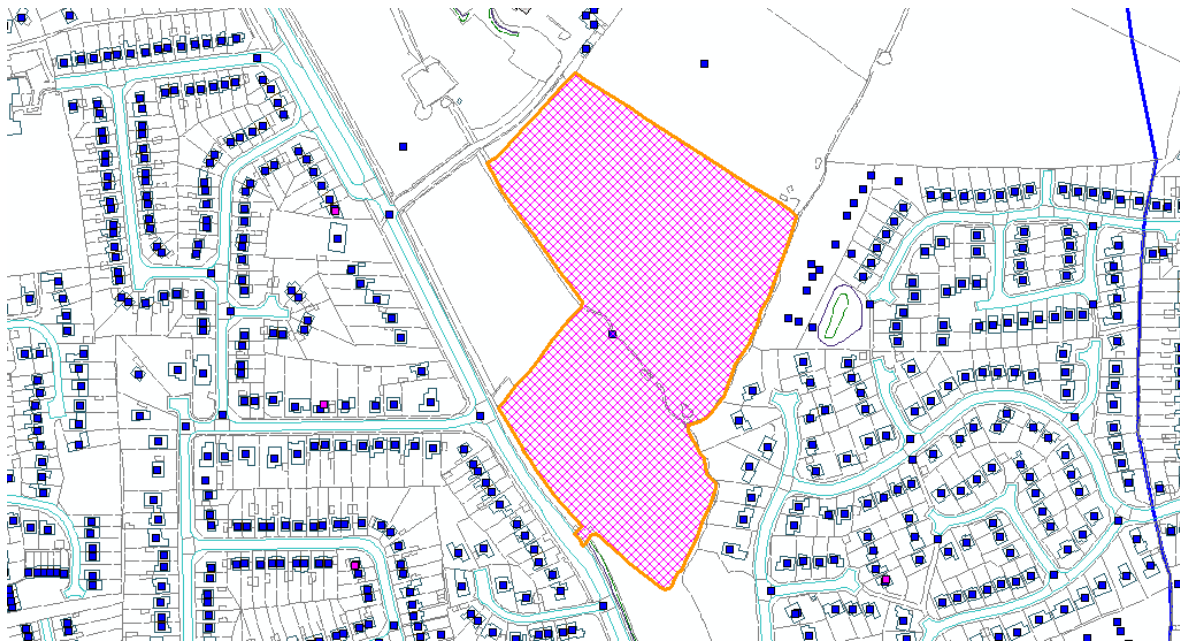


Reference: 14/00078/OUT
Date submitted: 31.01.14
Applicant: Davidsons Developments Ltd
Location: Field Numbers 5855 and 6071 Nottingham Road, Melton Mowbray
Proposal: Residential development for up to 85 dwellings with associated infrastructure ,access and areas of open space



Proposal :-

This application seeks outline planning permission for up to 85 dwellings on land to eastern side of Nottingham Road, Melton Mowbray. The site lies outside the designated town envelope .It is within open countryside abutting the boundary of the town envelope and is currently two undeveloped fields. To the east of the site is residential development off Kipling Road .To the west is Nottingham Road and an established built-up part of the town. To the north and north-east is open countryside and Sysonby Lodge , a grade II listed building.

This is an application for outline planning permission ,with detailed approval sought for access only at this stage. All other matters are reserved for later approval. An illustrative master plan submitted by the applicant shows a single point of access from Nottingham Road with a central spine road and a number of side roads and driveways serving a mix of dwellings.

The application has been supported by a Planning Statement, Design and Access Statement, Statement of Community Involvement, Flood Risk and Drainage Assessment, Watercourse Modelling Study, Ecology Survey, Transport Assessment, Travel Plan, Archaeological and Heritage Assessment, Topographical Survey, Geo-physical Survey, Geo-environmental Assessment ,Landscape and Visual Appraisal, Services Report and Tree Survey. All of these documents are available to view at the Council.

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

- **Compliance or otherwise with the Development Plan**
- **Impact upon the Character of the Area and Open Countryside**
- **Impact upon heritage assets**
- **Impact upon residential amenities**
- **Road Safety and Transportation**
- **The impact of the Inspector's letter on the LDF Core Strategy and its subsequent withdrawal**

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

History:-

No relevant history

Planning Policies:-

Melton Local Plan (saved policies):

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 BE1 - allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

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 C1: states that planning permission will not be granted for development which would result in the loss of the best and most versatile agricultural land, (Grades 1, 2 and 3a), unless the following criteria are met: there is an overriding need for the development; there are no suitable sites for the development within existing developed areas; the proposal is on land of the lowest practicable grade.

Policy C13: states that planning permission will not be granted if the development adversely affects a designated SSSI or NNR, local Nature Reserve or site of ecological interest, site of geological interest unless there is an overriding need for the development.

Policy C15: states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development
Policy C16.

Policy BE11 – Planning permission will only be granted for development which would have a detrimental effect on archaeological remains of county or district significance if the importance of the development outweighs the local value of the remains. If planning permission is given for the development which would affect remains of county or district significance, conditions will be imposed to ensure that the remains are properly recorded and evaluated and, where practicable, preserved.

The National Planning Policy Framework was published 27th 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:

- 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:

Promoting sustainable transport

- all developments that generate significant amounts of movement to be supported by a Transport Assessment or Statement; development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.
- Developments that generate significant movements are located where the need to travel will be minimised and use of sustainable transport modes can be maximised.

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.

