associated with the stables
To the north	Agricultural land
To the south	No 48 School Lane
To the east	The Homestead, 46 School Lane.

Description of the Application

The proposal is to convert the existing stables building (still in use) to a dwelling. This would involve minor external works to replace existing openings with glazed screens, windows or doors. Internally the walls would be dry lined and new partitions constructed to separate rooms. The application site red line would limit the curtilage of the residential dwelling to the immediate yard and parking area. The proposal would include an open plan kitchen/dining and lounge with 2 bedrooms and a shower room.

The application is accompanied by the following documents:

- Ecology report – prepared by Dr Stefan Bodnar – based on a survey conducted on 5th September 2019. The study concludes that the building has negligible access and negligible bat roost potential and it is considered that no further surveys are required. There was however evidence of breeding swallows within the stables with 4 nests noted and swallow cups are recommended to be provided to the exterior of the building to compensate.
- Planning, Heritage and Design and Access Statement – prepared by Stephen Bradwell and dated October 2019 – the report concludes that the proposal would not have an effect on existing listed buildings or their settings. The report acknowledges that the building lies outside but alongside the boundary of the Conservation Area and concludes that the proposal would not affect it. The submitted scheme includes some areas of new landscaping as set out on the submitted plans and there are no proposed alterations to the existing vehicular access which is partially shared by the owners of No. 46 School Lane (The Homestead).
- A response from Stephen Bradwell, representing the applicant, dated 3rd January, responding to the points raised by objectors to the proposal. This also clarifies that the existing stables are privately operated for the applicant and their family and are not operated as a commercial venture. Horses are regularly transported on and off the site to take part in competitions or events or to other facilities for riding practice.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy (adopted 9 November 2015)

The following policies are relevant to this application:

Policy CS1 – Development Strategy – sets out the housing directions for growth over the plan period and establishes a settlement hierarchy of locations in terms of their sustainability. Woodhouse is identified as being a small village or hamlet within the Charnwood Local Plan (2011-2028) Core Strategy and is set within the countryside, where a restrictive approach is taken towards new development.

Policy CS2 – High Quality Design – requires new developments to respect and enhance the character of the area, protect the amenity of people who live and work nearby and function well and add to the quality of the area.

Policy CS11 – Landscape and Countryside - requires new development to protect landscape character and reinforce a sense of place. It supports rural residential

development where it has a strong relationship to the operational requirements of agriculture, horticulture or forestry.

Policy CS13 - Biodiversity and Geodiversity - seeks to conserve and enhance the natural environment and which protects, enhances or restores biodiversity.

Policy CS14 – Heritage – this requires development to conserve and enhance historic assets for their own value and the community, environmental and economic contribution they make. This will be achieved by requiring development to protect heritage assets and their setting; supporting development which prioritises the refurbishment and re-use of disused or under-used buildings of merit; supporting development that is informed by and reflects relevant Landscape and Conservation Area Character Appraisals and Village Design Statements; and development that incorporates Charnwood’s distinctive local building materials and architectural details.

Policy CS16 – Sustainable Construction and Energy – encourages sustainable design and construction and the provision of renewable energy including supporting developments that reduce waste, provide for the suitable storage of waste and allow convenient waste collections.

Policy CS17 – Sustainable Transport – sets out how the Council will seek to achieve a 6% shift from travel by private car, to walking, cycling and public transport.

Policy CS25 – Presumption in Favour of Sustainable Development – sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It pledges to work proactively with applicants to jointly find solutions to approve development wherever possible to secure improvements to the economic, social and environmental conditions in an area. Planning applications that accord with the policies in the Core Strategy will be approved without delay unless material considerations indicate otherwise.

Borough of Charnwood Local Plan (adopted 12 January 2004 (saved policies))

The saved policies relevant to this proposal include:

Policy ST/2 – Limits to Development - States that built development will be confined to allocated sites and other land within the Limits to Development identified on the proposals map, subject to specific exceptions.

Policy EV/1 – Design - seeks to ensure a high standard of design for developments, which, inter alia, respects and enhances the local environment, is of a design, layout, scale and mass compatible with the locality and utilises materials appropriate to the locality.

