



TUK RURAL
PRAGMATIC ARCHITECTURAL CONSULTANTS

Planning Statement

Proposal: Demolition of Stable and Kennel blocks and
Erection of a three bedroom dwelling

Site: Field View, Station Road, Melbourne Derbyshire
DE73 8BR

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1. INTRODUCTION

- 1.1. The applicant has appointed TUK Rural Ltd to produce a Planning Statement in support of the application made for the full planning permission for the proposed construction of a three bedroom dwelling at Field View, Station Road, Melbourne, Derbyshire DE73 8BR.
- 1.2. This statement will address the relevant development plan, and national planning policy guidance applicable to the determination of this application, and set out justification for the support of this application.

2. THE SITE

- 2.1. This site falls within the administrative boundary of South Derbyshire District Council. Please see the satellite image, with the site identified in red.



- 2.2. The site comprises of a 3 bedroom C3 Class Dwelling, and residential gardens. The site measures approximately 0.9 acres.
- 2.3. There are a number of structures located on site, including a timber built stable block, kennels and a timber gazebo with decking. As such the site is previously developed land, and is therefore considered appropriate for development.

- 2.4. A section of the curtilage is currently used as grazing - although it does not have equestrian use, and retains C3 Classification.
- 2.5. The site is located outside of the settlement boundary of Melbourne, as identified on the development plan policies map. Whilst outside of the settlement boundary the site is clearly set within an established ribbon of development, comprising the following properties:
 - A. Greenacres - C3 dwelling
 - B. Station Farm - C3 dwelling
 - C. Ramsley Cottage - C3 dwelling
 - D. Meadowside - C3 dwelling
 - E. Field View - C3 dwelling
 - F. Ramsley House - C3 dwelling
 - G. Melbourne View - C1 and C3
 - H. Field Farm - Agricultural tied dwelling
 - I. Brooklands House - C3 dwelling



- 2.6. The site is situated in flood zone 1 as detailed in the Environment agency's Flood Maps.

3. PROPOSED DEVELOPMENT

- 3.1. The application proposes the removal of the temporary structures on site, and the construction of a two storey, three bedroom dwelling, which will have the appearance of a barn conversion.
- 3.2. It is proposed that the new dwelling will have the form of a barn conversion, to complement the rural nature of the site.
- 3.3. The materials pallet is to include facing brick, and a vertical timber cladding system with large glazed openings to maximise the views across the open countryside. Post and rail fencing is proposed to define the residential curtilages. Soft landscaping will include new tree planting, sections of native hedgerows, the garden areas are to be laid with amenity grass, thus providing an increase of biodiversity for the site.
- 3.4. The existing access to the site will be utilised, and extended to serve the new dwelling.
- 3.5. The proposed development will include a number of ecological components, so as to create as little impact upon the countryside as possible. These items will include the following:
- 3.6. **Rain water harvesting system** - Rain water will be collected and used for the flushing of toilets, washing cars, and watering the garden. The water collected and stored for use will significantly reduce the volume of surface water run off, thereby reducing the risk of flooding. Rain water harvesting systems are energy efficient, and environmentally friendly, requiring no chemicals for water treatment, as this is carried out using filtration.
- 3.7. **Air Source Heat Pump** - The property will include an air source heat pump, which is more environmentally friendly than a gas boiler, producing far less CO₂ than traditional systems.
- 3.8. **Bio-diversity** - The fruit trees on site were planted by the Applicant to form an orchard. Unfortunately these tree have died, and will be removed from site. It is proposed that a new hedge and trees are planted as part of this proposal. It is also proposed that three bird boxes be fitted to trees on site in order to increase the biodiversity of the site.
- 3.9. **Electric vehicle charge points** - There will be parking provision for three vehicles, which will include two electric vehicle charging points. Thus encouraging the switch from petrol vehicles to electric, and contributing to the cleaner air of the area.
- 3.10. **Solar Panels** - Solar PV's will also be incorporated into the site in order to further reduce the carbon footprint of the dwelling and its occupants.

- 3.11. Foul Waste** - it is proposed that a Waste Treatment Plant is fitted to deal with the household sewage water. As such no foul waste connection to the mains sewer will be required.

