

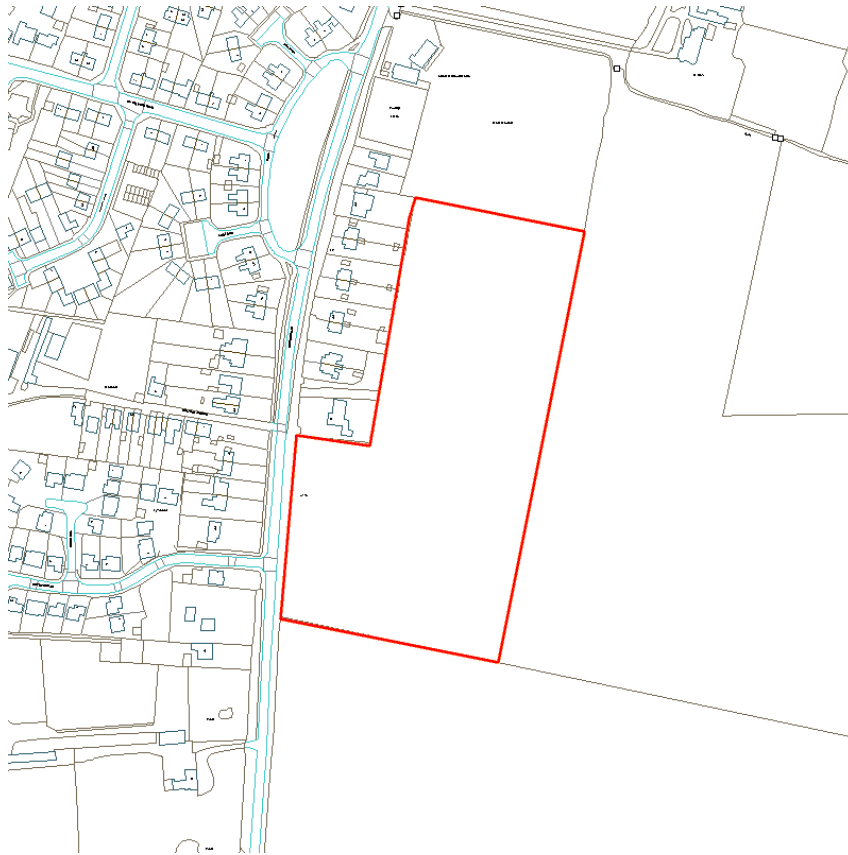
**Reference:** 13/00722/REM

**Date submitted:** 03.10.13

**Applicant:** Barratt Homes North Midlands

**Location:** Land Adjoining Belvoir Road And Green Lane, Belvoir Road, Bottesford,

**Proposal:** Erection of 56 dwellings including 22 affordable 2 and 3 bedroom dwellings together with site access and entrance road, service utilities, infrastructure including pumping stations and associated open space on land to the rear (east) of 33-51 Belvoir Road Bottesford.



**Proposal :-**

Reserved Matters approval is sought for a residential development consisting of 56 dwellings (including 22 affordable units), associated infrastructure and an area of open space and the excavation of balancing ponds for drainage. The site is roughly rectangular in shape, and is situated behind the houses along Belvoir Road nos, 33-51, south of the cricket club. The dwellings are all contained within the area behind nos. 33-51, however, the site protrudes significantly beyond the southernmost dwelling on Belvoir Rd (east side; no. 51) where land is included to provide for access, public open space and drainage facilities. The site is fairly flat and is surrounded on the remaining sides by farmland on the approach in to the settlement.

**It is considered that the main issues arising from this proposal are:**

- **Compliance or otherwise with the Development Plan and influence of National Policy (NPPF)**
- **Impact upon the Character of the Area and open countryside**
- **Impact upon residential amenities**

- **Compatibility with adjacent land uses (including the cricket club)**
- **Provision of suitable housing mix**

The application is required to be presented to the Committee due to the level of public interest.

**History:-**

12/00123/OUT – Outline residential development for up to 56 dwellings on land to the rear (east) of 33-51 Belvoir Road, Bottesford – Outline approval granted 10.09.13

**Planning Policies:-**

**Melton Local Plan (saved policies):**

Policies OS1 and BE1 allow for development within Village Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map **except** for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism.

Policy H10: planning permission will not be granted for residential development unless adequate amenity space is provided within the site in accordance with standards contained in Appendix 5 (requires developments of 10 or more dwellings to incorporate public amenity space for passive recreation with 5% of the gross development site area set aside for this purpose).

Policy H11: requires developments of 15 or more dwellings to make provision for playing space in accordance with standards contained in Appendix 6 (requires developments of 15 or more dwellings to include a LAP within 1 minute walk (60m straight line distance) of dwellings on the site and extend to a minimum area of 400 sq m.

Policy R1 allocates the land for Recreation Facilities at Belvoir Rd.

**The National Planning Policy Framework was published 27<sup>th</sup> March 2012 and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:**

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out -of- date, granting permission unless:
  - 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; or
  - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- deliver development in sustainable patterns and
- re-using brownfield land.
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

**On Specific issues it advises:**

**Delivering a Wide choice of High Quality Homes**

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA's should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

**Require Good Design**

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

**Consultations:**

Consultation reply	Assessment of Head of Regulatory Services
<p><b>LCC Highways –</b></p> <p>The amended plans received include alterations to the road layout and parking areas to meet highway Authority standards.</p> <p>No objections subject to conditions.</p>	<p>Amended plans have been submitted in respect of the housing layout.</p> <p>The proposed development would be served by a single point of access from Belvoir Road as approved at the outline stage.</p> <p>Belvoir Road is a classified road which allows access onto the A52. The site boundary consists of hedging along Belvoir Rd which subsides to the houses at no 51. The access point is close to the north boundary of this property and joins Belvoir Rd at right angles, before turning north into the residential area. This position is on a straight section of Belvoir Rd with good visibility in both directions, assisted by the width of the verge alongside the road.</p> <p><b>The Highways Authority have no objection to the proposed development and it is not considered that the proposal would have an impact on highway safety.</b></p>
<p><b>Parish Council –</b></p> <p>The proposed houses to be built are of a poor design and are not in keeping with the area</p>	<p>The dwellings proposed are a mixture of single storey bungalows, 2 and 2.5 storey dwellings.</p>