CT/1 – General Principles for Areas of Countryside, Green Wedge and Local Separation – states that development in these areas will be strictly controlled. Planning permission will be granted for the re-use and adaptation of rural buildings for uses suitable in scale and nature and small-scale built development where there would not be a significant adverse environmental impact and the proposal would (inter alia) be essential for the efficient long-term operation of agriculture, horticulture or forestry.

CT/2 – Development in the Countryside – In the countryside, development which is acceptable in principle will be permitted where it would not harm the character and appearance of the countryside.

Policy TR/18 indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The policy promotes standards that would require 3 parking spaces for a 4 or more-bedroom dwelling, although it states that this will be used as the starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off-street parking; the current or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

Material considerations

The National Planning Policy Framework (2019)

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 explains that achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The overarching aims are:

- An economic objective – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation
- A social objective – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high-quality built development with accessible local services;
- An environmental objective – contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 10 states at the heart of the Framework is a presumption in favour of sustainable development.

Paragraphs 15-33 set out that the planning system should be genuinely plan-led and that succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities and a platform for local people to shape their surroundings. Paragraph 31 states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence.

Paragraph 38 indicates that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers should seek to approve applications for sustainable development where possible.

Paragraph 47 of the NPPF states that planning law requires that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Chapter 12 of the NPPF concerns itself with achieving well-designed places and sets out that good design is a key aspect of sustainable development. The use of visual tools and design codes is encouraged as is the development of design policies alongside local communities and neighbourhood plans.

Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between the permission and completion, as a result of changes being made to the permitted scheme.

Paragraph 180 requires that decisions on planning applications should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, including mitigating noise.

Paragraph 184 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 185 indicates that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 190 states that local planning authorities should identify and assess the particular significance of any heritage asset affected by a proposal, including any development affecting its setting, taking account of the available evidence and any necessary expertise in order to minimize any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 193 sets out that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 provides that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 197 states that the effect of a proposal on the significance of non-designated heritage assets should also be considered in the determination of applications and that a balanced judgement would be required having regard to the scale of harm or loss and the significance of the heritage asset.

National Planning Practice Guidance

The National Planning Practice Guidance (PPG) reinforces and provides additional guidance on the policy requirements of the Framework and provides extensive guidance on design and other planning objectives that can be achieved through getting good design. These include the consideration of local character, landscaping setting, safe, connected and efficient streets, crime prevention, security measures, access and inclusion, efficient use of natural resources and cohesive and vibrant neighbourhoods.

National Design Guide (2019)

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

Landscape Character Assessment

The Borough of Charnwood Landscape Character Assessment 2012 explains that the Charnwood Forest Area of Landscape Character is the most complex of the landscape character areas in the Borough such that five sub-areas were identified within the Borough in the 2008

Charnwood Forest Landscape and Settlement Character Assessment. The highly distinctive upland character contrasts with the lower lying nature of the surrounding landscape character areas. It is a landscape of mosaic pasture, frequent woodland and exposed

hilltops of acidic grassland with rocky outcrops of ancient Precambrian volcanic and plutonic rocks with bracken and heath land. It is the most densely wooded area of the Borough with coniferous and deciduous woods and includes many wildlife areas and ancient semi-natural woodlands. Field boundaries of stone walls and large free growing hedges and there are strong rectilinear patterns of parliamentary enclosure fields and straight roads. Scattered settlements are often of local stone with steeply angled slate roofs.

Woodhouse Forest Road and School Lane Conservation Area Character Appraisal

The village of Woodhouse is split into two Conservation Areas due to the separation both geographically and in character of School Lane from the main body of the village along Forest Road. The purpose of the appraisal is to examine the historic development of these Conservation Areas and to describe their present appearance in order to assess their special architectural and historic interest. The School Lane Conservation Area was designated in 1993. School Lane is described within the document as a no through road in a secluded part of the village and this sense of seclusion is a key part of the character of the Conservation Area. The dwellings here have a pleasing similarity in terms of materials and scale which allow the buildings to sit harmoniously alongside one another. A vital contribution is also the front boundaries of the properties to the village scape. Low level rubble stone walls with hedging and established trees are typical and care should be taken to ensure that these are retained and not inappropriately replaced. In terms of street scape, the walls and prominent elevation of The Hermitage raised above street level encapsulates the charm and history of this Conservation Area. The character assessment also sets out vernacular materials as being granite and rubble stone, timber framing.

