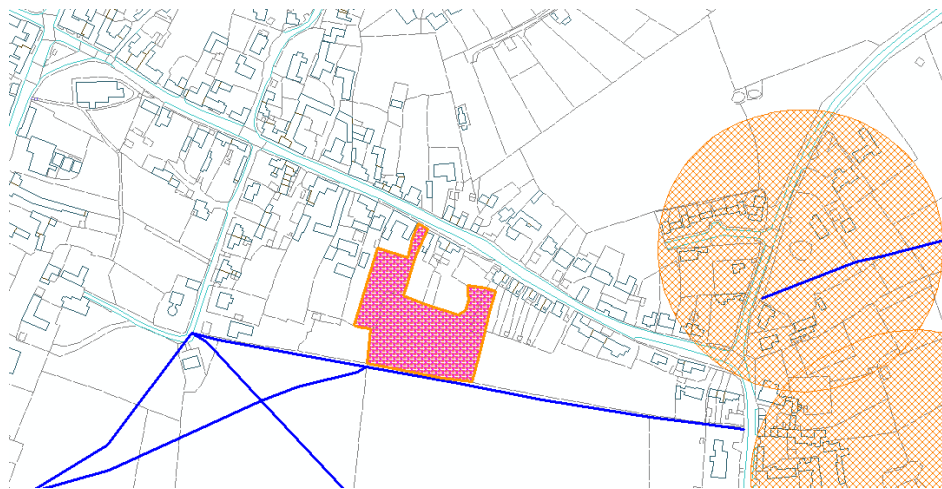


Reference: 14/00777/FUL
Date submitted: 14.10.14
Applicant: Mr Jamie Gibbins - Barwood Homes Ltd
Location: Land behind 38-48 High Street, Waltham on the Wolds, LE14 4AH
Proposal: Residential development of 26 dwellings



Proposal :-

This application seeks full planning permission residential development associated access and drainage on paddock land behind dwellings fronting High Street in Waltham on the Wolds. The site lies mostly outside the designated Conservation Area and village envelope and is considered to be greenfield land, not having been previously developed. However it includes two dwellings facing High St adjacent to no 48 which are within the village envelope and Conservation Area. The paddock is enclosed by a dense mature hedge along the southern boundary, separating the site from the open countryside beyond. Public footpath E99, Mowbray Way runs along the rear boundary connecting to the public footpath network to the south of the village.

The application has been supported by a Planning Statement, Design and Access Statement, Flood Risk and Drainage Assessment and Habitat Survey. All of these documents are available to view at the Council.

The application has been amended to 26 houses (from a previous version of 28) and includes 6 affordable dwellings (comprised of 4 x 1 bedroom houses and 2 x 2 bedroom houses). This amendment also relocated the main access from between 38 and 38A High St to a location adjacent to no. 48, the former remodelled to serve only 2 plots. It also included amendments to the overall site layout. There were further amendments (Jan 2016) which were very minor in nature, addressing access to the parking for 38 High St along the new access, parking provision within the site and the proximity of two plots to the High St frontage.

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

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area and open countryside**
- **Impact upon residential amenities**
- **Highway safety**
- **Flood risk**

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

History:-

13/00290/FUL – Erection of 2 dwellings and associated access and parking – granted 20th August 2013

12/00326/CL – Certificate of Lawful Development granted on the 7th August 2012 for the construction of dwellings as per approved planning permission 78/0009.

91/0137/6/924 – Full planning application for the construction of 5 dwellings and 1 flat – refused and upheld on appeal.

78/0009/6/924 – Reserved matters application, for the erection of Three Dwellings with Garages – granted.

76/0442/6/924 - Outline planning application was granted on 14 December 1976, subject to conditions, for a Proposed Residential Development. – granted.

75/0002/6/924 - Outline planning application was granted on 14 December 1976, subject to conditions, for a Proposed Development of Three Building Plots. (LCC Applicant) - granted

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS1 - allows for development within the village envelope provided that the form, character and appearance of the settlement are not adversely affected, the form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality; the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity.

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 OS3: The Council will impose conditions on planning permissions or seek to enter into a legal agreement with an applicant under section 106 of the Town and Country Planning Act 1990 for the provision of infrastructure which is necessary to serve the proposed development.

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 H8 – Sets out the requirements for assessing rural exception sites. In exceptional circumstances the Council may grant planning permission for a development on the edge of a village which meets a genuine local need for affordable dwellings which cannot be accommodated within a village envelope. It states that the need is required to be established by the Council, it must be in keeping with the scale, character and setting of the village and would not have an adverse impact upon the community or local environment. The layout, density, siting, design and external appearance, landscaping, access and parking details are in accordance with other policies contained within the plan.

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 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.