4. PROPOSED ELEVATIONS

1 FRONT ELEVATION (S)
Scale: 1:100



2 SIDE ELEVATION (E)
Scale: 1:100



3 REAR ELEVATION (N)
Scale: 1:100



4 SIDE ELEVATION (W)
Scale: 1:100



5. PLANNING HISTORY

9/2009/0284 - Alterations and extension of Ramsley House to form a new dwelling at Ramsley House, Station Road, Melbourne DE73 8BR

DMPA/2022/1101- Erection of one new dwelling including access, parking and landscaping arrangements at 159A Station Road, Melbourne, Derby, DE73 8BQ

6. PLANNING POLICY CONTEXT

- 6.1. The Planning and Compulsory Purchase Act 2004, Section 38(6) states an application for planning permission is to be determined in accordance with the development plan unless other material consideration indicate otherwise. The NPPF is considered as a material planning consideration as per Section 38(6).
- 6.2. The development plan for South Derbyshire currently comprises of the adopted local plan part 1 2011-2028 and the local plan part 2, and the Melbourne neighbourhood plan 2022.

Local Plan Part 1

The key relevant policies identified are as follows:

Policy S1 - Sustainable Growth Strategy - The proposal is supported by the following:

- ii) Over the plan period 2011-2028 at least 12618 will be built within South Derbyshire. The housing sites required will be met on a mixture of brownfield and green field sites, with encouragement given to the re-use of previously developed land.

The site is considered to be brownfield as it is the previously developed land, under the use Classification C3.

Policy S2 - Presumption in favour of sustainable development - "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to seek solutions, which mean that proposals secure development that improves the economic, social and environmental conditions in the area."

The proposed development is highly sustainable, the site is located within close proximity to excellent transport links by road, rail and bus. Local amenities are within easy walking distance, including the local primary school, convenience store and town centre all within a 20 minute walk. The Chellaston School bus (local secondary school) 207 also stops on Station Road.

Policy S3 - Environmental Performance - "The Council will support developers in bringing forwards more sustainable homes and commercial properties by supporting the governments drive forwards towards improved housing standards in respect of access, space standards, security, water and external waste storage where specific justification exists for seeking higher standards locally than set out in Building Regulations. The council will work collaboratively with developer, and other organisations wishing to bring their own environmental or social sustainability standards to market for utilisation on a voluntary basis. "

The site is highly sustainable with regards to its environmental performance, and is therefore supported by this policy.

Policy H1 - Settlement Hierarchy - Melbourne is identified as a key service village in the settlement hierarchy, and as such Policy dictates that “development of all sizes within the settlement boundaries will be considered appropriate, and sited adjacent to settlement boundaries as an exception or cross subsidy site as long as not greater than 25 dwellings.”

It is our view that the site can be considered as both adjacent to the settlement boundary, and limited infill, and is therefore appropriate for its location.

Policy H20 - Housing Balance - “A - The Council will seek to provide a balance of housing that includes a mix of dwelling type, tenure, size and density. The overall mix of housing will take into account of the strategic housing market assessment (SMHA) and Local Housing Needs Study.

C - Any housing development would be expected to make the most efficient use of the land whilst taking into account where it is appropriate for the surrounding built and natural environment.”

It is felt that the proposed development is supported by this policy. The applicant in this case is seeking permission to build their own home. Great consideration has been made for the use of the land, the size and scale of the dwelling and its appropriateness for the surrounding built and natural environment. The council is required to make a provision for self-build homes, we understand that this can contribute towards the requirement of affordable housing within this district.

Policy SD1 - Amenity and environmental Quality - The proposal does not lead to any adverse impacts on the environment or amenity of existing and future occupiers within or around the proposed development.

Policy SD2 - Flood Risk - The Site is not at risk from flooding, nor does the development increase the flood risk to other properties or surrounding areas.

Policy SD3 - Sustainable Water Strategy - The development has been designed to incorporate a Rain Water Harvesting System, which will significantly reduce water consumption and discharge, and as such is highly compliant with Policy SD3.