Conserving and enhancing the natural environment

- Contribute to and enhance the natural and local environment.
- Aim to conserve and enhance biodiversity

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>LCC Highways – Highways & Transportation – recommend approval</p> <p>The Traffic Assessment states that the site is in a sustainable location with a choice of good links to the town. It provides data to indicate that additional traffic generated by the development would not have an adverse impact upon traffic flows in the vicinity of the site and wider at the Nottingham Road/Norman Way junction.</p> <p>The Highway Authority consider that an objection on the grounds of the impact upon the capacity of the Nottingham Road/Norman Way junction could not be sustained. They request a contribution of £3,500 for investigation of the signal timings controller arrangements at the junction.</p> <p>S106 Contributions: To comply with Government guidance in the NPPF, the CIL Regulations 2011, and the County Council’s Local Transport Plan 3, the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use. <u>Travel Packs</u>; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). <u>6 month bus passes</u> (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £350 per pass (NOTE it is very unlikely that a development will get 100% take-up of passes, 25% is considered to be a high take-up rate). <u>New/Improvements to 2 nearest bus stops</u> (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263 per stop.</p> <p>Travel Plan: The Travel Plan is considered to be generally acceptable. We would require a £6,000 monitoring fee to be included in the S106 agreement. On the basis of the above, the Highway Authority would be prepared to accept the Travel Plan.</p>	<p>Before the application was submitted the applicants were advised of the Council’s concerns about the cumulative impact of piecemeal development of smaller sites around the town. There is also some doubt whether cumulatively these sites would deliver the infrastructure that it may be possible for a larger, comprehensive scheme to provide.</p> <p>The assessment has taken account of committed developments in Melton Mowbray and considered projected traffic flows over the next five years.</p> <p>Notwithstanding reservations about the approach taken in this case, there are no good highways reasons to resist the development.</p> <p>The proposed development would be served by a single point of access from Nottingham Road. The details of this access have been submitted for determination at this stage. All other matters, including layout, would be submitted as reserved matters if outline planning permission is granted. The indicative shows that the development would be served by a spine road from the new access linking to a series of secondary roads and driveways. The proposed T junction onto Nottingham Road is located opposite and approximately between Palmerston Road and Gladstone Avenue which serve existing residential development . Nottingham Road is a single carriageway road with a 40mph speed limit.</p> <p>The application proposes a junction with visibility splays of 120m setback 2.4m and junction radii of 6m. The new access road would comprise a 5.5m wide carriageway and two 2m wide footways . The development would also provide a pedestrian refuge on Nottingham Road.</p> <p>The Transport Assessment sets out sustainable transport options and considered the pedestrian, cycling and public transport infrastructure. The site is considered to be in a sustainable location</p>

<p>Conditions: Recommends conditions in relation to visibility, gradients, parking, works in accordance with specified drawings, closure of existing access, construction/site management plan, routing of construction traffic and travel plan.</p>	<p>close to key facilities and amenities in Melton Mowbray. It is within easy walking distance of existing bus stops.</p> <p>The Highway Authority recommends approval and it is not considered that the proposal would have a significant impact on highway safety.</p>
<p>LCC Highways – Access Officer Requests footpath link</p> <p>Development of site could provide an opportunity to improve pedestrian links between Nottingham Road and Scalford Road. It could also provide a link to public footpath E17 which runs northwards between the application site and John Fernerley College.</p> <p>These would increase the sustainability of the site and help to reduce the need for car journeys.</p>	<p>The detailed layout of the site could be designed to accommodate east –west pedestrian and cycle routes so that the provision of any possible future longer term links outside this site would not be precluded.</p>
<p>Police Architectural Liaison -</p> <p>A primary issue for Leicestershire Police is to ensure that the development makes adequate provision for the future Policing needs that it will generate. Leicestershire Police have adopted a policy to seek developer contributions to ensure that existing levels of service can be maintained as this growth takes place.</p> <p>The proposed development will increase the overnight population of this settlement by 199 people. It is a fact that up to 85 new houses will bring additional Policing demands and particularly as there is no Policing demand from the existing site. There can be no doubt that there will be a corresponding increase in crime and demand from new residents for Policing services across a wide spectrum of support and intervention as they go about their daily lives at the site the locality and across the Policing sub region.</p> <p>£32,000 is sought to mitigate the additional impacts of this development because our existing infrastructures do not have the capacity to meet these and because, like other services, we do not have the funding ability to respond to growth proposed. We anticipate using rate revenues to pay for staff salaries and our day to day routine additional costs [eg call charges on telephony and IT vehicle maintenance and so on].</p> <p>Contributions received through S106 applications will be directly used within the associated local policing units to:</p> <ul style="list-style-type: none"> • Equipping staff • Vehicles • Radio Cover 	<p>It is noted that the addition of up to 85 dwellings would have some impact on policing within the Borough. The applicants have stated that they are willing to pay this developer contribution request.</p> <p>However, the applicants note that Leicestershire Planning Authorities are currently seeking independent legal advice on whether all elements of the contributions requested by Leicestershire Police are CIL compliant. The points upon which legal advice has been sought is whether the funding the Police serves a planning function and whether the contributions which are requested would satisfy the policy tests, in particular those relating to necessity and having a direct relationship with the proposed development.</p> <p>The applicants have requested that the current situation should be reflected in the S106, with a clause that only a proportion of the contribution is paid should the Police request only be deemed to be partially compliant with CIL.</p> <p>This is consistent with the approach taken recently with a housing scheme by another authority elsewhere in the county.</p> <p>At present it is considered that these contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement.</p>