<p>The proposal to raise the land would move the flood risk to neighbouring lower properties on Belvoir Road, as well as making the proposed properties overlook the existing houses.</p> <p>The affordable housing has not been integrated into the development</p> <p>Serious concerns over the access to maintain the cricket club boundary fence.</p> <p>There is no evidence or demonstration that the proposed ball stop fence would be high enough to catch 90% of the balls.</p>	<p>The design of the dwellings is considered in more detail in the design and layout section below.</p> <p>The site lies in Flood Zone 2 as shown on the Environment Agency's flood maps but the access and the area surrounding it is in Flood Zone 3a. Accordingly a Flood Assessment and 'sequential test' were carried out and independently reviewed by the Environment Agency as part of the outline application and no objections were raised subject to conditions. The Environment Agency have subsequently reviewed the information submitted as part of this reserved matters application and similarly have no objections. The raising of land levels and the issue of residential amenity and overlooking is considered in more detail below.</p> <p>The application provides 22 affordable housing units within the development site. This issue of affordable housing and its integration is dealt with below in the comments of the Housing Policy Officer.</p> <p>The fencing proposed is a 10m high TILDENT Ball Stop fence. The suitability of the fencing is considered in more detail below.</p>
<p><b>Police Architectural Liaison -</b> No comments other than the request for S106 contributions which were secured as part of the outline planning permission.</p>	<p>Noted.</p>
<p><b>LCC Ecology –</b> Pleased to see that the layout plan has been revised from that submitted with the original to provide a buffer between the development and the existing hedgerows on site. Unsure of the proposed eastern boundary treatment, but would recommend that any planting along this countryside boundary comprises locally native species.</p> <p>Additionally, we would recommend that the balancing pond is designed to hold some water at all times of the year in order to increase the biodiversity value of the site.</p>	<p>Noted.</p>
<p><b>Environment Agency-</b> The balancing pond has been located outside of flood risk, and the safe pedestrian footpath has been included in the Planning Layout'.</p> <p>Accordingly no objection to the reserved matters application.</p>	<p>Noted.</p>
<p><b>Severn Trent Water Authority –</b> No objection</p>	<p>Noted</p>
<p><b>MBC Housing Policy Officer–</b>  This reserved matters application follows the outline application (12/00013/OUT) for 56</p>	<p>The National Planning Policy Framework (NPPF) recognises that housing should meet the needs of</p>

dwellings, including 22 affordable homes and associated infrastructure in the village of Bottesford. The site is well located within Bottesford and has good access to local services and facilities.

### Housing Mix

David Couttie Associates conducted a Housing Market Analysis for Melton Borough Council (Housing Stock Analysis 2006-2011; 2006) which clearly demonstrated that there is a surplus of larger private market homes and a significant lack of smaller sized properties within Melton Borough. Future development has therefore to address the imbalance of stock type and size, both by tenure and location to create a more sustainable and balanced housing market. This will require a bias in favour of small units to address both the current shortfall and future demographic and household formation change which will result in an increase in small households and downsizing of dwellings.

Within the Rural North of Melton Borough the study indicated that there is a strong need for smaller market housing such as 2 bedroom houses and older people/downsizing accommodation and a surplus of larger family accommodation. There are limited opportunities within village envelopes for significant new residential developments and therefore residential developments in the area should contribute towards the creation of a mixed community and have regard to local market housing needs.

The Leicester and Leicestershire Strategic Housing Market Assessment (Blinc Housing, 2009) supports the findings of the Housing Market Analysis and states that controls need to be established to protect the Melton Borough (particularly its rural settlements) from the over development of large executive housing, and to encourage a balanced supply of suitable family housing (for middle and lower incomes), as well as housing for smaller households (both starter homes and for downsizing). It continues to state that the undersupply of suitable smaller sized dwellings needs to be addressed to take account of shrinking household size which if not addressed will exacerbate under-occupation and lead to polarised, unmixed communities due to middle and lower income households being unable to access housing in the most expensive and the sparsely populated rural areas.

**The market housing proposed with this application, is a combination of 3, 4 and 5 bedroom dwellings, with 4-bedroom properties representing 50% of the market housing mix and 5-bedroom 29%. The outline application**

present and future generations (Para 10). The NPPF continues to recognise the importance for Local Planning Authorities to understand the housing requirements of their area (Para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in Para 110 – 113 which seeks to ensure that housing mix meets local housing need.

For the rural north (market area for Bottesford) there is a need for smaller, downsizing, 2 bedroom and single storey properties to readdress the oversupply of large dwellings.

The proposed housing mix would be as follows:-

Market housing:

- 7 x 3 bedroom dwellings
- 17 x 4 bedroom dwellings
- 10 x 5 bedroom dwellings

Affordable housing:

- 11 x 2 bedroom dwellings
- 6 x 2 bedroom bungalows
- 5 x 3 bedroom dwellings

The development therefore proposes a large number of 4 and 5 bedroom properties (approx. 48% of the overall housing provision).

The dwellings proposed by the application are not supported as they would add to the local imbalance of the market through the further addition of larger properties and as such are considered inappropriate. Whilst the construction of the affordable bungalows does go some way to supporting housing needs, the lack of market bungalows and smaller 2 and 3 bedroom properties does not weigh the proposal in favour of approval.