The National Planning Policy Framework 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

- Safe and suitable access to the site can be achieved for all people
- Development should be located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

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

- Encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value
- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

Conserving and Enhancing the Historic Environment

- Recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness, and;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

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>Highways Authority (amended plans): No Objection, subject to conditions.</p> <p>The amended scheme is generally acceptable, however there are a couple of issues that need to be addressed to accord to LHA standards. Firstly the two properties (plots 25 and 26) would need to be set back 0.5 metres behind the highway boundary so that windows would not open outwards over the highway and the eaves did not overhang the highway and shall also be setback at least 1 metre from the edge of the proposed shared private drive in order to provide suitable pedestrian visibility splays.</p> <p>The proposed road shown serving the main part of the site is not quite designed to adoptable standards and therefore would not be considered for adoption by the LHA. However with a few minor changes to the design it could be made suitable, such changes would include provision of traffic calming, widening and forward visibility splay on bends and the provision of a footway on both sides of the access to a point behind the junction radii to provide a suitable pedestrian crossing point. The footway/service margin should also extend around the full extent of the turning head. Also to ensure that the scheme did not lead to parking within the highway, additional</p>	<p>The application proposes a private drive to serve 26 dwellings off High Street, including 2 facing High St itself. The accesses would have a width of a 5.5 metres with footpath provision, but that between nos. 38 and 38A ‘tapering’ to a narrow width after plots 1 and 2, so that it would serve only these units, and having no footpath.</p> <p>The positioning of plots 25 and 25 and parking provision referred to by the HA have been addressed by the Jan. 2016 amendments.</p> <p>As a private drive the Highways Authority have no objection subject to a number of conditions and have advised that it could meet adoptable standards with some minor design amendments.</p> <p>High Street varies in width and currently accommodates on street parking and passing vehicles. Outside the application site there are large grass verges.</p> <p>The application was supported with a Transport Assessment and includes proposed trip generation figures from the site. From the TRCIS database the Highways Authority did consider that the figures quoted are low, as suburban sites have been selected, whereas Waltham on the Wolds is not a suburban location and has a greater car</p>

<p>off street car parking would be required for plots 16 to 19, which only show one parking space each. Whilst the one parking space is unlikely to be concern if the road remains private, it would be a concern if the road is to be adopted.</p> <p>Where the access road meets with High Street, it may be preferable if the existing verge extends to the junction</p> <p>The Highway Authority were also asked to comment on the specific point of the impact on the development on traffic conditions on High Street and other issues raised in objections::</p> <p>The proposed road shown serving the main part of the site is not quite designed to adoptable standards and therefore would not be considered for adoption by the LHA. However with a few minor changes to the design it could be made suitable, such changes would include provision of traffic calming, widening and forward visibility splay on bends and the provision of a footway on both sides of the access to a point behind the junction radii to provide a suitable pedestrian.</p> <p>Although Waltham on the Wolds is a location where residents are likely to be heavily reliant on the use of a private car, it does have an hourly bus service, shops/post office, a public house, village hall and primary school, and therefore meets a number of criteria laid down in the 6 C's Guide and therefore it would be difficult to seek to resist the proposal on the grounds that the site is not sustainable in transport terms. In the interests of encouraging the use of public transport, the developer should provide travel packs and bus passes for first occupants, and carry out improvements to the nearest bus stops on High Street.</p> <p>The proposed road serving the site does not meet standards for adoption by the Highway Authority, and therefore it will not be considered for adoption. To meet Highway Authority standards for a shared private drive to serve 28 dwellings, then the access road should have a minimum width of 5.5 metres with 0.5 metre clear margins on each side. There is no requirement for a separate footway, as the carriageway can be used as a shared surface by vehicles, cycles and pedestrians alike.</p> <p>The Transport Statement includes proposed trip generation figures from the site. The site based on sites from the TRCIS database. It is consider that the figures quoted are on the low side, as suburban sites have been selected, whereas Waltham on the Wolds is not a suburban location. It is believed that in terms of the TRICS database, more appropriate sites should have been chosen, which</p>	<p>dependency. In terms of the TRICS database, the Highways Authority consider that more appropriate sites should have been chosen, which would have given a slightly higher trip rate generation. Nevertheless, even with a higher trip rate generation being used, it is not considered that the proposal would lead to any capacity issues at the proposed access or on High Street.</p> <p>The application has attracted a large number of objections in relation to the highway impacts. The objectors consider the proposal will increase dangers to pedestrians and add to existing problems encountered on High Street.</p> <p>Whilst there will be an increase in traffic at peak times as a result of the development, it is expected from the modelling that this would generate 21 trips during the AM and PM peak periods. This equates to 1 vehicle every 3 minutes during the busiest 1 hour period which will result in an imperceptible increase in traffic and is certainly not considered to result in a 'severe' impact (n.b. these figures derived form the scheme prior to amendments, with a greater number of houses, 28)</p> <p>The NPPF requirement is that planning applications should only be resisted on highway/transportation grounds where it can be demonstrated that the proposal would lead to “severe harm”, and in the circumstances set out above it is considered that it would not be possible to seek to resist the proposal on the grounds of highway safety</p> <p>Concerns are also raised due to the lack of footway within parts of the site and safety issues that may arise from residents pulling out of parking spaces. As the access road will not be adopted the Highways Authority are not required to make comment on the acceptability and are unable to resist the development based on the estate layout. There is no requirement for a separate footway throughout, as the carriageway can be used as a shared surface by vehicles, cycles and pedestrians alike and conforms to Manual for Streets 2.</p> <p>The Highways Authority have confirmed that whilst there will be some impact from the proposal the impacts will not be 'severe' as advised within the NPPF and it would be difficult to sustain a refusal based on highway safety impacts.</p>
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would have given a slightly higher trip rate generation. Nevertheless, even with a highway trip rate generation being used, it would not lead to any capacity issues at the access or on High Street.

