

Application:	2023/1367/FUL	ITEM 3	
Proposal:	Single storey side and rear extension, detached garage with annexe in roofspace, demolition of timber stable and replace with a 3 bedroomed annexe (ancillary dwelling).		
Address:	Mickley Lodge, Burley Road, Langham		
Applicant	Mr Oliver Hemsley	Parish	Langham
Agent:	Mr Tony Ansell	Ward	Langham
Reason for presenting to Committee:	The applicant is the Ward Councillor		
Date of Committee:	19 March 2024		
Determination Date:	27.02.2024		
Agreed Extension of Time Date:	21.03.2024		

EXECUTIVE SUMMARY

The proposal comprises the erection of a single storey side and rear extension, a triple detached garage with an annexe in the roofspace and the demolition of the timber stable and the erection of a detached single storey annexe building. The principle of the development and annexe accommodation, subject to appropriate conditions in this countryside location, is considered to be acceptable. The proposals are appropriate in scale and design and would not be unduly prominent or dominant visually. The proposal would not be harmful to residential amenity or highway safety. Accordingly, subject to the imposition of appropriate conditions, the application is recommended for approval.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Location Plan

Block Plan

Floor Plans Extension and Garage OH/02/PL2023

Replacement Ancillary Dwelling Floor Plans and Elevations OH/03/PL/2023

Elevations Garage and Extension OH/01/PL/2023

Reason: For the avoidance of doubt and in accordance with Policy CS19 of the Core Strategy and Policies SP7 and SP15 of the Site Allocations and Policies DPD.

3. Development shall be carried out in accordance with the materials contained in the application.

Reason: To ensure that materials of an acceptable quality appropriate to the area are used and to accord with Policy CS19 of the Core Strategy and Policies SP7 and SP15 of the Site Allocations and Policies DPD.

4. The annexe accommodation above the garage and detached annexe building hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Mickley Lodge. They shall not be used as separate dwellings and no separate curtilages shall be created.

Reason: To define the terms of this permission for the avoidance of any doubt and to accord with Policy SP7 of the Site Allocations and Policies DPD.

5. No development shall take place until a pre-condition footpath (E148) survey has been carried out and a report submitted to and approved by the Local Planning Authority. The developer must contact the Highway Control Team to agree the extent of the pre-condition survey and carry out a joint inspection of the condition of the public highway before site traffic uses the footpath. A similar inspection will take place on completion of the development and any repairs needed shall be agreed and carried out prior to the first occupation of the accommodation hereby approved.

Reason: In the interests of highway safety and to accord with Policy SP15 of the Site Allocations and Policies DPD.

6. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following:-

- a) Measures to ensure that vehicles can access the site upon arrival to ensure that there is no queuing on the highway and offloading of materials shall only take place within the site and not from the public highway.
- b) Traffic Management arrangements to ensure construction traffic/vehicles do not park on or obstruct the public footpath.

The development shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and to accord with Policy SP15 of the Site Allocations and Policies DPD.

Informatives

The applicant must ensure that:

- (a) There is no diminution in the width of the right of way available for use by members of the public
- (b) No building materials are stored on the right of way
- (c) No damage or substantial alteration, either temporary or permanent, is caused to the

surface of the right of way (d) Vehicle movements are arranged so as not to interfere with the public use of the way (e) No additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature (f) No wildlife fencing or other ecological protection features associated with wildlife mitigation measures are placed across the right of way or allowed to interfere with the right of way (g) The safety of members of the public is ensured at all times.

Site and Surroundings

1. The site is currently residential with a large expanse of hardstanding to the east and a stable block to the north-east of the site. The site contains several trees to all boundaries. Immediately to the west is a building containing small industrial/commercial units and beyond the site to the north-east is Langham Lodge Farm.
2. The site is accessed off a shared driveway with Langham Lodge and the units to the west of the site.
3. The site outside of any settlement limits, beyond the settlement of Langham to the west and beyond the settlement of Oakham to the south.

Proposal

4. The scheme comprises three elements:
 - 1) The erection of a single storey side and rear extension to the west of the dwelling. The extension would wrap around the rear and side creating a sunroom to the rear and bedroom to the side. It would project from the side of the dwelling by 6 metres and would span some 13 metres across the rear of dwelling. The extension is to be constructed in stone and timber with concrete roof tiles to match the existing dwelling.
 - 2) The erection of a detached triple garage with annexe accommodation in the roof space comprising a bedroom; this is to be sited to the east of the dwelling. The triple garage would measure 8.6 metres in length by 6.4 metres in width, with an external staircase to the side elevation and dormer windows in the rear elevation.
 - 3) The demolition of the stables and erection of a detached single storey annexe building comprising an open plan living/kitchen/dining area, three en-suite bedrooms and utility and wc. The annexe creating a T-shaped building would measure a total of 17 metres by 15.2 metres. The proposals are to be constructed in timber with concrete roof tiles.

Relevant Planning History

No relevant planning history in relation to Mickley Lodge. Immediately to the west of the site 2023/1255/FUL for the erection of 12 unheated storage units (B8) is pending consideration. Application 2003/0985/FUL for the change of use from poultry houses to storage units (Class B8) was approved on 27.11.03.