**The proposed dwellings would not contribute towards the identified need for smaller dwellings in the area. Thus, they would not contribute towards the creation of mixed communities, nor have regard to identified local market housing needs as specified in the NPPF. The proposed dwellings, due to their size, would therefore undermine the Council's clear objective to redress an identified imbalance between the size of dwellings and the local housing market needs.**

referenced, via the design and access statement that the “Market housing types (are) to be confirmed through a reserved matters application, but (are) expected to meet a wide range of local market needs for 2, 3 and 4 bedroom dwellings”. The loss of 2 bedroom properties and the introduction of 5 bedroom properties is a cause for concern, indicating the application may no longer be heading in the direction referenced at the outline stage and therefore is not seeking to meet “a wide range of local market needs” as referenced at the outline stage.

It is therefore proposed that an alternative mix of market housing is considered, which seeks to include a greater proportion of smaller housing, reflecting the Borough-wide need for smaller units; such as 2 and 3 bedroom houses and 2 and 3 bedroom bungalows, and is in accordance with NPPF, recognising that housing should be of a scale and mix that meets local population needs.

#### **Affordable Housing**

In accordance with the outline application, this application seeks to offer an affordable housing contribution in line with the need identified in the Bottesford housing need survey for 11 x 2 bed houses, 5 x 3 bed houses and 6 x 2 bed bungalows.

However, concerned about the distribution of the affordable units within the site, they are predominately located together and not integrated throughout the site. This concern was raised at the outline application stage and the applicant was encouraged to engage regarding the distribution of the affordable housing, prior to the reserved matters application.

#### **Conclusion**

**This application seeks to deliver a 40%**

The Council has undertaken several assessments in order to be informed by an evidence base of housing need (households unable to access suitable housing without financial assistance). The level of identified need for affordable housing is extremely high within the borough. The 40% policy requirement was adopted in accordance with saved policy H7 of the Melton Local Plan in January 2008 under the same processes and procedures which have previously set the threshold and contribution requirements for affordable housing within the Melton Borough.

The provision of 22 affordable housing units meets the shortfall identified through the Housing Needs Study.

It is considered that the affordable housing is considered to meet the development plan and identified local need (40%). In addition, the configuration of the affordable houses, in terms of size and tenure, present a very close ‘fit’ with identified needs.

The affordable units are not ideally distributed around the site, however, there is some integration with the market housing, and although the situation could be improved, it is not considered so poor as to warrant a refusal on this basis.

#### **Conclusion**

<p>affordable housing contribution, amounting to 22 affordable units. This holds significant positive weight, in the context of housing policy comments, for the scheme. However, the failure to comply with both NPPF and the outline condition requiring the scheme to deliver a mix of housing, suited to local housing needs, does in the opinion of the housing policy officer draw back from the significant of the affordable housing provision and for these reasons it is recommended that the applicant considers re-working the application to take on board these comments or a refusal from housing policy will be deemed appropriate.</p>	<p>The 40% affordable housing provision is extremely positive because not only is it the full provision but it also meets the mix of affordable properties identified in the Bottesford housing need survey, including 6 bungalows. However, it is also necessary to ensure a mix of market housing provision and currently this is not the case.</p> <p>This application fails to meet housing need and in the absence of demonstration that this is not possible, in the balance of the issues it is considered that housing mix weighs negatively.</p>
<p><b>LCC Developer Contributions-</b></p> <p>The outline planning application no. 12/00123/OUT was approved on 10/09/2013 and a Section 106 agreement has been signed. The current application is a reserved matters application and as such Leicestershire County Council, in relation to Developer Contributions, has no further comments to make other than those already made on the outline planning application.</p>	<p>Noted</p>

**Representations:**

A site notice was posted and neighbouring properties consulted. As a result **46 letters of objection have been received from 29 different households**, the representations are detailed below:

<b>Representations</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highways and Road Safety</b></p> <p>Extra excessive traffic coming onto Belvoir Road from the site, particularly bearing in mind the narrow bridge a few metres further up the road.</p> <p>Increased traffic flow is too much for its location in a small village (Danger to children playing and going to preschool and high school which park opposite site entrance on Belvoir road/ Dangerous access)</p> <p>Inadequate separation of pedestrians and vehicles with the use of ‘private driveways’ serving a substantial number of houses - raises issues of maintenance and road safety</p> <p>Parking spaces for units 45-47 are unusable.</p> <p>Some provision for residents car parking is in the form of parking courts – totally inappropriate in a rural development</p>	<p>A transport assessment was submitted and considered as part of the outline application. This concluded that the proposed development was acceptable and the road network was capable of accommodating the additional traffic without adversely affecting highway safety.</p> <p>The access is proposed along a straight section of Belvoir Rd with good visibility in both directions, assisted by the width of the verge alongside the road. The Highway Authority raises no objections subject to conditions, see assessment above.</p> <p>The Highway Authority have raised no objections to the use of shared pedestrian and vehicular accesses which are quite common in residential developments and can serve to reduce the speed of traffic.</p> <p>A small parking area is proposed to the rear of the dwellings on plots 45-47. These meet Highway Authority standards in terms of size and number and are therefore considered acceptable.</p> <p>Amendments were received during the course of the application to reflect comments received from the Highway Authority on certain parking</p>