Comments on the Parish Council's Independent Road Safety Assessment and Planning Issues Report.

The Highways Authority have viewed the independent highway report and one of the main issues appears to be that the internal road is not designed as an adoptable standard road. However Leicestershire County Council do allow private roads serving more than 25 dwellings, and therefore this is not an issue for the Local Highway Authority, and could not form the basis of a Highway reason for refusal. Concerns have also been expressed about the lack of a separate footway within the site, however again this is not a requirement by Leicestershire County Council and therefore not something that we could seek to resist either.

The fact that pedestrian visibility splays of 2 metres by 2 metres cannot be provided on either side of the access has been raised as an issue, however 'Manual for Streets 2' states that "Vehicle exits at the back of the footway mean that emerging drivers will have to take account of people of the footway. The absence of wide visibility splays at minor accesses will encourage drivers to emerge more cautiously". The Local Highway Authority do not consider that the splays that would be available (should the walls on the site frontage be lowered as per the requested condition), would result in severe harm for pedestrian safety and that a highway reason for refusal could be substantiated.

There are a number of other comments relating to the internal layout of the site in relation to individual accesses and parking facilities, however as the road will not be adopted, it would not be possible for the Local Highway Authority to seek to resist the development for those reasons.

The report refers to the site being outside the permitted development envelope within the Local Plan, however this is a planning issue and not a highway related issue.

With regards to the sustainability of the site in transport terms, then Waltham on the Wolds does meet a number of criteria set out in the 6 C's Guide and therefore the Local Highway Authority view was that it would be difficult to sustain a highway reason for refusal based on sustainability. It is understand that Waltham is one of the

<p>borough's four service centres were the principle of new development is acceptable.</p> <p>The report goes on to identify existing issues relating to High Street, it would not be possible to seek to resist the proposal on the grounds of the issues identified, as the development itself will not significantly increase the risks associated with the issues, nor would it be possible to seek the developer to rectify these existing 'problems'.</p> <p>The Local Highway Authority is of the opinion; that whilst the report identifies some minor safety issues, it does not demonstrate that the proposal would lead to severe harms for road users, and therefore could not form the basis of a highway reason for refusal.</p>	
<p>LCC Access Officer, Rights of Way (amended plans) – No objection subject to a providing a public link to the footpaths network.</p> <p>Public footpath E99 runs adjacent to the southern boundary of the site. The footpath forms part of the Mowbray Way longer distance route and links into the wider footpath network via public footpaths F1 and E93.</p> <p>The Footpath should be provided with a new handgate/kissing gate where it crosses the boundary to join Public Footpath E99, In the interests of amenity, desirability, safety and security of users of the right of way. This will be made a condition if the highways are adopted.</p>	<p>The layout has been amended to provide an access route through the development to public footpath E99 between plots 11 and 12 and would link through to High St by means of an continuous footway through the development..</p> <p>The link from the internal road to the footpath will need a 2m wide tarmac surface provided by the developer.</p> <p>The Rights of Way Officer has no objection to the proposal subject to appropriate mechanisms to secure the private link to Mowbray Way (E99)</p> <p>As the access road is not to be formally adopted the footpath link will have to be provided as a 'private' link however the County Council would not take up any future maintenance responsibilities in respect of the route. The route would still be available as a 'sustainable' link with the desired benefits of encouraging walking by the new residents to and from the new houses. The route will have to be maintained privately as part of the overall site access and this could be conditioned. An alternative option is to dedicate the footpath as a public footpath by means of agreement with the County Council as a through route running from High Street to public footpath E99 (Mowbray Way). In this case the County Council would need to discuss details of the surface to be provided on the length of the route and agree on how it would be maintained in the future.</p>
<p>Environment Agency: No objection, subject to conditions:-</p> <ul style="list-style-type: none"> • Development to be carried out in accordance with the mitigation strategy contained within the Flood Risk Assessment • Should contamination be found that has not previously be considered a remedial strategy 	<p>The site is not sited within a known flood zone and is less than 1 hectare in size and therefore would not warrant consultation with the Environment Agency. However the application was supported with a Flood Risk Assessment and in light of comments received from local residents in regards to surface water drainage issues it was considered appropriate to consult</p>