The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council and provides information to developers and local planning authorities to assist in the design of road layouts. The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; and help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking required to be provided in new housing development.

The Crime and Disorder Act 1998

This places a duty on the local planning authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on community safety is therefore a material consideration in the determination of planning applications.

Planning (Listed Building and Conservation Areas) Act 1990 (as amended)

This requires local planning authorities to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Considerable importance and weight should be attached to any harm to these heritage assets or their

setting. The courts have held that this creates a negative presumption (capable of being rebutted) against the grant of planning permission where harm will be caused) and that the balancing exercise must begin with this negative weight/presumption even where the presumption in favour of sustainable development is engaged under the Framework. Section 72 of the Act requires that in considering whether to grant planning permission for development which affects a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character and appearance of the area.

Department for Communities and Local Government – Technical Housing Standards – nationally described space standard (March 2015)

These standards deal with internal spaces within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights. The standard sets out the minimum space requirements dependent on different combinations of single and double/twin bedrooms.

The standard sets out that minimum floor to ceiling heights should be 2.3m for at least 75% of the GIA (Gross Internal Area). For the application proposal, which is a 3-person, 2 bed single storey dwelling, the minimum gross internal area should be 61 sq.m. The proposal achieves just 48.3 sq.m.

Draft Supplementary Planning Document on Design (January 2020)

Cabinet has approved the Design Supplementary Planning Document, but at the time of writing this report the document is within the call-in period. This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. In its draft form, the document carries some but not full weight. Members will be updated with regards to the document's status and weight in the Extras Report.

Relevant Planning History

Ref.	Description	Decision	Date
P/80/3151/2	Site for the erection of one dwelling and garage	Refused	13.11.80
P/92/0045/2	Conversion of and extensions to stables to form 2 bed bungalow	Refused	19.3.92
P/92/2055/2	Conversion and front and rear extensions to stable block to form 2-bedroom bungalow and formation of new access	Refused Appeal Dismissed	15.10.92 9.7.93
P/19/2558/2	Retention of stables and hay store	Current Application	Decision pending
P/19/2559/2	Retention of use of land for the keeping and riding of horses	Current application	Decision pending

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Responses of Statutory Consultees

The Environment Agency has responded that as the application site lies fully within flood zone 1 it has no comment to make with regard to fluvial flood risk from main rivers. The nearest main river is the Quorn Brook which lies over 2km to the east of the proposed development site. There is an ordinary watercourse which runs along the land to the south of the proposed development site however this watercourse falls within the remit of the Lead Local Flood Authority (LLFA). The Agency advises the applicant to contact the LLFA to determine flood risks associated with non-main river watercourses and that there are no other environmental constraints associated with the site.

Woodhouse Parish Council observes that The Stables are accessed from a very narrow and very old lane in the village, whose buildings can be dated to the 1600s. A large proportion of the site plan is located within the School Lane Conservation Area. The Stables are close to several Grade II Listed buildings, providing walkers with "a sense of seclusion" [Conservation Area Character Appraisal, 2013]. Additional traffic could impact this. The Parish Council also desires development to respect the spirit of the Village Design Statement and the existing street scene.

Other Comments Received

The following representations have been received:

The Homestead, 46 School Lane claims ownership of the shared vehicular access to The Stables. The two properties were, historically, within single ownership but were later separated. The stable block and other structures on the site are used by multiple third parties who either keep or stud horses there. The result is a significant amount of traffic crossing the narrow driveway and the proposal would exacerbate this issue.

37 School Lane objects to the proposal with photographs of local flooding of the watercourse which runs along School Lane. New dwellings would increase flood risk and increase traffic to the narrow street and damage the banks of the brook. It is considered that if planning permission is granted, this would set a precedent for further development on School Lane that would further harm the character of the Conservation Area and the setting of listed buildings.

38 School Lane states there are 15 dwellings in this part of School Lane and there has been a significant increase in vehicle movements in the land with users often finding it difficult to turn around and larger vehicles have to reverse out of the cul-de-sac. The Lane lacks infrastructure to cope with increases in transportation and the footpath is well used by walkers and school children. The proposal, if permitted, would set a precedent that would lead to increased development and further congestion in the Lane.