	<p>arrangements within the site. As a result car parking provision has been amended and improved for a number of properties and is now considered to be in accordance with highway Authority standards.</p>
<p><b>Character of the Area</b></p> <p>56 units is too dense a development for the area (adverse effect on area)</p> <p>The whole site is raised on a plateau over 1.2m high. The raising of these ground levels combined with the scale of the properties will have a significant negative impact on the immediate surroundings, in addition to compromising the views of significant heritage structures, St Marys Church from the South and Belvoir castle from the village itself.</p>	<p>It is considered that up to 56 dwellings could result in a development with an ‘urbanising’ effect on land that is currently undeveloped. Due to the large scale of development proposed it is inevitable that the character of the area would be altered from its existing form.</p> <p>The overall site measures 3.24 ha and at 56 dwellings, would generate an overall density of 17 per ha, which is exceptionally low. However, the entire site does not contain dwellings and development of the area behind no’s 33- 51 generates a density of around 33 per ha. The density ranges described above are considered to be ‘low’ and ‘medium’ respectively and are similar to others in the area.</p> <p>The density shown is in a similar range to that of the surrounding area and as an ‘edge of settlement’ location would not be out of keeping with the surrounding form of development. A development of this size has already been accepted in principal in the granting of outline planning permission.</p> <p>The site lies on the edge of the built up area of Bottesford. When approaching the village from the south the site would be viewed against a backdrop of existing residential development. The application proposes a large area of public open space adjacent to Belvoir Road which is considered to enhance and soften the proposal when viewed from the approach to the village. The houses themselves are set some 53m back from the road and are a mix of bungalows, 2 and 2.5 storey dwellings with no property having a ridge height higher than 9.16m.</p> <p>The existing site is generally flat arable farmland with no significant landscape features or built structures, however, there is an extant outline planning permission and therefore the development of this site has already been accepted.</p> <p>The raising of the ground levels will alter the character of the area from its existing form. However, the variety and height of the dwellings proposed coupled with the set back distance from the road will aide in reducing this impact to some extent.</p> <p>The proposal is on the edge of the built settlement</p>



<p>The green planting is disappointing and perfunctory.</p> <p>The use of close boarded timber fencing planted with ivy does not provide an adequate boundary treatment along what was acknowledged in the Design &amp; Access Statement submitted with the outline planning application to be the sensitive eastern boundary of the site.</p>	<p>and is partially screened by existing properties on Belvoir Road. It is therefore considered to have <b>limited harm</b> to the character and appearance of the area.</p> <p>The application proposes to retain the existing boundary trees and hedgerows where possible and supplement with additional planting to the public open space and within the development itself.</p> <p>The application proposes to enclose the eastern boundaries of plots 35, 50, 51 &amp; 56 with 1.8 m high timber fencing incorporating the planting of Hedera Helix plants (ivy) against the fencing. It is suggested by the applicant that the use of ivy against the fencing results in a visually softened boundary when viewed from the east, requiring minimal long term maintenance whilst providing the security and privacy anticipated by future occupiers.</p> <p>The eastern boundary is considered to be a sensitive one as it borders the open countryside beyond and therefore a more suitable boundary treatment is considered necessary to soften the development. Accordingly should the proposal be considered acceptable in all other respects it is considered that additional planting is necessary along the eastern boundary in line with the buffer proposed at outline stage and covered by conditions 2 and 6 of the outline approval. Further planting can therefore be requested and discharged under these conditions.</p>
<p><b>Flood/drainage</b></p> <ul style="list-style-type: none"> <li>• In order to mitigate the flood risk the applicant intends to raise the ground levels from between 1m and 1.5m above the existing ground levels.</li> <li>• With the proposed raised ground levels, it appears no provision has been made to prevent the run off of surface water from the gardens of the new development into existing gardens on Belvoir Road. This could increase the flood risk to existing properties and measures should be included within the plans to prevent this happening.</li> <li>• The Applicant has not demonstrated that the storm water drainage scheme proposed is adequate and has not submitted any design data to support their proposal.</li> <li>• This site is on a flood plain which has operated to sop up the storm water and protect Bottesford for many years. 56 new houses densely planned will increase storm water run off which will flow down Belvoir Road into the centre of the village ~ as in 2001.</li> <li>• The site is only 350 metres from the Winterbeck. In time of heavy rains the old</li> </ul>	<p>The proposed development site is relatively flat, with ground levels varying between 30.7m AOD and 31.7m AOD. A Flood Risk Assessment prepared as part of the outline application established that new dwelling levels should be set at least 600mm above the 1 in 100 year flood level, resulting in a minimum finished floor level of 31.98 AOD.</p> <p>Foul effluent from the development will discharge to the existing public foul sewer located in Belvoir Road, as agreed by Severn Trent Water. The foul system has been designed to the minimum allowable gradients for gravity sewers as determined by industry standards. In a statement submitted by the applicant from BWB consulting the design criteria has therefore set the level for the furthest dwelling away from the public sewer connection point (plot 26) as being 32.85m AOD, which is 1.3 m above existing ground levels at that plot location.</p> <p>A pumped foul drainage system which could be used as an alternative to the levels increase proposed is considered to be a 'last resort' by</p>