Policy BNE1 Design Excellence - “All new development will be expected to be well designed, embrace the principles of sustainable development, encourage healthy lifestyles and enhance people’s quality of life by adhering to the Design principles below:
a) Community safety: New development should be designed to ensure that people feel comfortable and safe by minimising opportunities for crime and anti-social behaviour, providing good natural surveillance and appropriate demarcations between public and private areas;

c) Diversity and community cohesion: New development should be designed to be diverse, vibrant, possess a sense of place and encourage social interaction.

d) Ease of use: New development should be accessible to all user groups, well managed and should be able to adapt to changing social, environmental, technological and economic conditions, including the needs of an ageing society;

e) Local character and pride: New development should create places with a locally inspired character that respond to their context and have regard to valued landscape, townscape and heritage characteristics;

g) Visual attractiveness: New development should be visually attractive, appropriate, respect important landscape, townscape and historic views and vistas, contribute to achieving continuity and enclosure within the street scene and possess a high standard of architectural and landscaping quality;

h) Neighbouring uses and amenity: New development should not have an undue adverse affect on the privacy and amenity of existing nearby occupiers. Similarly, the occupiers of new development should not be unduly affected by neighbouring land uses;”

The proposed development has been designed in accordance with the Good Design Guide issued from South Derbyshire District Council, and provides a high standard of living for the future occupants of the dwelling. There is no detrimental impact upon the surrounding land, character or amenity.

Policy BNE4 - Landscape Character and Local Distinctiveness - The development has no detrimental impact on the local or historical character. All mature trees and established hedgerows are to be retained, and as such has a minimal impact upon the landscape character of the site, and is compliant with Policy BNE4.

Policy INF2 - Sustainable Transport - Advises us that “Planning permission will be granted for development where:

- a) Travel generated by development, including goods vehicle movement, should have no undue detrimental impact upon local amenity, the environment, highway safety, the efficiency and availability of public transport services; and
- b) Appropriate provision is made for safe and convenient access to land within the development for pedestrians cyclists, public transport users and the private car; and
- c) Car travel generated by the development is minimised relative to the needs of the development.”

The site is in very close proximity to a number of public footpaths, Namely FP20, leading from the site to Castle Donington, FP12 which links Station Road Melbourne to Wilson Lane, Wilson.

The Cloud trail is also within very easy reach of the site which connects Worthington to Derby City, which can be used by both pedestrians and cyclists alike.
The site is also within easy walking distance of two bus routes, providing direct access to Castle Donington, East Midlands Airport, Swadlincote and Derby City Centre.

Local Plan Part 2

The key relevant policies identified are as follows:

Policy SDT1 - Settlement Boundaries and Development: "Outside of settlement Boundaries and allocated site, within the rural areas as defined in Policy H1, development will be limited to that considered acceptable inter Alis Policy BNE5"

Outside of settlement boundaries and allocated sites, within the Rural Areas as defined in Policy H1, development will be limited to that considered acceptable inter alia by Policy BNE5.

Policy H24 - Replacement dwellings in rural areas - "The replacement of a dwelling within the Rural Areas will be permitted provided that:

- i) The form and bulk of the new dwelling does not substantially exceed that of the original dwelling or that which could be achieved as permitted development; and
- ii) is not more intrusive in the landscape than that which it replaces; and
- iii) The new dwelling has substantially the same siting as the existing; and
- iv) The existing dwelling to be demolished is not of historic merit."

The applicant has explored this policy however unfortunately as their home is semi-detached this is not a viable option, and as such are unable to build a replacement dwelling.

Policy H27 - Residential Extensions and other Householder Development - "Extensions and alterations to dwellings or the erection or alteration of outbuildings, annexes, structures and boundary treatments within residential gardens, will be permitted provided that the proposals:

- i) are of a scale and character in keeping with property; and
- ii) Are not unduly detrimental to the living conditions of adjoining properties or the general character and appearance of the area"

While it is acknowledged that the criteria here is different to the proposed, the policy does provide support for the principle of development within a residential garden.

Policy H28 - Residential Conversions - represents the applicants fall back position conversion of the existing stables with subservient extension.

Policy BNE5 - Development in Rural Areas - "Outside of settlement boundaries (as defined in policy SDT1) within the Rural Areas of the district planning permission will be granted where the development is:

- i) allowed for by policies H1, H22, E7, INF10, H24 H25, H26, H27 OR H28 or;
- ii) Otherwise essential to a rural based activity; or
- iii) Unavoidable outside settlement boundaries; or
- iv) Considered infill that is in keeping with the character of the locality and represents the infilling of a small gap for not more than two dwellings, within small groups of housing; and
- v) Will not unduly impact on : landscape character and quality, biodiversity, best and most versatile agricultural land, and heritage assets."