<ul style="list-style-type: none"> • Policing Data Bases Capacity • Control Room telephony • ANPR CCTV deployment • Mobile CCTV Deployment • Additional Premises • Hub Equipment <p>When the application was first submitted the Police raised an objection because there was no evidence of a contribution. This was because they considered that the development was unacceptable in planning terms without the necessary contribution. Advice taken by Leicestershire Police is that the contents of this letter are sufficient to justify the contribution sought.</p> <p>The applicants have agreed to pay the contribution in full and the Police have no objection.</p> <p>A full copy of the Polices request for developer contributions can be viewed at the Council Offices.</p>	
<p>LCC Archaeology – Recommends a condition to secure further archaeological work, in particular that the applicant undertakes a topographical survey of the affected ridge and furrow earthworks</p> <p>On submission of a desk-based archaeological assessment :</p> <p>LCC does not agree with conclusion of the survey which states that</p> <p><i>It is concluded that the proposed development of this site will not have any impact on significant archaeological features. No further archaeological works should be required on this site.</i></p> <p>Recommends that the applicant is required to undertake a topographic survey of the affected ridge and furrow earthworks, and confirm and clarify the results of the survey . The additional survey work and associated records to be secured by planning condition.</p>	<p>The site does not contain any known archaeological features but this does not preclude the possibility that it may have features of archaeological interest .</p> <p>The proposed condition should ensure that the site is adequately investigated and any features encountered are recorded.</p> <p>The applicants and their specialist advisors have agreed to this approach.</p>
<p>LCC Ecology – no objection</p> <p>The Ecological Appraisal and Habitat Suitability Index (produced by Ecolocation – January 2014) submitted in support of the application is summarised as follows:</p> <p>General site - semi-improved species poor grassland of little ecological value</p> <p>Trees/hedgerows – Of medium value for bats and birds. Hedgerows (outside boundaries of site) could offer dispersal routes and shelter.</p>	<p>An Ecological Appraisal and Habitat Suitability Index has been submitted and there has been no objection to the proposal from the specialist Ecological advisor, who considers that this development would provide an opportunity for ecological enhancement .</p> <p>The proposal would not conflict with Local Plan policy C13.</p> <p>The eastern margins of the site are identified in the Local Plan (Policy C13) as being of ecological interest.</p>

<p>Ditches and ponds – Habitat Suitability Index suggests that value of the ponds is “below average “ or “poor”.</p> <p>Great Crested Newts – Ditches unsuitable for great crested newts due to their flow and shading.</p> <p>Parish Level Marsh – An area of grassland and scrub on the eastern boundary of the site is identified in the 2011 <i>Revised Melton Mowbray Borough and Geodiversity Study</i> as being of ecological value.</p> <p>In summary , generally support the findings of the Ecolocation survey. Notes that no evidence of protected species were found during the survey. However, it was considered that a number of trees within the hedgerow had potential to support bat roosts. Agree with the ecology report in that if these trees are to be removed, further bat survey should be completed. It is also likely that the hedgerows provide opportunities for birds to nest. Recommend that all works to trees and hedgerows are completed outside of the bird breeding season , unless it can be proven that there are no nesting birds present.</p> <p>Recommend that a condition requiring updated ecology surveys if the development does not take place within 3 years of the original ecological survey (i.e. September 2016). This will allow an up to date assessment of the site to be made.</p> <p>No evidence of marsh, with most marsh habitat lost since 1990 survey ,but site does have some ecological value.</p> <p>Development should follow principles of indicative layout which indicates retention of green corridors along existing watercourses. Suggest that a condition is imposed to manage these areas and recommends that planting should comprise native species.</p>	<p>The application is proposing areas of green space and Sustainable Urban Drainage (SUD) systems incorporating open landscape ditches which are considered to be a biodiversity gain.</p> <p>Paragraph 109 of the NPPF states that the planning system should minimise the impact on biodiversity and providing net gains in biodiversity where possible. In paragraph 118 of the NPPF it states that opportunities to incorporate biodiversity in and around developments should be encouraged. This is considered to be a material consideration when determining the application.</p> <p>The applicant is proposing the retention of the eastern ditch (parish level habitat) together with a 5m buffer which should not be developed.</p>
<p>Environment Agency- no objection</p> <p>The proposed development will be acceptable if the measures detailed in the Flood Risk Assessment and Watercourse Modelling Study submitted with the application are implemented and secured by planning conditions :</p> <p>Recommend conditions as follows:</p> <ul style="list-style-type: none"> • Limit surface water run-off to equivalent greenfield rates • SUDs system with storage capacity to manage 1in100 year event plus climate change allowance 	<p>Noted.</p> <p>The Environment Agency has independently reviewed the flood risk assessment and is satisfied with its content and conclusions, prior to arriving at this recommendation.</p> <p>Conditions can be imposed in respect of the Environment Agency’s request.</p>

<ul style="list-style-type: none"> • Finished floor levels no lower than specified Ordnance Datum • No development within 5m of top of bank of any watercourse <p>As part of the Agency's objective to further the sustainable use of our water resources they are promoting the adoption of water conservation measures in new developments. Such measures can make a major contribution to conserving existing water supplies.</p>	<p>Noted, this can be an informative on the permission if the application is considered acceptable.</p>
<p>Severn Trent Water Authority – No objections subject to conditions requiring full details of drainage plans for the disposal of foul sewage and surface water.</p>	<p>Noted – conditions can be applied to this effect. Severn Trent do not object, or raise concerns, about the capacity of the drainage system.</p>
<p>MBC Housing Policy Officer–</p> <p>Housing Mix: 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.</p> <p>Paragraph 50 of the National Planning Policy Framework states that we should plan for a supply of housing that meets the needs of our population, both now and moving into the future. The development of this site would provide an opportunity to meet identified local need.</p> <p>Affordable Housing: This application offers a 40% affordable housing contribution. While the details of tenure and dwelling type are to be agreed ,the preference would be for 75% social rented accommodation and 25% intermediate ,such as shared ownership.</p>	<p>Note that this is an outline application and propose that a condition be imposed to ensure delivery of appropriate housing mix.</p> <p>Saved policy H7 of the Melton Local Plan requires affordable provision ‘on the basis of need’ and this is currently 40%. This proportion has been calculated under the same processes and procedures which have previously set the threshold and contribution requirements for affordable housing within the Melton Borough.</p> <p>The proposed level of affordable housing is considered to meet the development plan (40%). The details of size and tenure would be agreed .</p>