<p>road bridge acts as a nick point on this stream increasing flood risk. In the summer of 2013 there was less than 9 inches freeboard. This is no place for new housing.</p> <ul style="list-style-type: none"> <li>• The proposed construction of a pond on site to take storm water is hazardous as it will become a sump in dry months with clouds of insects pestering nearby residents.</li> </ul>	<p>Severn Trent Water where there are reasonable means to raise ground levels in order to achieve a gravity sewer system. For this reason a pumping drainage solution has not been considered further.</p> <p>Similar to the foul drainage gradient restrictions, there are similar minimum gradients applied to the surface water drainage system to ensure the hydraulic functionality of the surface water sewers does not create maintenance/performance issues i.e siltation in pipes and flooding. Therefore industry standard minimum gradients have been applied to the surface water drainage system to ensure that an outfall to the Winterbeck Brook is feasible, circa 1300m away from the furthest draining point within the development. The applicant has stated that the introduction of a surface water pumping station at this development in place of a gravity system would be excessively onerous, from both an upfront cost perspective and a maintenance perspective from Severn Trent water. Again STW consider the application of a pumped arrangement (particularly for surface water systems) to be a ‘last resort’ where there are reasonable means to raise ground levels.</p> <p>The gravity drainage systems, coupled with minimum ground levels advised in the flood risk assessment, therefore dictate minimum ground levels at this development and lead to the need to raise existing ground levels to ensure that the development is deliverable.</p> <p>The site lies in Flood Zone 2 as shown on the Environment Agency’s flood maps but the access and the area surrounding it is in Flood Zone 3a. Accordingly a Flood Risk Assessment and ‘sequential test’ has been carried out and independently reviewed by the Environment Agency with no objections raised subject to conditions. The details of these are addressed opposite the comments from the Environment Agency (page 5).</p> <p>Under the Surface Water Management Act 2010, the requirement for the use of Sustainable Urban Drainage (SUD) systems is required on a development of this scale. The attenuation pond proposed is one form of SUD and will allow retention of surface water which controls run off rates preventing flooding of the site. The aim of SUDS is to restrict development runoff at peak flow rates to predevelopment rates, in this case – greenfield run off rates will apply, to ensure they do not add to flooding issues.</p> <p><b>The application has been supported with appropriate reports at the outline stage which have been independently reviewed by the Environment Agency and Severn Trent Water</b></p>
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<p>The proposed development would result in additional surface water run-off affecting the cricket ground.</p> <p>The problems that will be caused by the treatment of the material used to use to raise the site, i.e. the necessary pounding and compacting. The water table is high in this area causing maximum effect of vibration on neighbouring properties. This was experienced on the west side of Belvoir Rd when the Howitts Road estate was constructed. The consequences from the planned site will be much more severe because of the large area and the height that it is being proposed to raise the land.</p>	<p><b>and they raise no objection on this Reserved matters application (see above).</b></p> <p>It has been confirmed that surface water will fall to the south, away from the cricket ground in accordance with the engineering layout submitted with the application.</p> <p>The construction of the site will have to comply with various legislation including health and safety requirements.</p>
<p><b>Incompatibility with the cricket club:</b></p> <p>Boundary treatment with the cricket pitch has been poorly designed and is a visual eyesore. Its height, materials, and the total lack of landscaping or planting to screen or soften its stark appearance will mean that it will be ugly, unsightly and extremely intrusive both in views from the cricket ground and the wider area. As a result it will significantly change the character and setting of the ground for the worse.</p> <p>The fencing proposed along the cricket club boundary will adversely affect the historic visual aspect towards Belvoir castle currently enjoyed by the cricket club.</p> <p>Because of the height of the development we are not convinced that the ball fence is high enough. If an accident or damage occurs by a cricket ball being hit into the site, the cricket clubs existence will be in jeopardy due to health, safety and welfare.</p> <p>The fencing adjoining the cricket ground should not be addressed in isolation from the layout and landscaping reserved matters now being considered. Condition 4 of the outline permission requires that details of the means of retaining and maintaining the fencing be submitted to and approved by the LPA. This issue is extremely important and no details of the proposed fencing should be agreed independently of or prior to consideration and approval of the maintenance</p>	<p>The applicant proposes a protective fence between the site and the cricket pitch. This is proposed to be a 10m high ball stop fence provided by Tildenet who are specialists in fencing and ball stop solutions.</p> <p>The fencing proposed is green and has been designed to blend in with the environment as far as possible with extra wide posts centres to reduce the number of posts and therefore reducing the visual impact of the fence. The existing hedgerow to the eastern boundary is also proposed to be retained which will aide in softening the fencing to a certain extent.</p> <p>Although arguably not an ideal solution it is necessary to provide a level of protection between the cricket ground and the housing and the solution proposed is considered adequate in this respect.</p> <p>No evidence has been submitted to demonstrate that the height and type of fencing proposed is inadequate and the cricket ground already borders the rear gardens of 3 properties on Belvoir Road.</p> <p>The applicants have stated that the fencing will be retained and maintained by a management company nominated by Barratt Homes. At present there is no contractual position yet settled although they are currently talking with several parties with whom they have existing contracts on other development settlements in the region. The management programme for the fencing will include 6 monthly checks with repair through partial sectional or complete replacement should</p>

<p>and retention details.</p> <p>Who is going to maintain the fence in the future?</p> <p>A more appropriate solution would be to provide a buffer zone between the cricket ground and the new housing by moving the northern boundary of the developed area to the south a sufficient distance to allow for a lower fence and adequate associated landscaping to reduce the harmful impact in visual terms whilst still providing a safe and satisfactory relationship between the houses and the club.</p>	<p>this be required.</p> <p>Condition 4 of the outline planning approval requires further details of the protective fencing to ensure a safe and satisfactory relationship between the proposed new housing and the cricket club. The details shall include how the provision shall be retained and maintained on a permanent basis.</p> <p>The applicant has stated that they intend to address this condition in full through the formal discharge of conditions route at a later date and therefore should the committee consider that the proposed fencing is an adequate solution this is considered an appropriate means of discharging this condition.</p> <p>The Committee report prepared for the outline application stated that it was possible that a layout with some form of buffer zone (i.e. positioning open space adjacent to the boundary) could be developed to reduce the prospect of balls affecting houses. However, this would greatly reduce the area of the site available to develop and would therefore have a knock on effect to the number of dwellings proposed and consequently the level of affordable housing provision. It is therefore necessary to balance these competing issues when determining whether the boundary treatment proposed to the cricket ground is suitable and acceptable.</p>
<p><b>Residential amenity: Overlooking/loss of amenity</b></p> <ul style="list-style-type: none"> <li>• The raising of ground levels by 1350mm will have a severe impact upon existing properties along Belvoir Road, who will be completely overlooked and experience an unacceptable loss of privacy.</li> <li>• The scheme positions two storey dwellings to the rear of existing properties which increases the loss of privacy. Bungalows in this location would be a more acceptable house type.</li> <li>• No consideration given to the fact that No 33 Belvoir Road is a bungalow and a 3 storey “Stratford” house has been proposed to be built no more than a few feet away with upper floor windows looking directly in resulting in a dominant and oppressive environment and overlooking and loss of privacy.</li> <li>• The three storey houses will be very intrusive, especially to the existing houses on Belvoir Road which they overlook, this will be even worse if the ground is made up over one metre as planned.</li> </ul>	<p>The proposed dwellings would be sited on land to the east of existing dwellings on Belvoir Road. The existing site is predominantly flat but the proposal involves the raising of ground levels to facilitate drainage. The land will therefore be elevated to the properties which form the western boundary. Concern has been expressed regarding the separation distances to the rear of properties on these boundaries and the change in levels.</p> <p>The dwelling to the rear of No 33 Belvoir Road is a 2.5 storey dwelling with a ridge height of 9.16m and an eaves height of 5.1m. The proposed dwelling has a blank gable at the closest point to No 33 with one first floor window set further back which serves an en-suite and can be conditioned to be obscure glazed. The distance between the rear of No 33 and the blank gable of plot 20 is 29 metres which is in excess of separation standards usually applied.</p> <p>The application proposes a combination of bungalows and 2 storey dwellings to the rear of no’s 39 – 47 Belvoir Road. The proposed bungalows (plots 11-13 &amp; 16-18) have a ridge</p>