The development has been designed so that it integrates into the landscape sympathetically, with minimal impact. The proposed scheme is not considered to result in the loss of an important gap between groups of housing.

Immediately adjacent the site is the existing dwelling Field View , further along there is Ramsley House, and to the North there is Field Farm House. Part of the site is hard surfaced and used as a stable block and kennel house. The remainder of the site consists of hard standing for the existing dwelling, and residential gardens. Whilst there is some separation between the application site and these dwellings, it is considered on balance that the site meets the definition of a small infill site between existing groups of housing.

As such the proposed development is considered to comply with policy BNE5.

Melbourne Neighbourhood Plan

Policy DP1 - "Proposals for new development within the defined settlement boundaries of Melbourne and Kings Newton will be supported, where such development is appropriate to the scale and character of the site and its surroundings, and where there will be no adverse environmental impacts arising from the development.

Development proposals should, in all cases, seek to achieve a high quality of building design and landscaping and make a positive contribution to the street scene.

Proposals for new development beyond the settlement boundaries of Melbourne and Kings Newton will only be supported where they comply in full with the relevant policies of this plan and the adopted South Derbyshire Local Plan.

All proposals should ensure that they do not lead to any increased risk of flooding within the plans area, in accordance with the policies of the adopted South Derbyshire Local Plan and the advice of the environment agency."

Policy DP2 - "In addition to the general presumption against new development within the rural areas beyond the settlement boundaries of Melbourne and Kings Newton, as set out in policy DP1, all development proposals within the rural areas will also be assessed in terms of their impact upon the existing character and setting of Melbourne and Kings Newton, including the designated heritage assets. Proposals which would lead to adverse impacts upon those settlements features will not be supported, including those proposals which would lead to the

coalescence of the two settlements by virtue of their scale and mass, siting visual impact and/or impacts upon the landscape features of the area.”

It is considered that the proposed development, while located outside of the Settlement boundaries of Melbourne, is compliant with the relevant policies of the SDDC Local Plan, and will have no detrimental impact upon the environment, amenity, or landscape character, and therefore is supported by the policies DP1 and DP2.

National Planning Policy Framework (NPPF)

It is felt that significant support for the proposed development is provided by the NPPF here, due to the sustainability of the development.

Paragraph 11 - “Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 7 ; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Paragraph 38 - The NPPF dictates that there is a presumption in favour of sustainable development. This paragraph advises that local planning authorities should approach decisions on proposed development in a positive way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Applications for sustainable development should be supported wherever possible.

Paragraph 60 - To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 69 - Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly.

Paragraph 110 - In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;

b) Safe and suitable access to the site can be achieved for all users;

Paragraph 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network would be too severe.

Paragraph 119 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes use as possible of previously developed or 'brownfield' land.

Paragraph 120 - Planning policies should:

(c) Give substantial weight to the value of using suitable for brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

Achieving appropriate densities

Paragraph 124 - "Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) Local market conditions and viability
- c) The availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) The desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change; and
- e) The importance of securing well-designed, attractive and healthy places."

7. PLANNING POLICY ASSESSMENT

Principle of Development

- 7.1. Melbourne is identified as a key services village within the spatial hierarchy where development will be accepted adjacent to settlement boundaries as an exception or cross subsidy site as long as not greater than 25 dwellings. The adopted development plan identifies that limited infilling is not an inappropriate form of development outside of the settlement boundaries.
- 7.2. Whilst there is no definition of "limited infilling" provided within the NPPF, it is widely accepted through planning case law that the term "infill" can relate to the development of a gap within otherwise built up frontage, or the the development of

a plot of land which infills a gap within the physical confines of an otherwise built up area. Development plan policy BNE5 seeks to clarify what the council considers limited infilling to be in contact of decision making in rural areas. Policy BNE5 required the following conditions to be met:

1. In keeping with the character of the locality infilling a small gap
2. Not normally more than two dwellings within small groups of housing
3. Would not unduly impact on landscape character and quality, biodiversity, best and most versatile agricultural land and heritage assets.