<p>LCC Mineral and Waste Planning Authority – no comments received to date</p>	<p>If comments are received then Members will be verbally updated</p>
<p>CPRE – no comments received to date</p>	<p>If comments are received then Members will be verbally updated.</p>
<p>LCC Developer Contributions-</p> <p>Waste - The County Council considered the proposed development is of a scale and size which would have an impact on the delivery of Civic Amenity waste facilities within the local area. The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £7,541 (rounded to the nearest pound). The contribution is required in light of the proposed development and was determined by assessing which civic amenity site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local civic amenity facilities. The increased need would not exist but for the proposed development.</p> <p>Libraries – The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area. The proposed development on Nottingham Road, Melton Mowbray is within 1.4km of Melton Library, Wilton Road being the nearest local library facility which would serve the development site. The library facilities contribution would be £4,650 (rounded to the nearest £10). It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought to purchase additional library materials, e.g. books, audio books, newspapers and periodicals etc for loan and reference use to mitigate the impacts of the proposed development.</p> <p>Education- no contribution is requested. No contribution is requested because sufficient capacity exists within the relevant schools</p> <p>LCC Highways - £3500 towards a SCOOT validation of the signals junction, once the residential development has been completed.</p> <p>The following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets,</p>	<p>Noted – If the development is considered acceptable a Section 106 Agreement to secure developer contributions would be needed.</p> <p>It is considered that these contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement.</p> <p>The applicant has agreed to these payments.</p> <p>S106 payments are governed by Regulation 123 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>It is considered that the payments satisfy these criteria and are appropriate for inclusion in a s106 agreement.</p>

<p>and reducing car use.</p> <p><u>Travel Packs</u>; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).</p> <p><u>6 month bus passes</u> (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £325 per pass (NOTE it is very unlikely that a development will get 100% take-up of passes, 25% is considered to be a high take-up rate).</p> <p><u>New/Improvements to 2 nearest bus stops</u> (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263 per stop.</p> <p>Information display cases at 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120 per display.</p> <p><u>Bus shelters</u> at 2 nearest bus stops; to provide high quality and attractive public transport facilities to encourage modal shift. At £4908 per shelter.</p> <p><u>Contribution towards equipping the nearest suitable bus route with Real Time Information (RTI) system</u>, to assist in improving the nearest bus service with this facility, in order to provide a high quality and attractive public transport choice to encourage modal shift. At £600 total.</p> <p>Ecology, Landscape: no requirements</p>	
<p>MBC Developer Contributions –</p> <p>Leisure – contribution to new leisure facilities. £8500 contribution to dry side facilities due for completion 2015/16. Costing based on proportion costing of £1 million project.</p> <p>Contribution to new sports pavilion in Country Park, £4250 based on proportion of £250,000 project.</p> <p>Grounds Maintenance – request for contribution for maintenance of open spaces within the development and the SUDs.</p>	<p>It is considered that these contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement.</p> <p>The applicant has agreed to these payments.</p> <p>S106 payments are governed by Regulation 123 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>It is considered that the payments satisfy these criteria and are appropriate for inclusion in a s106 agreement.</p> <p>Noted, the applicant is still considering the costings involved in the contribution for the maintenance of the open space. If no agreement can be reached this should not delay the application as a condition can be imposed in relation to the maintenance of the open space in the site and maintenance agreement (or other means of maintenance) can be approved at a later date.</p>

	The applicant has agreed to this approach.
<p>Developer Contributions</p> <p>The applicant has stated that they are willing to make most of the developer contributions early in the development of the site, prior to first occupation of the dwellings. They consider that this will ensure that necessary mitigation and any community benefit is realised as soon as possible .</p>	Noted.

Representations:

Site notices were posted and neighbouring properties consulted. As a result **46 letters of objection have been received plus a 262 signature petition signed objecting to the proposal**, the representations are detailed below.

These representations include an **objection submitted on behalf of the Melton North Action Group (MNAG)** , which states that this is a fully constituted body, ,representing hundreds of residents living to the north of Melton Mowbray.

In addition, a Ward Councillor expressed concern about the proposal in respect of traffic generation, overlooking, drainage and loss of green corridor. These points are addressed in the following assessment.

Representations	Assessment of Head of Regulatory Services
<p>Planning policy – The development is contrary to the Inspector’s decision on the Core Strategy.</p> <p>He could not support the direction of growth to the north of Melton based on sustainability, accessibility, landscape sensitivity ,agricultural land quality ,road infrastructure and impact upon listed buildings.</p> <p>He endorsed the Sustainability Assessment which rejected smaller development spread within and around the town as the least sustainable option. This application, like the recent decision on the Persimmon site on Scafford Road, is wrong in the long term.</p> <p>Residents are frustrated by this development in addition to other recent applications, including the Persimmon development and the proposed Lidl store.</p> <p>The Inspector’s report summarised some major concerns including landscape sensitivity, agricultural land quality, biodiversity and transport/road infrastructure.</p>	<p>The core strategy was submitted for Examination in Public in September 2012. The hearing took place in Feb/Mar 2013. The Inspector, in his letter to the Council considered that there were matters of fundamental concern with the Core Strategy. This lead to the Council’s withdrawal of the Core Strategy. It is considered that the Inspectors letter is a material consideration in the determination of the application.</p> <p>It is advised that the extent to which the Inspector’s conclusions determine that this application should be refused will be dependent upon the Committee’s judgment as to whether the application gives rise to the same issues that lead to his recommendation on sustainability. This proposal is precisely defined and represents less than 10% (approx) of the scale envisaged by the Urban Extension proposed by the Core Strategy. The definition in this application allows a precise assessment of the concerns raised by the Inspector in relation to impacts upon landscape, agriculture and biodiversity to be made (the Inspector could only make a generalised, broader, basis in relation to the Core Strategy because it was concerned with a general “direction of housing growth” covering a significantly larger possible area). The Core Strategy was assessed as a comparative exercise, in the context of other possible options; a planning application must be considered under the ‘presumption in favour of sustainable development’ based on its own merits, rather than by comparison to those of other sites.</p>