<ul style="list-style-type: none"> <li>One of the blocks of social housing, seemingly terraced, backs directly on to the present houses in Belvoir Road. This will create, effectively, a solid barrier wall at the bottom of their present gardens. It would be better if this section of the development was changed to bungalows in order to lower the impact.</li> </ul> <p>The proposed 1.8m close boarded fence proposed as a boundary between the new development and properties on Belvoir Road is inadequate. The height is inadequate in preventing overlooking from the proposed new ground levels, and will inevitably require regular maintenance. A brick wall would provide a more suitable boundary treatment and should be appropriately sized to prevent overlooking once ground levels are confirmed.</p>	<p>height of 5.4m and an eaves height of 2.1m with windows serving the lounge and dining room on the rear elevation. There is a separation distance of 39 metres between the rear elevations of the bungalows and the dwellings on Belvoir Road which is substantially in excess of separation standards.</p> <p>Plots 8-10 &amp; 14-15 are two storey dwellings with a ridge height of 7.895 and 7.871m respectively. These dwellings each have one first floor bedroom window in the rear elevation overlooking the dwellings on Belvoir Road and again there is a separation distance of 39 metres between properties with a distance of 9 metres to the boundary. A site section has been submitted which shows that there will be an overall height difference between the ridge height of plot 15 and 39 Belvoir Road of 2.22m when taking into account the change in levels.</p> <p>The dwelling to the rear of No 51 Belvoir Road (a bungalow) is a two storey dwelling with a ridge height of 8.168m. The proposed dwelling has a small window in the side elevation which is a secondary window to serve a bedroom and can be conditioned to be obscure glazed. The distance between the rear of No 51 and the gable of plot 1 is 18 metres at the closest point which is in excess of separation standards usually applied.</p> <p>The application proposes a 1.8 metre high close boarded fence on the western boundary of the site with Belvoir Road with existing planting retained to the rear of No's 33 and 51. This is considered a suitable boundary treatment to rear gardens, however, alternative provision can be considered and discharged under condition 6 of the outline approval if considered necessary.</p> <p><b>The distance separations are considered acceptable and meet (and in most cases significantly exceed) the standards normally accepted. Having assessed the relationship between the proposed and existing properties it is not considered that the proposal would have an unduly detrimental impact on the residential amenities of adjoining properties. However, given the difference in levels proposed the Committee is asked to take a view on whether this relationship is considered acceptable.</b></p>
<p><b>Layout &amp; Design</b></p> <p>The proposals fail to meet the requirements of Policy BE1 and the provisions of Paras 56-68 of the NPPF with respect to the quality of layout and design.</p> <p>The application site occupies a prominent location</p>	<p>Para 56 of the NPPF states that 'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'</p>

<p>on the edge of the settlement with open views across countryside and public vantage points to the south and east in particular, and from recreational areas to the north. It is a sensitive location at the entrance to the village on one of the primary routes into the village. In accordance with the provisions of the NPPF it demands a high quality of design which responds to and reflects the character of the surroundings, creates attractive streetscapes and is visually attractive due to the quality of the architecture and appropriate landscaping.</p> <p>The proposed styles of the houses are too urban in style for a village and not in keeping with the rest of the village, furthermore they lack individuality, are too densely packed for a rural development, and lack typical rural characteristics.</p> <p>The proposed scheme, far from responding to its surroundings, uses standard house types, in regimented lines, running in parallel or at right angles across the site. This type of layout is totally alien to the village which is characterised by informal road layouts and relationships between properties which are often set on curving roads, around crescents or in small informal groups. The built form of the village, particularly along its southern and eastern edges, is also well contained within mature and substantial landscaping. The submitted layout and design for this site has been formulated without any consideration of setting or context or reference to the existing well established character of the locality, and is aimed simply at minimising development costs.</p> <p>The corner units overlooking affordable housing are badly designed and may contravene standards for overlooking.</p> <p>Design materials are inappropriate for village location.</p>	<p>Para 58 goes on to say that ‘Planning policies and decisions should aim to ensure that developments;</p> <ul style="list-style-type: none"> <li>• will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development,</li> <li>• establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit,</li> <li>• respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation,</li> <li>• are visually attractive as a result of good architecture and appropriate landscaping."</li> </ul> <p>It is therefore necessary to consider all of the above objectives when reaching a decision on the design and layout of the proposed development.</p> <p>The proposed dwellings are predominantly 2 storey which is considered to be in keeping with the surroundings. A number of 2.5 storey dwellings are also proposed but there is a precedent for this size/design of house type within the village.</p> <p>There are a total of 10 different house types proposed overall and the range of house and bungalow types have been distributed across the development providing a mix of house sizes and ridge heights ensuring a degree of visual interest.</p> <p>In terms of design features bay windows and dormers have been incorporated which are all common in Bottesford. Corner turning and dual aspect house designs have been used at the entrance into the site and at other key corners to add a degree of interest and variety.</p> <p>A mixture of brick and render is proposed with contrasting material/colour choices to string courses, plinths and window/door surrounds to add interest to elevations. The materials proposed are considered acceptable and samples can be requested and conditioned.</p> <p>The scheme proposes a large area of public open space with a Local Equipped Area of Play and a pond in association with the drainage proposals. It is considered that the open space provision is acceptable for the size and scale of the development and accords with Policy H10 and H11 of the Local Plan and the NPPF paragraph 73.</p> <p>With regards to separation distances the Councils guidelines require a minimum distance of 14 metres between any blank wall of a building and a</p>
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	<p>window of a facing habitable room, and 23 metres between the elevations of two storey dwellings where habitable room windows face each other. The submitted layout falls short of these guidelines in a number of locations within the site but overall dwellings and windows are offset from each other and garden sizes and separation distances are considered acceptable.</p> <p>The layout of the scheme can be described as somewhat uninspiring with a ‘linear’ and ‘regimented’ appearance. The character of the village is generally more informal in character but there are examples of linear roads elsewhere in the village. The proposal also incorporates large areas of parking to the frontage of dwellings, most notably associated with the affordable units. These are interspersed to some extent by small areas of planting and different paving is proposed to help break up these areas.</p> <p>Para 64 of the NPPF 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’</p> <p>Overall the layout of the proposal is considered to be poor and it could be argued that far more could be done to improve the layout and appearance of the development. However, the site is predominately located behind existing houses and the public open space provides a pleasant approach to the development. The location of the village envelope does serve to constrain the site and limit the opportunities available for a more interesting layout given the number of dwellings proposed.</p> <p>The application and number of dwellings proposed presents a vehicle for the delivery of much needed affordable housing of the appropriate quantity, type and location and it is considered that this is a material consideration of significant weight in favour of the application. The layout and design of the development must therefore be considered on the balance of all the issues and the committee is asked to take a view on the layout and design of the submitted scheme in line with the guidance contained in the NPPF.</p>
<p><b>Housing Mix/Affordable Housing</b></p> <p><b><u>Housing Mix</u></b> The intention to build such a substantial number of four and five bedroom houses cannot be said to be of a scale to meet local needs for local people</p> <p>The proposed site is one of the few remaining opportunities within walking distance of the village centre to provide market-sector bungalows</p>	<p>As stated above the mix of dwellings proposed by the application are not supported as they would add to the local imbalance of the market through the further addition of larger properties and as such are considered inappropriate. Whilst the construction of the affordable bungalows does go some way to supporting housing needs, the lack of market bungalows and smaller 2 and 3</p>