7.3. The above will be addressed in turn:

1. In keeping with the character of the locality infilling a small gap

Case Law has established that the location of a site beyond a settlement boundary is not in itself determinative in assessing whether it lies within a village or not (Julian Wood v The Secretary of State for Communities and Local Government, Gravesham Borough Council). Following the principles set out in this case, the matter is one of planning judgement having regard to the facts on the ground.

Based on the facts on the ground in this case, it is clear that the site is positioned within an established ribbon of development, with buildings and established uses surrounding the site. The site has an infill character, and irrespective of the defined settlement boundary. The location of a new dwelling within this site would not appear out of character with the existing pattern and distribution of development in this part of the settlement.

Whether a site constitutes a “small gap” is a matter of planning judgement having regard to the character, spacing and context of development in the area. The plot is of sufficient size that it would separate well into two large plots, providing ample amenity space for each of the properties, and which are comparable to neighbouring properties. On that basis, it is concluded that the site is limited in the context of the character of the area and the site therefore constitutes a “small gap” in accordance with BNE5.

For the above reasons it is concluded that the development complies with these objectives of Policy BNE5.

2. Not normally more than two dwellings within small groups of housing:

The application proposes a single dwelling and therefore does not conflict with policy BNE5 in this respect.

3. Would not unduly impact on landscape character and quality, biodiversity, best and most versatile agricultural land and heritage assets.

The application proposes a dwelling of Barn like appearance that would be appropriate for the agricultural setting and character of the landscape, replacing

an existing stable block and kennels. The dwellings retain views of the landscape, and would have a similar relationship to the landscape setting as the neighbouring developments. For these reasons it is concluded the development would not unduly impact the landscape character and quality.

In biodiversity and landscape terms the proposal offers a significant enhancement through the planting of Native trees and species throughout the site, providing a bio-diversity gain, and a high quality landscaped environment.

No Listed Buildings have been identified that would be impacted by the proposal. The property is not located in the Conservation Area, or in an area of archaeological interest.

For the reasons above, it is concluded that the development complies with the objectives of Policy BNE5.

Design

- 7.4. The NPPF places significant weight on ensuring good design which is key aspect of sustainable development. Development should positively contribute towards making places for better for people. Policy BNE1 requires all new development to be well designed, embrace the principles sustainable development, encourage healthy lifestyles and enhance people's quality of life.
- 7.5. The residential use of the site is compatible with the surrounding land uses and landscape character. The architectural design of existing properties within the street scene and surrounding area vary significantly. The proposal responds to its agricultural setting, to deliver a high quality visually attractive development. The proposal meets objectives BNE1.

Residential Amenity

- 7.6. The residential use of the site has already been established. The site currently holds Use Class C3. No change of use is sought to allow for the development. The orientation of the dwelling, and positioning of the windows ensures that there are no concerns for the amenity of future or existing occupiers as a result of habitable facing windows. The proposed dwelling would provide a high quality living environment for the future occupiers of the dwelling and would provide ample private amenity space.

Highways and Parking

Paragraph 111 of the NPPF indicates that development should only be prevented or refused on highways grounds if there. Would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The

development utilises the existing access, delivers suitable on plot parking and turning space.

Drainage and Flood Risk

- 7.7. The site is located in flood zone 1. There are no flood risk or drainage impacts to prevent the development. However part of the proposal includes the provision of a rain water harvesting system that will significantly reduce surface water run off.
- 7.8. The development is highly sustainable, allowing for the use of an under utilised residential property, to allow for the generation of income, in support of the Melbourne Hall Estate.

8. CONCLUSIONS

- 8.1. The development is highly sustainable, allowing for the use of an under utilised residential plot, which assists in contributing to the housing requirement in South Derbyshire, and also provides a Self Build plot.
- 8.2. The proposal site is a residential garden with Use Classification C3 - and is also previously developed land.
- 8.3. The development is compliant with the objectives and policies of the South Derbyshire Local Plan part 1 and 2, the Melbourne Neighbourhood Plan, and the National Planning Policy Framework.
- 8.4. The proposed use of this site is appropriate for the location. Delivering high quality accommodation, without any negative impacts for neighbouring properties, or the surrounding area.
- 8.5. The proposal has taken into consideration the character and context of the site, and its relationship with neighbouring land uses in seeking to deliver a high quality development.
- 8.6. There are no adverse impacts arising from this development, and planning permission should therefore be supported without delay.