
Delegated report Officer: Teresa Turner

Application ref. DMPA/2021/1436

The erection of a single storey detached garden room at Woodside House, 15 Ashby Road, Melbourne, DE73 8ES

Valid date: 28/09/2021

Consults expired: 08/11/2021

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

9/2015/0291 – Outline planning permission (all matters reserved) for residential development of up to 5 dwellings on Land at SK3824 2899 Ashby Road, Melbourne – Outline planning permission granted on 28th April 2016.

9/2017/0123 – Approval of reserved matters for layout, scale, appearance and landscaping only of planning permission ref. 9/2015/0291 on Land at SK3824 2899 Ashby Road, Melbourne – Reserved matters approved on 10th May 2017.

DMPA/2021/0330 - Garden alterations including excavation of existing land levels to accommodate new hard and soft landscaping, the sinking of the existing swim spa and additional screening – Householder planning permission granted on 17th May 2021.

Responses to consultations and publicity

The Conservation Officer does not object to the proposal as the proposed garden building would not harm the character and appearance of the conservation area.

Melbourne Civic Society have raised no objections.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- 2016 Local Plan Part 1 (LP1): Policy S2 (Presumption In Favour of Sustainable Development), Policy SD1 (Amenity & Environmental Quality), Policy BNE1 (Design Excellence), Policy BNE2 (Heritage Assets)
- 2017 Local Plan Part 2 (LP2): H27 (Residential extensions and other householder development), BNE10 (Heritage)

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)
- Melbourne Conservation Area Character Statement 2011 (CACS)

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning considerations

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issue(s) central to the determination of this application is/are:

- The impact on the character and appearance of the conservation area; and
- The impact on the living conditions of the adjoining properties and the general character and appearance of the area.

Planning assessment

The impact on the character and appearance of the conservation area

15 Ashby Road is a modern detached property in a Georgian style built under permissions granted c.2015-17 which is located within the key service village of Melbourne.

The host property was built after the last review of the Melbourne Conservation Area and as such the house itself sits outside of the conservation area boundary but the part of the garden where the new outbuilding is proposed is within the conservation area. As the outbuilding would be positioned between a side elevation of the house and the boundary of the garden planning permission is required.

The northwest portion of the site is elevated above Ashby Road but also reasonably well screened by tall and robust hedge planting such that the proposed outbuilding would not be visible from Ashby Road. To the south land quickly slopes away into areas of former quarrying such that the outbuilding would not be visible from that direction either. The scale of the proposed building would be modest and it would be of a simple design in a well screened and enclosed portion of the site such that its visual presence beyond the site boundary would be negligible.

It would therefore be concluded that the proposal would not harm, and would thus preserve, the special architectural and historic character and appearance of the conservation area, as is described as a desirable objective within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such the proposal would conform to the requirements of the NPPF and with Policy BNE2 of the LP1 and Policy BNE10 of the LP2 in that the significance of the heritage asset would not be harmed.

The impact on the living conditions of the adjoining properties and the general character and appearance of the area

The proposed detached structure would accommodate a garden room with a raised platform to the frontage and openings proposed on the sides that face towards the existing external amenity space of the host only. The nearest neighbours are to the opposite (northeast) side of Ashby Road (No's 60 and 62) and the blank side of the proposed outbuilding would face towards these neighbours however there would be adequate separation (28+ metres) and screening to preserve the existing privacy levels in line with the Council's SPD.

The proposed structure would be screened from the nearest neighbour to the northeast (11 Ashby Road) by the host building and the closest neighbour to the east (Lambert Grange) would be some 65 metres away. There are no neighbours to the immediate south of the site.

Given the existing screening along Ashby Road and the proposed structure's use as an ancillary domestic garden room, the proposal would have no impact on the existing street scene or the general character of the area and would not be unduly detrimental to the living conditions of adjoining properties in line with the requirements of Policy BNE1 of the LP1 and Policy H27 of the LP2. Given the existing residential use of the site it is considered that the outbuilding would be unlikely to give rise to non-visual impacts (things like noise and odour) different to those likely to arise from the established

use of the site.

There is sufficient detail within the submission documents such that the imposition of conditions to agreed materials would not be deemed necessary.

The proposal would conform to Policy SD1 of the LP1 in that it would not lead to adverse impacts on the environment or amenity of existing and futures occupiers within and around the proposed development.

The proposal would conform to the requirements of the NPPF and the PPG and with Policy S2 of the LP1 in that planning applications received by the Council that accord with the policies in the Local Plan Part 1 (and where relevant, with policies in neighbourhood plans) will be dealt with positively and without delay unless material considerations indicate otherwise.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	06/12/2021
Report agreed:	08/12/2021
Authorised officer:	Sarah Beeby