<p>that would serve the needs of Melton Borough residents who require such smaller accommodation – often because of increasing infirmity and/or decreasing ability to drive. No open market bungalows are proposed.</p> <p>The proposed development does not reflect its surroundings – 20% of the development are the same house type – and contradicts the guidelines of the NPPF.</p> <p>The scheme does not reflect the needs of the 2007 Housing Needs Survey which identified a need for 2 &amp; 3 bedroom properties, especially bungalows. The current proposal consists of almost 50% 4 &amp; 5 bedroom homes.</p> <p><b><u>Affordable Housing</u></b></p> <p>There is poor integration of social housing around the development, which was a condition of the Outline Planning Permission.</p> <p>Small units habitable space seems under standard living requirements (As required by local authority housing)</p>	<p>bedroom properties does not weigh the proposal in favour of approval.</p> <p>The affordable units are not ideally distributed around the site, however, there is some integration with the market housing, and although the situation could be improved, it is not consider so poor as to warrant a refusal on this basis.</p> <p>The affordable housing proposed for this scheme would meet identified need for the area (both tenure and format). The applicant is working in conjunction with a registered provider to ensure delivery of the affordable units.</p> <p>The 3 bed affordable units have a floor area of 65.60m2 and the 2 bed units have a floor area of 57m2. This is considered acceptable.</p>
<p><b>Representations from the applicant (on housing need):</b></p> <p>The applicants have submitted a statement regarding the open market housing in order to justify the proposed development. This states that the requirement to provide 22 no. Affordable units has been fixed through the outline planning permission and in the respect the open market housing provision must support, in financial terms, the affordable housing provision, in order to ensure the delivery of an economically viable scheme overall.</p> <p>The open market housing mix provides a range of 3,4 and 5 bedroom dwellings, which, when taken with the affordable housing, provides a full mix of dwelling sizes across the development as a whole and thereby continues to meet a wide range of local housing requirements.</p> <p>The applicants have highlighted the provisions of paras 173 and 174 of the NPPF which seek to ensure that development is deliverable and viable, once the normal costs of development, along with other policy requirements or contributions have been taken into account.</p>	<p>An independent viability assessment has not been carried out on the proposal and accordingly it is not considered that sufficient justification has been submitted to warrant such a large departure from the requested open market housing mix.</p>