<p>shall be submitted and approved.</p> <p>Additional Comments:- Jefferson Consulting Limited report entitled “Summary of the Geology and Hydrology of Waltham on the Wolds”.</p> <p>In respect of Development and Flood Risk the remit of the Environment Agency is to determine whether or not a development is safe from fluvial flooding and that surface water disposal from the site can be dealt with without increasing flood risk to others. In this respect they reiterate that the condition requested in our letter dated 2 February 2015 addresses surface water disposal from the site and remains pertinent.</p> <p>The site is not affected by fluvial flooding.</p> <p>From the information supplied it shows that the site is affected by groundwater and overland flows. This aspect comes within the remit of the Lead Local Flood Authority (LLFA) – Leicestershire County Council and it is for them to investigate and advise you</p>	<p>with the Environment Agency.</p> <p>The Environment Agency are satisfied with the findings of the Flood Risk Assessment and conclude that the issues experienced would be due to saturation of the strata rather than groundwater flooding and therefore do not object to the redevelopment of the site, subject to a conditions requiring a surface water drainage scheme to be submitted and approved and that finished floor levels are set at 150mm above ground level.</p> <p>The proposal includes an underground balancing pond on the site for the storage and disposal of surface water. It would be designed to accommodate the surface water run-off created from the proposal. As the site is currently a greenfield site the surface water run off rate can be no greater than the existing greenfield run of rate and the balancing pond needs to be design to allow for this capacity. The design details of the SUDs would need to be requested by conditions and would need to be formally agreed in consultation with the Lead Local Flood Authority prior to development of the site.</p> <p>No objection has been received from the Environment Agency in regards to any potential flood risk as a result of the proposal. Whilst information on the geology of the site was submitted by local residents the Environment Agency did not considered that this was substantive evidence that demonstrated that severe harm would occur or that the water could not be managed. Ground water issues are matters dealt with by the Lead Local Floor Authority (see below). It is not considered that a refusal could be supported in this instance.</p>
<p>Lead Local Flood Authority: County Council – No objection, subject to conditions</p> <p>No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment processes to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features. The scheme shall be fully</p>	<p>The amended plans were supported with a revised Flood Risk Assessment (FRA) which contains a drainage strategy intended to ensure that run off rates would not exceed those evident for its current ‘greenfield’ state.</p> <p>Melton’s Strategic Flood Risk Assessment (SRFA) indicates that there are numerous springs and small ponds within the village and states that it is not known if these are natural or man-made features. The SFRA states that groundwater flooding associated with spring activity in the area is considered to be a potential risk to development in the area, and should be considered as part of a site specific flood risk assessment.</p> <p>The FRA advises that trial holes and soakage testing was undertaken on the site during the</p>

implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenario's for the 1 in 1, 1 in 30 and 1 in 100 year + climate change. Where discharging to a sewer, this should be modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.

month of July 2014, at five locations across the site. The five trial holes were excavated up to 2.10m deep and all found strata of silty sandy clay with limestone fragments. No groundwater was encountered in any of the trial pits during that time of testing. The Lead Local Flood Authority requested more testing to be undertaken to take into account the seasonal variations. Following this further monitoring of groundwater levels, three visits to site took place during January 2015 to assess the potential for seasonal variation. The results of the testing show a general rise in groundwater levels since the August readings but are still at depth below existing ground levels. The assessment of the site found that groundwater flooding associated with spring activity in the area is considered to be a potential risk to development in the area. The local geology indicates that a perched water table exists at the interface of permeable and impermeable strata resulting in a spring line running in the vicinity of the site. The assessment acknowledges that the perched water table is sensitive to changes both in the outflow from the springs and wells, and from inflows both from direct rainfall and surface run-off. Also in the event that the Northampton Sand Formation outcrops or is shallow at some point beneath the site, there is a potential for the main water table to rise and ultimately result in surface ponding following a prolonged spell of rainfall.

This 'ponding' on the surface has been raised by residents as a potential issue relevant to past flooding in the area caused from the water table rising. The soakage test results showed that some infiltration drainage is necessary in the western section of the site but that ground conditions to the east of the site would not be suitable (ie soakaways).

The FRA sets out a drainage strategy for the site comprising of:

- The western half of the site to be gathered into a geo-cellular soakaway tank to infiltrate into the underlying geology.
- The eastern half of the site's permeable area will use a lined permeable paving construction with an under-drain to convey run off to soakaways, while unlined permeable paving construction will be used in areas of infiltration.

The capacity of the measures has been calculated based on the amount of impermeable area that the development would introduce. Severn Trent has advised that the combined sewer has sufficient capacity to accommodate the outflow from such mechanisms. The proposed surface water drainage system would be designed in accordance with Sewers for Adoption standards and offered