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2023

Chapter 2 – Achieving Sustainable Development

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving Well-Designed Places

Core Strategy DPD (2011)

CS4 – The Location of Development

CS19 – Promoting Good Design

Site Allocations and Policies DPD (2014)

SP7 – Non-Residential Development in the Countryside

SP15 – Design and Amenity

Neighbourhood Plan

Langham Neighbourhood Plan

BD1 Building and Materials

RS1 Landscape Character

RS2 Development in the Countryside

Other

None

Officer Evaluation

Principle of Development

5. The site is on land classed as countryside. Extensions and alterations to an existing property in the countryside are considered to be acceptable in principle, subject to all other matters being adequately addressed.
6. As the proposal seeks permission for annexe accommodation above the garage and a separate detached annexe building, ancillary to the host dwelling, the proposals would need to accord with the tests to determine whether the annexes are appropriate.
7. In terms of occupation/need - the uses would be for ancillary living accommodation and would be secured by planning condition to ensure that both buildings/elements would remain ancillary to the main dwellinghouse.
8. In terms of size and facilities whilst the detached annexe outbuilding is large, in land use terms the site is of sufficient size to accommodate this. In respect of facilities, the annexe would be relatively self-sufficient; however, it would share amenity space, the access, driveway and parking provision with the host dwelling. The annexe accommodation above the garage space would be small and would share services with the main dwelling.
9. In terms of physical separation both the proposed annexe outbuilding and garage annexe building would be detached from the main dwelling. However, their occupation could be controlled by a planning condition to ensure that both

annexe buildings remain ancillary to the main dwelling so that neither can be severed from the main planning unit.

10. Ultimately, whilst the occupant of the detached annexe outbuilding would not be highly dependent on the main dwelling for services, the annexe cannot be reasonably severed from the main planning unit. Accordingly, it is considered that the annexes could be supported in principle and through the imposition of a condition to control the occupancy the principle of development can be supported. As such, the proposal complies with policy SP7 of the Site Allocations and Policies DPD and policy RS2 of the Neighbourhood Plan.

Impact of the use on the Character of the Area

11. Policy CS19 of the Rutland Core Strategy requires new development to contribute positively to local distinctiveness. Policy SP7 of the Site Allocations and Policies Development Plan Document requires development to not be detrimental to the character and appearance of the landscape, visual amenity or setting of villages and Policy SP15 relates to design. Policy RS1 of the Neighbourhood Plan refers to landscape character and BD1 to building and materials.
12. The single storey side and rear extension would be sympathetic to the host dwelling in terms of size, scale, massing and design with materials to match. The detached garage with annexe accommodation above, whilst sizeable, would remain subservient in scale to the host dwelling and the design and materials are considered acceptable in this countryside setting.
13. The proposed detached annex building is to be sited on the footprint of the existing stables which would be demolished. It would be of a near identical footprint to the stables and is proposed to be single storey and constructed in timber. The proposed scale, design and materials are considered to be acceptable in this countryside setting.
14. In terms of public views towards the site, the buildings would be set well back from the highway and proposals would also be screened by mature tree planting to the boundary with the footpath.
15. As such, the proposals are appropriate in scale and design and would not be unduly prominent or dominant. The proposals are therefore in accordance with Section 12 of the NPPF, Policy CS19 of the Rutland Core Strategy, Policies SP7 and SP15 of the Site Allocations and Policies Development Plan Document and policies BD1 and RS1 of the Neighbourhood Plan.

Impact on the Neighbouring Properties

16. There are no immediate neighbouring properties that would be impacted upon as a result of the proposal. The proposals are therefore acceptable in this respect, in accordance with Section 12 of the NPPF, Policy CS19 of the Rutland Core Strategy and Policy SP15 of the Site Allocations and Policies Development Plan Document.

Highway Issues

17. The site is accessed off a shared driveway with Langham Lodge and the adjacent units. It is not considered that the proposed use would generate an additional level of traffic that would be detrimental to the local highway network or be harmful to highway safety. The site is of sufficient size to provide adequate parking and would utilise the existing access.

18. The Public Rights of Way Officer confirms that there would be no direct impact on the network although recommend conditions.
19. The proposals would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF and Policy SP15 of the Site Allocations and Policies Development Plan Document.

Crime and Disorder

20. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

21. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
22. It is considered that no relevant Article of that act will be breached.

Consultations

23. Langham Parish Council recommend approval stating whilst the works involve considerable alteration/addition to the property, the site is large, relatively isolated, cannot be seen from Burley Road, and the proposed extensions and additions appear to be proportionate to the size of the site. Additionally, the materials to be used are in keeping with those used in the current building.
24. Rutland CC Public Rights of Way Officer confirms no direct impact on the right of way network, however the construction phase could damage the path E148 and suggest a condition requiring a survey of paths surface condition prior to commencing, and a requirement to reinstate, and traffic management arrangements to prevent construction traffic/vehicles from parking on the footpath.
25. Public Protection raise no objection.

Neighbour Representations

26. No letters of representation have been received.

Conclusion

27. Taking the above into account, it is considered that subject to the imposition of conditions the application is acceptable in principle and would not result in harm to the character or appearance of the countryside. There would be no harm to residential amenity or highway safety. The proposal is in accordance with Section 12 of the NPPF, Policies CS4 and CS19 of the Rutland Core Strategy, Policies SP7 and SP15 of the Site Allocations and Policies DPD and policies RS1, RS2 and BD1 of the Neighbourhood Plan.