<p>Davidsons are trying to pressure the Council in to approving this application under the mistaken rationale that the Council has not provided a 5 year supply of land. The five year supply of land is not the be all and end all of the issue and the statement in Paragraph 49 of the NPPF "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites", does not mean that applications should be granted here, in particular where there are clear planning objections in a given area. There are several Appeal decisions to this effect.</p> <p>The Council has begun work on a new Local Plan which will involve consultation with residents and other interested parties and that process should be allowed to take place before decisions are made on sites such as this.</p>	<p>Whilst the Core Strategy did not allocate a specific site for the SUE it indicated a broad direction of growth within which the application site would fall. Although it should be noted that the application site was not intended for development in the initial masterplanning work which had been undertaken.</p> <p>The Inspector did raise concerns over the impact the SUE would have upon landscape, agricultural land and biodiversity: however, it must be acknowledged that the Inspector was considering a significantly larger area than that proposed by the current application.</p> <p>A key component of the Core Strategy involved the identification of a broad direction of housing growth to the north of Melton Mowbray which was to comprise a sustainable urban extension (SUE) of around 1,000 new homes and compared this to other potential options. Whilst the Core Strategy did not identify any specific site boundaries or allocate land beyond indicating the broad direction of growth in the general area which includes the application site. However, it should be noted that in the context of the Core Strategy the Inspector was examining a broad proposal for 1,000 homes, with no specific plans to allow detailed assessment of impact on the ground. In regard to transport he made no detailed assessment of specific impacts but examined the proposal at a strategic level and made comparison with alternatives approaches.</p> <p>Paragraph 49 of the NPPF is a consideration in the determination of the application and is commented on in the report below. This paragraph, however, will need to be read with all the relevant sections of the NPPF and the saved Policies contained within the adopted Local Plan. It is agreed that the absence of a 5 year housing land supply does not automatically lead to a conclusion that housing proposals should be approved. In all cases, assessment of their merits and impacts within the context of the presumption in favour of sustainable development is required.</p> <p>The Council has started working on a new Local Plan. Melton Council has a duty in law to determine all applications submitted and cannot put it aside or reject it until a Local Plan is in place. The determination of this application is not considered to be premature to the production of the Local Plan. This is because the development of a site of this scale would not prejudice the delivery of the wider strategy for housing in the Borough.</p>
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<p>Application is premature and is a snub to localism. Committee should take account of local opinion.</p>	<p>The Authority has a duty to determine all planning applications. All relevant material comments will be taken into account in the determination of the application.</p>
<p>Planning Policy issues: the requirements of the NPPF</p> <p>Davidsons are trying to pressure the council in to approving this application under the mistaken rationale that the Council has not provided a 5 year supply of land. The five year supply of land is not the be all and end all of the issue and the statement in Paragraph 49 of the NPPF <i>“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”</i>.</p> <p>Contrary to advice in the NPPF.</p>	<p>Adopted Melton Local Plan:</p> <p>The site lies outside the designated town envelope. Outside the town envelope development is strictly limited by Policy OS2 with limited exceptions for residential dwellings, including for rural business for workers accommodation or affordable housing as an exception site. Residential development of this site does not comply with the development plan policy OS2.</p> <p>The development is for market housing with a capacity 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>It is therefore considered that the development is inherently contrary to the development plan and permission can be granted only if there are material considerations considered to be of such significance to outweigh this position.</p> <p>The NPPF is considered to be a material consideration of significant weight that needs to be considered alongside the Development Plan.</p> <p>The National Planning Policy Framework (NPPF) provides guidance at a national level. In relation to existing development plans. The NPPF states that due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The saved policies of the adopted Melton Local Plan should be applied in this context.</p> <p>The NPPF is founded upon a presumption in favour of sustainable development which in relation to decision making means approving 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 the Framework taken as a whole, or, specific policies in the Framework indicate development should be restricted.</p>

	<p>As summarised above, the NPPF seeks to boost housing supply and requires provision of a 5 year supply of housing land plus 5% ‘headroom’. Melton’s most recent analysis concluded that this is not being met and the available supply is significantly below 5 years. There have been no recent challenges to this position. The NPPF further advises that housing policies should not be considered up to date if a 5 year supply cannot be demonstrated. This is in addition to its more general approach (at para. 14) that where a local plan is out of date permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits, judged by the content of NPPF.</p> <p>It is considered that these expectations of the NPPF considerably undermine the reliance that can be placed on the housing policies of the Local Plan. However, policy OS2 is considered to remain compatible with the NPPF and greater reliance can be attributed to its content and objectives.</p> <p>The site is considered to be greenfield and not brownfield. The NPPF encourages the re-use of brownfield land but there is no prohibition on the use of greenfield land. In Melton’s circumstances, there is insufficient brownfield land to meet supply and Greenfield locations are required to satisfy demand.</p> <p>Conclusion on Planning Policy issues:</p> <p>It is considered that Policy OS2 remains compatible with the NPPF as this relates to countryside protection which is also a NPPF objective. In this respect, the Committee should consider two central issues:</p> <ul style="list-style-type: none"> • Whether the harm to the character and appearance of the countryside ‘significant and demonstrable’, sufficient to outweigh the benefits of the scheme. • Whether, if considered harmful, the overall benefits outweigh the adverse effects. It is considered that the provision of affordable housing is particularly significant in this context.
<p>Inspection of the MBC Core Strategy:</p> <p>Direction of growth to the North of Melton Mowbray was found unsound by the Planning Inspector.</p>	<p>The Melton Core Strategy was submitted for Examination in Public in September 2012, with the hearing sessions taking place in February/March 2013. The Planning Inspector, in his letter to the Borough Council on the 11th April 2013, considered that there were matters of fundamental concern with the Melton Core</p>