43 School Lane believes there should be no further development on School Lane until the drainage problems are sorted out. These are thought to be caused by silted up streams, blocked pipes and excess water from surrounding fields. The development would cause additional volumes of traffic onto a single track lane.

Consideration of the Planning Issues

The key issues in considering this application are considered to be:

- The principle of the development
- The impact on heritage assets
- The impact on residential amenities
- Highways and Car Parking
- Ecology

The Principle of the Development

Old Woodhouse is identified as a 'small village or hamlet; within the adopted Core Strategy. As such, it is considered to be an unsuitable location for new residential development, although Policy CS1 states the Council will respond positively to development that meets a specific local or economic need where that need is identified in a Neighbourhood Plan or other appropriate community-led strategy. There is currently no Neighbourhood Plan for the village and no evidence of need to fulfil the terms of the policy.

Policy CS11 of the Core Strategy states that we will support and protect the character of our landscape and countryside and supports residential development which has a strong relationship with the operational requirements of agriculture, horticulture, forestry or other land based industry and which contributes to a low-carbon economy in accordance with Policy CS10. The proposal is not to meet any identified such need and would therefore be unwarranted residential development in the countryside, contrary to Policy CS11.

In terms of the transport sustainability of the site, there are no facilities or services within the village or within easy walking or cycling distance and the settlement is ranked accordingly in the hierarchy published in the Core Strategy. The applicant contends that the use of the building as a dwelling would generate fewer vehicle movements to and from the site than the existing stable use, however, given the availability of the paddock land (and the range of unauthorised structures), it seems evident that some keeping/stabling of horses would subsist on the wider site to at least the equivalent of the current equestrian use and that the traffic movements associated with a residential dwelling would be additional to these. The development would therefore be likely to result in an increase in traffic with occupiers of the resultant dwelling having to rely on the private car for most journeys and this would be contrary to national policy which seeks to locate development in locations which are accessible by alternative modes of transport, and would undermine the Borough Council's aim in Policy CS17 of the Core Strategy in achieving a 6% modal shift by 2028.

The applicant considers that as the building is existing, the development would not encroach into open countryside any further than it already does and the external changes to the building would be almost imperceptible from outside the site and would accord with Policy CS2. The applicant also considers that the proposal accords with the NPPF in respect of rural housing in that the development is not isolated from other rural houses and does not detract from the intrinsic character and beauty of the countryside and which would also make more effective use of the land (Para 118 NPPF). The applicant considers that as there are no development plan policies which relate to the re-use of rural buildings, the development plan policies are not fully compliant with the NPPF.

However, Policy CT/1 sets out the types of rural development which would be acceptable in principle, including the re-use of buildings for uses suitable in scale and nature where

there would not be a significant adverse environmental impact and meets other criteria as set out in the policy. Residential development does not feature within the acceptable uses unless it is essential for the efficient long-term operation of agriculture, horticulture or forestry. It is also worth noting that the application concerns a rural building which is still in use and is not redundant. There is also a demonstrable need for the stables within the structure as additional stables have been erected with the land controlled by the applicant. The loss of the existing building may therefore increase a need for further additional stables development at this countryside location.

To conclude the proposal represents a new dwelling within a small village or hamlet which is contrary to policy CS1 of the development plan. The National Planning Policy Framework, which is a material consideration, sets out the limited circumstances where homes in the countryside are acceptable. For conversions the re-use of redundant or disused buildings which enhances their setting is one such circumstance. The proposal does not meet with these provisos as it is not redundant or disused building and the proposals do not enhance its setting. Additionally, there is conflict with saved policy CT/1 of the Local Plan. The proposal would therefore fail to comply with policies CS1, CS17 and CS25 of the Core Strategy and Policy CT/1 of the Borough of Charnwood Local Plan which seek to achieve development which is sustainably located in order to reduce the need to travel by the private car.