	<p>to STW for future adoption and maintenance. The system would be designed for no pipe surcharging during a 1 in 2 year storm event and no surface flooding during a 1 in 30 year storm event.</p> <p>The Lead Local Flood Authority have raised no objections to the redevelopment of the site on grounds of flood risk subject to a suitable sustainable drainage scheme being implemented. It is not considered that a refusal on flooding could be sustained given that the evidence presented to support the proposal indicates that flood risk can be safeguarded against and mitigation can be achieved.</p>
<p>Severn Trent Water Authority: No objection subject to conditions requiring further information on the disposal of surface water and fowl sewage.</p>	<p>Noted.</p>
<p>LCC Ecology: No additional comment arising from amended plans, comments on original plans still apply:</p> <p>No objection: The ecology report submitted in support of the application (EDP, August 2014) recorded a grass snake on site and bats foraging along the hedgerows. The site comprised predominately improved grassland, with a tall species poor hedgerow surrounding the site. LCC are therefore in agreement with the recommendations in the report and would request that these are forwarded as a planning condition, should planning permission be granted. It is noted that a buffer between the existing hedgerows on site and the proposed development has been incorporated into the proposed layout plan. LCC welcome this and would request that it is made as large as possible. Additionally, it should be maintained long-term for its potential ecological value (not made into amenity grassland).</p> <p>LCC therefore are in agreement with the recommendations of the ecology report that a management plan should be submitted pre-commencement to ensure the appropriate management of this buffer and the hedgerows surrounding the site.</p>	<p>Noted. The site is formally a grassed paddock which has a mature boundary around the site. The County Ecologist has advised that there should be a buffer between the hedgerows and the domestic curtilage to ensure that wildlife habitats are not destroyed by the future occupiers of the dwellings and allows suitable ecological corridors out to the countryside to the south of the proposal. A suitable management plan of this area should be submitted for further consideration should approval be granted.</p> <p>The proposal is not considered to have a detrimental impact upon protected species or ecology in general and no objection has been received.</p>
<p>Waltham on the Wolds and Thorpe Arnold Parish Council: The Council see no reason to change its original decision in requesting that the application be refused.</p> <p>A) The application is not in keeping with the surrounding area B) The design and size. C) The application the council feel is an overintensification of the site. D) The application will cause a greater risk on</p>	