<p>The following were major concerns:-</p> <ul style="list-style-type: none"> • Highways – Nottingham Road is already very busy and further vehicles from this development will result in serious problems. • The highest Quality and sensitivity of Landscape surrounding the town was to the North. 	<p>Strategy which could not be overcome through changes. In his assessment of the direction of growth to the north (SUE) the Inspector identified several reasons why he could not support this strategy. Of particular relevance to this application he raised concerns that there would be an unacceptable impact on the landscape, agricultural land and biodiversity. The Inspector's letter is considered to be a material consideration in the determination of this application.</p> <p>In regard to transport the Inspector made no detailed assessment of specific impacts but examined the proposal at a strategic level and made comparison with alternatives for the bypass. An assessment on the impacts of the proposal on the highway network is reported above.</p> <p>The judgement was based on the content of the 2006 landscape report which examines the landscape character of the Borough and which assessed in more detail the sensitivity of zones around the edge of Melton Mowbray. The application site is located within 'Zone A', which along with Zones B and C, is described as the most sensitive landscape surrounding the town.</p> <p><i>The study states that "Zone A has a high historic value with features such as ridge and furrow and former settlement sites. The area around Sysonby Lodge is particularly sensitive having both designated historic features and an interesting setting. This area also includes some open space areas protected by the Protected Open Area designation."</i></p> <p>The study goes on to state that development, particularly in the higher northern part, would significantly increase the visibility of the town from the surrounding area; and, that at present built development is confined to the lower slopes leaving open countryside to the north. Zone A is considered to be of High landscape character sensitivity.</p> <p>The 2011 update noted that only two Zones, A and D, had been noticeably affected by new development since the 2006 report. However, the change in Zone A relates to John Fernerley College which is to the north-east of the application site. The update notes that:-</p> <p><i>"The main building is significantly larger than the previous building and is more prominent, being contemporary in design, rendered white</i></p>
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<ul style="list-style-type: none"> • Biodiversity and Agricultural land quality was superior to other sites (Grade 3a) and should be safeguarded 	<p><i>and with an adjacent wind turbine. All of the new building is visible in views to the south east from the northern part of the zone. The buildings are set against a backdrop of Melton, in particular the large factory buildings and their prominent roofs in Zone D, the housing estates south of Zones A and B and the housing estates in the far distance across the valley in Zone E, which has the effect of setting the school buildings within the urban context. However, few people will actually see the buildings from the north as there are few receptors and accessible viewpoints. Other views, such as from the south and from the Scalford Road, are limited due to rising foreground, which partially screens the buildings reducing their apparent height.</i></p> <p><i>As the new school buildings are located within the existing school grounds there has been no impact on the underlying landscape structure and the character of the agricultural fields, hedges and woods remains unaffected. Therefore the sensitivity of the landscape character of Zone A has not been diminished and remains High.”</i></p> <p>The detailed analysis of this site indicates that the site forms a small part of Zone A and has a limited relationship with much of the wider landscape within it, in particular the more elevated and open farmland setting to the north, which is considered to be of increased sensitivity to change. In effect the application site is seen as part of the existing built development to the south, east and west which creates a backdrop of modern residential development that will be consistent with this proposal.</p> <p>A detailed site specific, assessment on the impact to the character and appearance of the open countryside is contained below.</p> <p>While the Agricultural Quality of Land Report (2005) identifies the agricultural land quality to the north of the town to be of superior quality, the application site itself falls solely within the sub-grade 3b which is lower quality. The NPPF classifies that land in grades 1, 2 and 3a should be considered as best and most versatile agricultural land. In relation to development the NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. The application site does not fall into this category.</p> <p>Melton Borough Biodiversity & Geodiversity Study (2008) and Revised Study (2011) identifies the main biodiversity and geodiversity resources present in the Borough, with particular emphasis on the outskirts of</p>
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<p>The proposal is contrary to advice in the NPPF about the use of such resources.</p> <p>The application flies in the face of the Inspectors findings and MBC should not grant planning permission for this development.</p>	<p>Melton Mowbray. As regards the application site, which falls within Zone A, the area contained no protected or notable species and in relation to habitat is identified as poor semi-improved grassland but due to limited/no access is an “area of uncertainty”. A number of watercourses,intact hedges and broad leaved scattered trees are also identified within the site along with two possible water bodies.</p> <p>The 2011 revised study updated the details from the 2008 study and now identifies a non-statutory site of local level conservation value along the eastern boundary of the application site. In terms of habitat there were no significant changes from the previous assessment.</p> <p>An assessment on the impacts of the proposal on ecology is contained in the report above which concludes that this development would provide an opportunity for ecological enhancement and that the proposal would not conflict with Local Plan policy C13.</p> <p>A policy assessment is contained within the report.</p> <p>The Inspectors letter is a material planning consideration but need to be considered along with Local Policy, the NPPF and other material considerations.</p>
<p>Infrastructure</p> <ul style="list-style-type: none"> • Piecemeal development will have an adverse impact upon existing infrastructure in the area, particularly schools, doctors and dentists. 	<p>The Education Authority has been consulted and does not consider that a contribution is required.</p> <p>The providers of healthcare are not consulted on planning applications .</p> <p>Other infrastructure issues are addressed above, with the main impacts likely to be on highways and drainage in the area.</p> <p>The Highway Authority has raised no objection to the proposal, provided conditions are imposed.</p> <p>Severn Trent has registered no objection to the application, provided conditions are imposed to control the drainage arrangements.</p>
<p>Drainage</p> <ul style="list-style-type: none"> • General concerns about drainage and question the effectiveness of the proposed SUDs scheme 	<p>A Flood Assessment 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 above.</p> <p>Under the Surface Water Management Act 2010, the requirement for the use of Sustainable Drainage (SUD) systems is required on a</p>