The impact on heritage assets

It is acknowledged that the building itself lies outside the designated Conservation Area, but part of the new residential curtilage and the existing access lies within it. There are also listed buildings which lie close to the site. The Woodhouse School Lane Conservation Area was designated in 1993 with the Conservation Area Character Appraisal being adopted by Cabinet in July 2013. This Conservation Area covers 2.3 hectares and is distinct in character from the Woodhouse Forest Road Conservation Area. The document is intended as a guide for people considering development which may affect it. The key characteristics of the area are set out above. The nearest listed building is Lane End Cottage at 45 School Lane, approximately 50m to the south of the application building. This is a granite and Swithland slate dwelling (originally a school). Just to its north is a Grade 2 17th century granite and Swithland slate barn which is also Grade II listed. It is considered that the proposal would not detract from the significance of the identified heritage assets and would not be harmful to their character, appearance or settings.

The existing building is a good quality and attractive stable range built partially of local stone and other appropriate materials. The proposal seeks to utilise the existing footprint and fenestration openings and block up other openings. The position of the building and its secluded setting at the end of the narrow lane, together with its screening gates mean that it makes little contribution to the existing character and appearance of the Conservation Area and it is considered that the proposal would cause no harm to the significance of the setting of the Conservation Area. The distance between the site and the nearest listed buildings is also such that their character, appearance and settings would also not be harmed by the proposal. As the proposal would conserve the significance of the identified assets it would accord with Policy CS14 and Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and should in itself be given weight in the planning balance.

The impact on residential amenities

Property	Distance & Relationship	Guide (if applicable)	Notes
The Homestead, 46 School Lane	23m to the south east – a two storey dwelling with single storey elements	21m	Shares the vehicular access with The Stables with a single storey gable flanking the access and a study window within 0.5m of it.
48 School Lane	20m to the south – a single storey L-shaped dwelling	None	A garage and trees/landscaping in the intervening space.

The existing building is modestly scaled and discretely located with nearby dwellings occupying spacious and tranquil plots. The Inspector, in dismissing the previous appeal in 1993 also considered the impact of the proposal on the amenities of existing residential occupiers and found that the introduction of domestic activity on such a backland site would unacceptably intrude on the quiet setting of neighbouring occupiers. Today, whilst the proposal is to provide one dwelling off the same access, its surroundings have not significantly altered since the earlier dismissed appeal. In fact, the legal separation of The Stables and The Homestead has introduced further potential for amenity harms in terms of the use of the shared access, the introduction of internal and possibly external lighting, increased noise and disturbance and erosion of tranquility.

In terms of privacy, the site is bounded by a 1.8m high fence to the north-eastern side and the height and window arrangement to the rear elevation of the proposed dwelling are such that no significant losses of privacy or increased overlooking are likely to be experienced to either neighbour.

Although only a single dwelling is proposed, its vehicular activity would be in addition to large and small vehicle movements already associated with the stables activities and this would cause some further loss of amenity to dwellings either side of the access and indeed the occupiers of The Homestead who have a principle room flanking the access. The development could lead to possible additional noise, vibration, and headlight nuisances. Although The Homestead has recently been granted planning permission under P/19/1530/2 to undertake extensions and provide a new vehicular access off School Lane (which will reduce the need to use the existing shared access), there is no guarantee that this permission will be implemented and that the shared arrangements and the current configuration of accommodation at The Homestead could continue, with the principal room flanking the existing access remaining affected by vehicle movements on the shared driveway.

In addition, the amenities of future occupiers of the dwelling have also been considered. The minimum gross internal space standard for a 2-bedroom, 3-person single storey dwelling (as set out by the Department of Communities and Local Government) is not met. Achieving just 48.3 square metres (61 square metres recommended), the proposal would be a cramped dwelling with relatively poor access to internal natural light and a poor outlook over the main parking and turning area.

In these ways, it is considered that the proposal would provide a poor quality dwelling which would have a significant impact on existing residential occupiers and the proposal would fail to accord with Policies CS2 and EV/1 in particular.

Highways and Car Parking

Whilst the Leicestershire County Highway Authority was not consulted on the application, the proposed development is of a type where its standing advice would usually apply in terms of access width and geometry, car parking requirements etc.