<p>the High Street due to the amount of extra traffic the development would generate. A Highways survey was also produced.</p> <p>E) There are Geologic reasons why this application should be refused</p> <p>Objection to original submission as follows:</p> <p>Traffic Impact : As a development allows for a minimum of two parking spaces per property, this would result in a total of at least 58 vehicles associated with this development. The traffic Impact statement of movement during peak times must therefore be challenged. The access road to the site is too narrow, vehicles entering and leaving the site cannot pass side by side.</p> <p>The visual splay is too limited for vehicles leaving the site, potentially a hazard for pedestrians. Similarly the lack of footpath on the access road is totally unacceptable, and creates a hazard, for children, the elderly and disabled people.</p> <p>At the point where the access road to the site is proposed the High Street is particularly narrow and unsuitable for the number of vehicles emerging from the development which may cut into the opposing carriageway when turning out of the site – this would particularly be applicable to HGVs.</p> <p>The neighbouring property “ Bryn Barn,” a B&B, would have their current disability access compromised and the access rights to their property could be seriously affected. Guests would have to park their cars on an already congested High Street. Bryn Barn is considered to be an asset to the village.</p> <p>As this would be a private road, would waste disposal vehicles have to enter and leave, or would approximately 50 wheelie bins be lined up on the High Street?</p> <p>Visitors to the development would need to park on the access road, thus impeding the access of emergency vehicles to the site.</p>	<p>Please see commentary above for full assessment on the highway points raised. The plans have been amended to relocate the access further to the south where a full 5.5m access with footpath and turning splays. This allows for adequate visibility for, and of, emerging vehicles.</p> <p>The access adjacent to no 38 and 38A is now ‘secondary’ serving only 2 plots, 1 and 2. Bryn Barn (B&B) is located to the front of the site with associated parking off the proposed driveway and benefits from a right of way in front of the property. The applicants have advised that the current parking arrangements would be respected and this is shown in amended plans (Jan 2016) though some refinement is required to maintain existing levels (approx. 4 vehicles). The existing grass/gravel road would be replaced with bound gravel and this is viewed as some betterment for users of the site with accessibility issues.</p> <p>The Highways Authority has not objected to the proposal as it is considered that a suitable access can be provided and as the road will remain as a private drive. Comments have been made in relation to the parking arrangements in that 2 of the plots require additional parking of the road is to be adopted.</p> <p>Allocated parking spaces have been provided within the layout which is proportionate with the type of dwellings proposed. The width of the access drive means that should on street parking occur it is unlikely that difficulties will be experienced including by larger vehicles/emergency services.</p>
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<p><u>Effect on the Conservation Area :</u> Waltham on the Wolds Parish Council would ask the Borough Council to look at Melton Borough Councils document on the Waltham Conservation Area. “Conservation Areas are areas of special architectural or historic interest, the character and appearance of which it is Desirable to preserve or enhance. Designation of a conservation area recognises the character of an area worthy of preservation and enhancement and ensures the protection of the best of our local heritage as represented by buildings and the environment. (this is only an extract from the document)</p> <p>The proposal described in this application will appear as a solid wall of buildings from the whole of the southern part of the conservation area. We feel that the proposed development actually intrudes into the Conservation Area and would have a detrimental effect on it.</p>	<p>The road is to remain un-adopted and the waste contractor may require an indemnity releasing them from any damage to the surfacing on the road. Should an agreement not be reached the layout of the proposal would not conform to Building Regulations for disposal of waste which requires that the travel distance from dwelling to the collection point should be no more than 30 metres. Issues would also arise if there was to be an agreed collection point as there is no provision within the layout for the storage of wheelie bins for collection. The applicant has confirmed that the hammer head will be constructed to adoptable standard and do not see this as a constraint to the development and the road would be suitable for the refuse vehicles. Cost of maintenance of the drive would be the responsibility of the residents and managed by a Management Company.</p> <p>Melton Local Plan policy BE1 seeks to ensure that adequate vehicle and parking is provided within development proposals for housing. It is considered that the parking, particular around the terrace housing is not particularly well integrated into the layout but could be improved with the use of different materials and substantial landscaping to break up the areas.</p> <p>The application site is currently a greenfield site previously used as paddock land with a small tract of land used as residential garden area under a garden license. The site has a strong natural boundary to the east and south and abuts the Mowbray Way Public Rights of Way and the open countryside beyond. To the west and north is residential development. However the amended plans do not include the ‘gap site’ adjacent to no 48 and proposes infill by 2 new dwellings addressing High St.</p> <p>This part of High Street is characterised by a mixture of cottage style two storey dwellings constructed predominantly from stone and slate with some evidence of red brick. The dwellings form a linear form either side off the High Street. However there are examples of single dwellings sitting in a back land position around the village on larger plots.</p> <p>The access and frontage proposals lie within the designated Conservation Area with the remainder of the site lying outside but abutting it. Access into the site is currently a grassed track leading up to the gate to the paddock . No 38A has a new boundary fence along this access which presents something of a ‘harsh’ edge.</p> <p>At present the access provides a limited vista from the High Street but sufficient to appreciate</p>
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<p>Flood Risk : The site is located on the outcrop of the very permeable Northampton Sand Stone. This in turn overlies the much less impermeable Whitby Mudstone Formation. As a result there is a Perched water- table at the junction of the two beds. This results in a spring-line running North – south in the vicinity of the main Melton Road. Wells along this line are traditional sources of water for the village. Any interference with the natural drainage in this area causes a rise in the perched water-table with resultant flooding top properties on the main street. There is no catchment pool on the site, and existing drainage infrastructure may not cope with the additional surface water.</p> <p>Design and Density of Housing : The proposed</p>	<p>the open land beyond.. Waltham’s Conservation Area Appraisal states: <i>High Street is characterised by the dominant natural stonework with larger buildings and small scale traditional cottages, linked by natural stone walls and outbuildings, with open countryside and paddocks beyond. The layout of properties is somewhat regimented with the majority of properties built front elevation onto the highway.</i></p> <p>The proposal would introduce 24 dwellings sitting behind existing dwellings fronting High Street, plus the 2 fronting High St itself. The density of the layout is greater than in this part of the village and it is considered that is not reflective of the character of the area, although it is acknowledged that the proposal has sought to reflect local building materials. The ridge line of the proposal would be visible over the existing dwellings due to the rising in topography on the site but would be limited from High Street due to the existing dwellings.</p> <p>There is no doubt that the proposal in its present form would alter the character of the village in this location due to the higher density development and more modern style. Whilst in the most part the application site is not within the Conservation Area it would impact upon the setting of the Conservation Area. This harm is considered to be less than substantial as advised within the NPPF paragraph 134 which advises that for development to proceed the public benefits are required to be weighed against the harms to the heritage asset.</p> <p>Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“P(LBCA)A 1990”) requires that special attention to the desirability of preserving or enhancing the character or appearance of that area. =</p> <p>Please see commentary within Environment Agency and Lead Local Flood Authority above for full assessment on flood risk.</p> <p>Part of the proposal is to remove water from the site and as such this is unlikely to add to cause the water table to rise.</p> <p>The historic core of the village is close knit with</p>
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dwelling are high with a very small footprint. In fact some of the buildings are some 2 metres higher than the houses on Windsor Road, which have a considerably larger footprint.

The Parish Council feel that the density is too great for the site. Taking Windsor Road as an example 20 properties is about 2.8 times the area of the proposal, which contains 29 properties. The density of the proposal is therefore the equivalent to building 80 properties in Windsor Road.

The latest instruction on planning is for homes to be built for sustainable long – term living for all types of people, including disabled. This development does not appear to have met this requirement.

The development would extend outside the village envelope, and whilst it incorporates affordable housing, no need for further affordable housing has been identified in the Parish.

Furthermore, in our opinion, the application does not meet rules and guidelines laid down in the current N.P.P.F. policy report.

Waltham Parish Council would respectfully request that this application is refused

Parish Council's Independent Road Safety Assessment and Planning Issues Report dated 27th January 2015.

CA Traffic Solutions has been commissioned to provide a road safety assessment of the proposed development for 28 residences off High Street, Waltham on the Wolds, Melton Mowbray, Leicestershire. The report discusses the proposed development and identifies issues with road safety, highway access, development design and sustainability.