	<p>development of this scale. The illustrative master plan indicates a SUDs to 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>The application has been supported with appropriate reports which have been independently reviewed by the Environment Agency and they raise no objection subject to conditions (see above).</p>
<p>Highways and Road Safety</p> <ul style="list-style-type: none"> • Development would exacerbate existing highways problems, particularly during peak times and on market days. • Traffic volume in the area has increased significantly following the opening of the new Sainsbury’s . • All new development should halt until a by-pass has been provided. • Concerns about specific local highways issues – poor visibility at junctions and speeding on Nottingham Road 	<p>The Highway Authority raises no objections subject to conditions, see assessment above.</p> <p>The proposed development would be served by a single point of access from the Nottingham Road. The development would have an internal ‘loop’ road serving all of the properties. The proposed T junction onto Nottingham Road is located opposite and approximately inbetween Palmerston Road and Gladstone Avenue. Nottingham Road is a single carriageway road with a 40mph speed limit .</p> <p>The application proposes a junction with visibility splays of 120m set back 2.4m and junction radii of 6m.</p> <p>The Traffic Assessment suggests that in order to mitigate against the impact of the development at the junction of Nottingham Road and Norman Way, an alteration to the sequence of the traffic signals at this junction could be carried out. However any changes to these signals could affect the co-ordination with the main Norman Way/Nottingham Road/Asfordby Road/Wilton Road junction. Therefore in lieu of the scheme, it has been requested that the developer makes a contribution to the County Council of £3500 towards a SCOOT validation of the signals junction, once the residential development has been completed.</p> <p>The traffic assessment demonstrates that the residual impact of the proposed development on the operation of the local highway network is negligible. There is no proven need for any off-site works beyond the requirements set out in the Highway Authority’s request for developer contributions which are set out above.</p> <p>The Highways Authority has no objection to the proposed development and it is not considered that the proposal would have an impact on highway safety.</p>

	<p>The Transport Assessment sets out sustainable transport options and considered the pedestrian, cycling and public transport infrastructure. The site is considered to be in a sustainable location close to key facilities and amenities in Melton Mowbray. The scheme will provide new pedestrian and cycle links are proposed that would improve the connectivity of the site to the existing network. The site is within easy walking distance of existing bus stops.</p> <p>The site is located on the edge of Melton Mowbray, the largest settlement and main social and economic focus for the Borough. The centre of the town is only 1.5 km away . This offers better opportunities for more sustainable means of transport than more rural locations and journeys to services and facilities are considerably reduced in comparison. In these terms the location is considered to be sustainable.</p>
<p>Character of the Area</p> <ul style="list-style-type: none"> • Adverse impact upon the character and appearance of the area • Negative impact on the countryside • Loss of open spaces and green wildlife corridor • Need to retain green approach into town on Nottingham Road • Will harm Melton Mowbray’s “rural capital of food” unique selling point with consequent adverse impact upon tourism 	<p>The application site is located in the open countryside as defined in the Local Plan.</p> <p>It is considered that the erection of up to 85 dwellings could result in a development with an ‘urbanising’ effect on land that is currently undeveloped and in the designated open countryside. Due to the scale of development proposed it is inevitable that the character of the area would be altered from its existing form. It is considered this impact should be considered in the balance of ‘harm’ against benefits described in the Planning Policy section above.</p> <p>The illustrative layout indicates that the density of the proposal 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.</p> <p>This layout also shows that the area of potential ecological interest (see details above) would be preserved as either open space.</p> <p>The site lies on the edge of the urban area of Melton. When approaching the town from the north the site would be viewed against an urban backdrop with the existing residential development to the south and east of the site. The development would also be assimilated into the town because of the extent of housing on the opposite side of Nottingham Road. This existing development extends further north, away from the town ,than the boundary of the current application site.</p> <p>When approaching the town along Nottingham</p>

	<p>Road it is considered that the proposal will be afforded a similar view to the existing and due to existing development to the west will not appear to protrude beyond the existing built form.</p> <p>When approaching the development from the south, leaving the town on Nottingham Road, again it is considered that the proposal will be read in the context of the existing residential development .</p> <p>The illustrative masterplan indicates that green corridors along Nottingham Road are proposed to be incorporated into the design with the retention of significant trees to create an attractive soft edge to the gateway into the development and along Nottingham Road.</p> <p>The application has been accompanied by a Landscape and Visual Appraisal. The LVA has informed the identification of a development framework that will limit any likely adverse landscape and visual effects on the character and appearance of Melton Mowbray and the surrounding landscape.</p> <p>This concludes that the visual setting of the site is contained by a combination of landform ,built development and vegetation .</p> <p>It considers that over time the development has the potential to secure landscape benefits through the provision of new areas of structural landscaping and open spaces . The LVA notes that these spaces would be managed in accordance with a landscape and ecological plan.</p> <p>The site forms a small part of Zone A identified in the landscape report. It has a limited relationship with much of the wider landscape within it, in particular the more elevated and open farmland setting to the north, which is considered to be of increased sensitivity to change. In effect, it is seen as part of the existing built development to the south ,east and west which creates a backdrop of modern residential development that will be consistent with this proposal.</p> <p>The LVA confirms the limited landscape features that exist within and abutting the site and these are largely to be retained. The LVA only identifies moderate adverse impacts on the landscape value to existing residents and drivers on Nottingham Road.</p> <p>Part of the proposal is to include a Sustainable Urban Drainage System</p> <p>The proposed location, on the edge of the built settlement, and enclosed by development to the west, which extends further north than the proposal, and mostly enclosed to the east and</p>
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	<p>south by existing properties is considered to have limited harm to the open countryside. The application has been well designed with the illustrative masterplan showing green corridors, public open spaces and amenity spaces which enhance the proposal.</p> <p>The proposal would lead to development of agricultural land in the designated open countryside and would be contrary to Policy OS2. As stated above, however, the harm is limited by the surrounding built form and indications that the development could deliver a well designed layout and landscaping. Therefore the limited harm in respect of the open countryside is required to be balanced against the benefits of the scheme.</p>
<p>Heritage Assets: Setting of listed building</p> <ul style="list-style-type: none"> • Adverse impact upon setting of the adjacent listed building 	<p>The grounds of Sysonby Lodge a Grade II Listed 19th century hunting lodge lie immediately northwest of the application site.</p> <p>It is considered that the development would not have an adverse impact upon the setting of this listed building.</p> <p>This is due to the orientation of the building, which looks west towards Nottingham Road, and the mature, dense trees and shrubs within the grounds of the lodge, including screening along the eastern boundary of the listed building . It is noted that additional planting could be secured by a landscaping scheme which would provide further screening to help preserve the setting of the listed building.</p>
<p>Residential amenity: Overlooking/loss of amenity</p> <ul style="list-style-type: none"> • Loss of privacy and intrusive impact of new housing. 	<p>This is an outline application supported by an illustrative masterplan layout. No details, other than the access road from Nottingham Road, are submitted for approval at this stage.</p> <p>While no details have been submitted the illustrative plan indicates that there is sufficient space on the site to ensure that the siting and layout of the proposed dwellings is not likely to have a significant impact upon the privacy of neighbours. The details of this relationship can be assessed upon the submission of reserved matters.</p> <p>It is not considered that the proposal would have a detrimental impact on the residential amenities of adjoining properties and is considered to comply with Policy BE1 of the Local Plan.</p>
<p>Wildlife</p> <ul style="list-style-type: none"> • Loss of wildlife habitat 	<p>Appropriate surveys have been submitted and have been independent reviewed by the Council’s Ecological advisor. The consultee did</p>