The proposal would utilise an existing access, with no modifications being proposed to it. The existing vehicular access gate is positioned approximately 15.5m from the highway boundary and is proposed to be retained. Whilst the existing garage at the site falls outside the application site boundary (and would not therefore be available to future occupiers of the dwelling), ample parking and turning is shown to be available within the existing graveled forecourt. Although the junction with School Lane is substandard in terms of width and forward visibility, its location, at the end of the cul-de-sac is such that the speed of passing traffic is likely to be low, with existing users being familiar with the hazards. It is considered that the addition of one dwelling on a site which currently is used by large vehicles, unrestricted in number or frequency, would not introduce significant highways harms to warrant a refusal of planning permission. The development would not therefore have a 'severe' cumulative impact and would generally accord with the provisions of Policy TR/18 and paragraph 109 of the NPPF.

Ecology

The Council's Senior Ecological Officer generally concurs with the findings of the submitted Ecological Appraisal and agrees that no further survey work is required to prove or disprove the presence of bats in and around the building. However, it is recommended that in the event the development is otherwise acceptable, that a condition be imposed to secure the provision and retention of swallow cups to compensate for the loss of internal nesting opportunities. The proposal is considered to accord with Policy CS13 and the relevant provisions of the NPPF which seek to ensure development does not result in overall biodiversity loss.

Conclusion

Decisions on applications need to be made in accordance with the adopted development plan policies and the material considerations that support them.

The proposal would be close to designated heritage assets but it would not cause harm to the significance of these. It would preserve the significance of them and this has some weight in the planning balance. There is no harm in terms of highway matters or ecological harm that could not be mitigated by way of conditions. The proposal would bring small scale economic benefits in terms of jobs during construction and the limited contribution it would make to the 5 year supply of housing land.

However, it is located within a small village in the countryside where the development of new housing is resisted on the grounds that it is not a sustainable location. This places the proposal at odds with policies CS1 and CT/1. Additionally, there would be harm to the

amenity of adjacent property and to future occupiers by way of the substandard accommodation provided which is in conflict with policy CS2. These matters mean that the development would fail to accord with the development plan and that it does not represent a sustainable form of development. Accordingly, it is recommended that the proposal be refused planning permission for the reasons set out below.

RECOMMENDATION: -

Refuse

- 1 The application site is situated in Woodhouse, defined as a Small Village and Hamlet in the hierarchy of settlements as set out in Policy CS1 of the Charnwood Local Plan 2011-2028 Core Strategy. This is considered to be a settlement where there are few or no services and residents rely upon larger settlements for day to day needs. Therefore, taking account of the location and accessibility of the site, the proposal would not be in a sustainable location for new housing development, nor would it enhance or maintain the vitality of rural communities. Whilst the proposal may be considered to be small scale, it is not considered that a local need for the development has been demonstrated by a Neighbourhood Plan or other community-led strategy. As such, it would conflict with Policies CS1, CS11 and CS25 of the Core Strategy, saved policy CT/1 of the Local Plan and the National Planning Policy Framework.
- 2 This part of Woodhouse is characterised by large irregular dwellings set in spacious plots which gives the street a distinctive character and pleasant appearance within the Conservation Area. The proposal would involve the development of a single storey building on a back-land site which would be at variance with this established character. Furthermore, the local planning authority is not satisfied that this development in depth would not give rise to additional domestic noise, disturbance and lighting nuisance, including that arising from the increased use of the shared driveway. The proposal is therefore likely to impact significantly on the amenities of existing neighbouring occupiers and the character of the area generally and would be contrary to Policies CS2 and CS25 of the Charnwood Local Plan Core Strategy, saved Policy EV/1 of the Borough of Charnwood Local Plan and the National Planning Policy Framework.
- 3 It is the opinion of the local planning authority that by reason of its design, layout and form the proposed development would result in a cramped and unsuitable form of residential accommodation for future occupiers. The development would provide an unacceptable and unsuitable level of residential amenity to future occupiers. Accordingly, it is considered the proposal fails to comply with policies CS2 of the Charnwood Local plan and Policy EV/1 of the Borough of Charnwood

Local Plan and the advice contained within the National Planning Policy Framework and the National Design Guide which all seek to secure high quality sustainable development.

The following advice notes will be attached to a decision

- 1 In the Local Planning Authority's view, the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. The requirements of the National Planning Policy Framework (paragraph 38) has therefore been met in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