<p>A viability summary and comparison has also been submitted to demonstrate the level of developer profit and to highlight that the proposed revisions to the open market housing mix would have an unacceptable impact on the developer margin, rendering the development undeliverable.</p> <p>The applicants have also drawn reference to the age of the studies referred to and stated that they are significantly out of date and would therefore question the reliance being placed on these studies, as evidence of need of an alternative, as yet, unspecified, open market housing mix</p>	<p>The evidence base upon which these conclusions have been reached is a material consideration and has been up held at recent appeals, most notably 12/00504/FUL in Somerby. In this appeal the inspector concluded that in the absence of an identified recent significant change in circumstances with regard to the supply and demand for smaller units, considerable weight can be attributed to the documents referred to (opposite) in the determination of proposals.</p>
<p><b>Other matters</b></p> <p><u>Validity of application</u></p> <p>The proposal requires development of land outside of the application site, namely earthworks to the entire eastern boundary involving the raising of ground levels in excess of 1000mm above ground level. Works of this nature constitute engineering operations and therefore require Planning Permission. Since these works are outside the application site they are not covered by the existing planning permission and would therefore be in breach of planning control. Accordingly the submitted scheme should be amended to keep all of the development within the development site or withdrawn to include the additional land required.</p> <p>The blue area shown parallel to Belvoir Road is outside of the Village Envelope and thus should play no part in this application. It constituted no part of the Outline Planning Approval that allowed for the only part of the development outside of the Village Envelope to be the singular vehicle access road. The areas indicated by the Blue rectangles therefore should not be allowed to be, in any way, part of this development.</p>	<p>The site benefits from an extant outline planning permission. Condition 2 of the outline consent related to what was to be submitted as part of the 'reserved matters' and this was named as "layout, scale, external appearance of the building(s), access and the landscaping of the site".</p> <p>The location plan submitted formed part of the original application for outline planning permission which was granted in September 2013. This plan has been submitted as part of the Reserved Matters application (dwg: H6041/02) and shows the application site outlined in red and other land within the control of the applicant outlined in blue. The location of the red line boundary mirrors the extent of the village envelope (eastern boundary) and the Cricket Ground (Northern boundary) as denoted by the Bottesford and Easthorpe Village Proposals Map (Melton Local Plan 1999).</p> <p>The Reserved Matters application submitted includes some landscaping and levelling works to the eastern boundary of the site which are outside the red line site area and encroach onto the land under the applicants control (within the blue line). The Illustrative Layout Plan submitted as part of the outline application did demonstrate buffer planting to the eastern boundary which extended beyond the application site area. It is therefore considered that the landscaping and earthworks proposed constitute landscaping works required as a result of condition 6 of the outline planning permission 12/00123/OUT and whilst not able to be considered as part of this application are legitimate under that condition and can be formally considered upon submission of its discharge. As such they should be regarded as providing context for this application rather than as part of its content</p>

<p>Where will the cost of maintaining the open space, pond etc. fall? We have plenty of open spaces in the village.</p>	<p>The scheme also requires land to the south of the development site (adjacent to Belvoir Road) to be physically altered to construct the additional swales. These also fall within the blue line submitted on the site location plan and accordingly can be considered as works required in conjunction with conditions 10 and 11 of the outline planning approval.</p> <p>The S106 Agreement signed as part of the outline planning permission included a clause requiring a programme identifying the delivery and future maintenance of the public open space. It is therefore the responsibility of the owners of the site to maintain or elect a management company to maintain it in accordance with the details approved.</p>
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**Other Material considerations, not raised through representations:**

Consideration	Assessment of Head of Regulatory Services
<p><b>Planning Policy issues:</b></p> <p>The site is partly within the village envelope but approximately half is outside. The access and public open space are outside the village envelope. Policy OS1 allows development within village envelopes subject to satisfying the criteria listed. The village envelope constrains development within the boundary to prevent sprawl, unplanned growth and to guard against the coalescence of settlements. Outside the village envelope development is strictly limited by Policy OS2.</p> <p>The development is for market housing with a requirement to provide 40% of affordable housing, in accordance with Policy H7. It is not being considered as an exception site under Policy H8 which allows for small size developments containing affordable housing only.</p>	<p>Outline planning permission has already been granted on this site and therefore there is a presumption in favour of development. The NPPF seeks to boost significantly housing growth in sustainable locations and this proposal is considered to support that objective.</p>

**Conclusion**

It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

**The outline permission was granted on the basis that the advantages were judged to outweigh the disadvantages, particularly the contribution that it would make to housing supply, both in the market but especially in the affordable sector. It is considered that the proposal alters the balance of those issues because it does not bring forward the market housing in an ideal form and presents some detailed issues which are of concern, as such the Committee is presented with a different ‘balance of the issues’ to consider than at outline stage.**

**Affordable housing** provision remains one of the Council’s key priorities and despite strenuous efforts in recent years, none has been provided in Bottesford. This application presents affordable housing in a quantity and type that satisfies identified local needs and the developer has secured the commitment of a Registered Provider to develop them. Accordingly, the application provides a vehicle for the delivery of affordable housing of the appropriate quantity, type and location and it is considered that this is a material consideration which **continues to be of significant weight in favour** of the application.

The Borough is also deficient in terms of housing land supply more generally and similarly this would be assisted by the application, in a location that is considered to be sustainable in terms of access to services and facilities and with good transport links.

It is considered that balanced against these positive elements are the site specific concerns raised in representations, particularly the proposed housing mix, the impact of the scheme on the character and appearance of the area and residential amenity resulting from the increase in site levels, and the design and layout of the development.

In conclusion it is considered that, on the balance of the issues, there continues to be significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. Of the balancing issues –the impact on the character and appearance of the area and residential amenity – are considered to be of limited harm, particularly because they can be controlled by conditions to limit their adversity where necessary. However, the Committee is invited to consider each of these and conclude whether they themselves amount to reasons for refusal.

**However, it is not considered that the proposed housing mix can be reconciled and the proposed dwellings would not contribute towards the identified need for smaller dwellings in the area. Thus, they would not contribute towards the creation of mixed communities, nor have regard to identified local market housing needs as specified in the NPPF. The proposed dwellings, due to their size, would therefore undermine the Council’s responsibilities under the NPPF to develop housing in a form (in terms of the size of dwellings) that meets the local housing market needs.**

Finally, the Committee is reminded that if the application is refused there is no guarantee that a preferable alternative will come forward. The concerns above have been presented to the developer in order that they can consider amending the proposal to alleviate these shortcomings, but the developers have declined to do so for the reasons explained in the body of the report above. Refusal of the application would mean that the housing supply issues, including the contribution to affordable housing, would not be assisted.

**Recommendation: REFUSE**

In the opinion of the local planning authority the proposed type of houses does not address the imbalance of stock type and size of dwellings required to reflect the housing needs of the area.

The Housing Stock Analysis conducted in 2006 clearly demonstrates that there is a surplus of larger private market homes and a significant lack of smaller sized properties within Melton Borough and the rural north of the Borough. Accordingly the proposal fails to contribute to a sustainable and balanced housing market and is therefore considered to be contrary to the objectives of the NPPF.

Officer to contact: **Mrs K McMahon**

**Date: 26th February 2014**