	<p>not object to the proposal (see above) As part of the Sustainable Urban Drainage system provisions are to be made to enhance the biodiversity of the site as well as manage the run off rate from the site.</p>
<p>Affordable Housing</p> <ul style="list-style-type: none"> • If approved the development should provide low cost/starter homes. 	<p>Policy requires affordable dwellings on all appropriate sites. The affordable housing proposed for this scheme is for 40% of the development which would meet identified need for the area .</p> <p>The rest of the site would be open market housing. While no details have been provided at this stage a condition is proposed to ensure that a mixture of 2, 3 and 4 bedroom dwellings are provided on the site. It is considered that this mix of properties would comply with Paragraph 50 of the NPPF.</p>
<p>Other matters</p> <p>Strong opinion and opposition to the development.</p> <p>There are brownfield sites and empty areas of land that are suitable for building.</p> <p>Adverse impact upon the amenities of neighbours due to noise, disturbance and pollution from this development ,especially during building works on the site</p>	<p>Noted, there is a high level of objections and opposition to the proposal. The legislation on this aspects states: "The extent of local opposition is not, in itself, a reasonable ground for resisting development. To carry significant weight, opposition should be founded on valid planning reasons which are supported by substantial evidence. Planning Authorities should therefore make their own objective appraisal and ensure that valid planning reasons are stated and substantial evidence provided. Planning authorities will be at risk of an award of costs for unsubstantiated objections where they include valid reasons for refusal but rely on local opposition from third parties, through representations, to support the decision".</p> <p>Accordingly, it is clear that whilst opportunities must be provided for residents views to be heard, the approach of refusing an application because of the strength of opposition is not permissible: the 'planning grounds' for refusal remain the deciding factor(s).</p> <p>Noted, the application is proposed on the above site and as such is required to be determined on its own merits.</p> <p>Noted, it is considered that the construction phase is temporary and the developer would have a duty of care whilst building and can be the subject of Environmental protection legislation if required.</p>

Loss of privacy and intrusive impact of new housing	There is sufficient space on the site to ensure that the siting and layout of the proposed dwellings is not likely to have a significant impact upon the privacy of neighbours. The details of this relationship can be assessed upon the submission of reserved matters.
Loss of views	Loss of view is not a material planning consideration

Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
Layout	While only an outline application the illustrative masterplan indicates that an acceptable layout could be achieved, in accordance with Policy BE1 and the requirements of the NPPF.
Trees and landscaping	The applicants have submitted an arboricultural report which assesses the quality of the trees on and abutting the site. It identifies those trees which will be retained. The report includes a draft tree protection plan, which indicates a construction exclusion zone around the north western boundaries of the site. It is important that the trees in general, but particularly in this zone, are protected because they should help to assimilate the site into the landscape and preserve the setting of the adjacent listed building. Appropriate conditions are proposed.
Employment Opportunities	The Authority has a Corporate Objective to create employment for local people. The applicants have been asked if they would agree to offer training hours in the construction industry and training programmes during the development of the site. The applicants have confirmed that they are happy to work with the Authority in this initiative and are willing to accept this to be incorporated into any S106 legal agreement.

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 Borough is deficient in terms of housing land supply more generally and this would be partly addressed 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.

Affordable housing provision remains one of the Council's key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application presents 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 **of significant weight in favour** of the application.

There are a number of other positive benefits of the scheme which include biodiversity enhancement and developer contributions.

A series of issues have been raised which can be addressed without adding weight either in favour or against the application, either because they have not been substantiated or because solutions have been put forward.

These are addressed above and the Committee will note the comments made in respect of access/road safety, infrastructure, wildlife interests, residential amenity, drainage, loss of agricultural land and heritage assets.

It is considered that balanced against these positive elements are the site specific concerns raised in representations, particularly the development of the site from its green field state in the open countryside and impact on the landscape.

The Inspector's recommendations in relation to the Core Strategy Examination are a material consideration for this application. On assessment, the concerns raised by the Inspector in relation to in relation to the Core Strategy are not considered to be replicated when applied to this specific site.

In conclusion it is considered that, on the balance of the issues, there are 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. The balancing issues – development of a greenfield site, development in the open countryside and impact upon setting of listed building – are considered to be of limited harm in this location due to the surrounding built form and potential for sympathetic design, layout and careful landscaping.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; it is considered that permission can be granted.

Recommendation: PERMIT, subject to:

- (a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:**
- (i) Contribution for the improvement to civic amenity sites.
 - (ii) Contribution for the improvement to library facilities.
 - (iii) Contribution to highway improvements.
 - (iv) Sustainable transportation
 - (v) The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs
 - (vi) Training opportunities
 - (vii) Contribution to Police facilities
 - (viii) Contribution to dry side leisure facilities
 - (ix) Contribution to sports pavilion in the Country Park
 - (x) Maintenance of public open space

(b) The following conditions to include:

- Time limit
- Submission of Reserved Matters
- Housing mix
- Materials
- Landscaping
- Boundary treatments
- Retention and protection of trees/hedgerows
- Levels
- Surface and foul water
- SUDs
- Visibility
- Gradients to roadways
- Parking
- Construction traffic
- Routing agreement
- Ecology
- Archaeology