Highway Access

- The site has restricted visibility out of the site due to boundary walls, part of which is not in the developers ownership

Development Layout

- Some parking plots have restricted visibility due to boundary treatments
- Lack of footway available to pedestrians there is no safety margin / protection for pedestrians to access to avoid the vehicles, giving potential for collisions to occur,
- Many LHA's require at least one 2-metre-wide footway to be provided for a short distance into the development before it becomes a shared surface for vehicles and pedestrians.

the main arterial routes into the village consists of linear form of development with dwellings positioned fronting the main road on generous plots. The village has seen housing expansion in the past, infilling around the edges of the village. Windsor Street being the most sparsely built up estate.

The proposal presents a good mix of dwellings that takes account of the Borough's local need which is for two and three bedroom smaller properties. The scheme also includes 6 affordable housing which would add to the affordable housing stock within the Borough.

The site lies outside off the village envelope for Waltham on the Wolds and the benefits of providing housing in a time that the Council can not demonstrate a 5 year land supply is required to be weighed up against the harms to the character of the area. (see commentary below on public benefits)

Please see Highways Authority commentary above for full assessment of the independent study upon highway safety matters.

These comments relate to the layout prior to the amendments made and may be addressed by them.

In order to promote walking into the village an access point has been provided through the estate to link to the Public Rights of Way to the south. Conflict in users has not been raised as an objection. The amended plans have addressed the provision of footpaths within the site and connection to High St.

<ul style="list-style-type: none"> • There is no traffic calming provision at the entrance to the access road which could result in inappropriate vehicle speeds at the interface with the public highway, which could be particularly hazardous because of the poor intervisibility between pedestrians walking along High Street and drivers emerging from the proposed access. • The proposed play area is located on the inside of a 90 degree bend visibility may be masked by buildings and boundaries. • Visitors spaces are grouped at the end of the estate and no likely to be used for plots 1 to 17. • A significant amount of the proposed parking provision is in front of garages, creating 'tandem parking', whereby the vehicle in the garage is blocked in by the vehicle parked in front of the garage. Could lead to parking in the road. • The turning area does not appear to be appropriate for large vehicles • Pedestrian access is to be provided to the Mowbray Way Public Footpath This could result in additional pedestrians (non-residents / visitors) using the sub-standard access road with potential for conflicts with traffic generated by the development. • As the access road is to remain private there is potential for the carriageway to fall into disrepair, which could result in pedestrian injuries (trips, falls etc.) or damage to vehicles. • The site is outside of the village envelope and could set a precedent for similar development and potentially undermined the integrity of Local Plan <p>Sustainability</p> <ul style="list-style-type: none"> • The bus times are not suitable for residents to commute out for business purposes. • The no. 8 bus services is generally hourly and the no. 56 runs one a day not two as stated in the TA. • No direct service to any train station. • A maximum distance of 400 metres is recommended by the Chartered Institution of Highways and Transportation (CIHT) for new developments' access to a bus service. For some residents this may not be case. • The nearest secondary school is in Melton Mowbray. The 'acceptable' distance to travel to education is given by the (CIHT) as 1000 metres, and the 'preferred maximum' 2000 metres. The secondary school is well outside the 'preferred maximum' distance. <p>Traffic Speeds</p>	<p>A management company will be arranged and the costs will be transferred to the residents of the drive. This can be secured in a S106.</p> <p>The play area has been relocated in the amended plans and is now better positioned to allow natural surveillance by dwellings and passers by.</p> <p>Communal parking areas are no longer proposed.</p> <p>This is a common feature of residential development.</p> <p>This aspect is addressed in greater detail below.</p> <p>The village of Waltham on the Wolds is considered to a sustainable village due to its local services available to residents and public transport options linking Melton and Grantham towns. This has been reinforced in several decisions made by MBC and by Inspectors on appeal.</p> <p>The site is within 400 metres of the nearest bus stop. Properties beyond the access to the east of High Street are at a far greater distance</p>
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<ul style="list-style-type: none"> • Questions the accuracy of the TRICS data based under the use for ‘suburban’ location as Waltham is rural and like for like information should be used. • The figures have been under estimated and therefore a higher number of traffic movements are likely. 	<p>The existing 85th percentile traffic speeds along High Street (32mph westbound and 31mph eastbound) are not considered to be excessive and existing on-street parking in the area assists in keeping traffic speeds down. The access and visibility splays have been designed against the recorded traffic speed.</p>
<p>Developer Contributions: s106 (amended plans)</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 £2,149 (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. The nearest Civic Amenity Site to the proposed development is located at Melton Mowbray and residents of the proposed development are likely to use this site. The proceeds would be used for project MEL004 for which no other contributions are yet secured.</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 High St Waltham on the Wolds is within 7.8km of Melton Mowbray Library on Wilton Rd, being the nearest local library facility which would serve the development site. The library facilities contribution would be £720 (rounded up 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. It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for ICT infrastructure e.g. ICT public access pcs, bandwidth uplift etc. to account for additional use from the proposed development. It will be placed under project no. MEL003. There are currently four other obligations under MEL003 that have been submitted for approval.</p>	<p>The County Council consider the Civic Amenity and Library contributions are justified and necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contributions are to be used for the purpose of providing the additional capacity at the nearest Civic Amenity Site and Library (Melton Mowbray) to the proposed development.</p> <p>S106 payments are governed by Regulation 122 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 contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</p> <p>The contributions requested for mitigation against waste and libraries are a tariffed style requests that will be ‘pooled’. Under CIL Reg. 123(3) no more than five contributions can be pooled for any singular infrastructure project. The requests have been assigned to specific projects and would ‘pooled’ to increase the capacity at the civic site in Melton. Since April 2010 there have been less than five signed S106 agreements put in place for each project therefore the request satisfies CIL Reg. 123(3).</p>

<p>LCC Highways – Public Transport</p> <p>To comply with Government guidance in NPPF 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 :</p> <ul style="list-style-type: none"> • Travel Packs; 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). • 6 month bus passes, two per dwelling (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) £350.00 per pass • Information display cases at 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120.00 per display. • New bus stop pole and signage flag at 2 nearest bus stops on High Street. At £145 per stop. <p>Education- - no contribution requested</p> <p>Ecology, Landscape - no contribution requested</p>	<p>It is considered that the payments for highway infrastructure meets the criteria of CIL Ref. 122 and are appropriate for inclusion in a s106 agreement.</p> <p>The requests are site specific in order to mitigate the impacts of the development and would not be pooled. The requests meet the tests of CIL Reg. 123(3) and the applicants have agreed to the requests.</p>
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Representations:

Site notices were posted and neighbouring properties consulted. As a result **92 letters of objection have been received from 84 separate households** the representations are detailed below. Following amended plans showing a revised access 15 further objection has been received advising that the original objection still stands.

In relation to the most recent amended plans (November 2015 and Jan 2016) have received a further 17 letters of objection. These letters represent 9 objectors. Several of these refer to issues common to the previous application but some address specifically the most application in its amended form:

Representations	Assessment of Head of Regulatory Services
<p>Issues specifically relevant to amended plans (Nov2015/Jan 2016)</p> <p>Flooding and Drainage:</p> <p>The applicants report is inaccurate in some respect. The use of soakaways on the site is inappropriate as they would feed water into the aquifer and increase the likelihood of it emerging as surface water as springs. The trial holes were not deep enough to measure the aquifer and the approach to drainage is flawed because it takes no account of conditions beyond the site boundaries. The development at FairField is e a good example of this because its impacts on water table levels are felt in the surrounding area.</p>	<p>Then LLFA have reviewed the application and offered advice on the comments received. They note that both summer and (at their request) winter groundwater testing was undertaken but neither revealed a ground water problem such that soakaway drainage would be unfeasible or ineffective.</p> <p>They advise that this approach to drainage would not increase the quantity of water entering the aquifer and also note that the application also contains proposals for half of the site to be drained by means of SUDS and disposal of</p>

<p>Housing Density: The amendments actually increase the density within the site and exacerbate the extent to which it is out of character with the surrounding form. The site is higher than High St and the houses will dominate the skyline when viewed from the centre of the village</p> <p>Design: The ‘regimented’ approach to the design and repeated use of house types results in sachem more suited to an urban environment. Plots 1-3, 4-5 and 6-8 are in linear form with and uniform in design.</p> <p>The brick built lean to construction proposed to the Eastern aspect of Plot 26 has the aesthetics of a hastily made addition with little appreciation of its visual impact from the highway.</p> <p>Affordable Housing: The revised provision of 6 amounts to 23% which is contrary to planning policy and is inadequate.</p> <p>Traffic and parking: The traffic on High St remains problematic (photographs supplied) and will only worsen over time.</p> <p>The amended plans do not make sufficient provision for the retention of parking along the side of no 38 High St (Bryn Byre).</p> <p>Safety: Double Parking takes place close to the proposed new main access and obstructs visibility.</p> <p>Amenity: The new access drive would be alongside an existing house and would impact upon noise and well being.</p>	<p>surface water into the sewerage system. This would remove water that would enter the aquifer in its natural condition. Accordingly, it is considered that there is no evidence to demonstrate that ‘overspill’ will be caused to the aquifer either within the site or beyond its boundaries.</p> <p>It is clear that the site is more dense than its immediate surroundings and that typical of Waltham, and similarly the design approach would distinguish it from its surroundings. However the impact of such differences in character are limited because of the backland nature of the site and limited views of both the site itself and its contrast with the Conservation Area. It is considered that this can be construed as a harmful impact of very limited significance which should be taken into account in the ‘balancing exercise’ required by the NPPF for such applications (this is addressed at the Conclusion section of this report).</p> <p>The details of the lean to element of plot 26 have not been provided and additional details can be sought by condition</p> <p>These statements are accurate but the NPPF/PPG requires a ‘flexible approach’ to obligations of such nature. The application is supported by viability assessment to seek to justify the shortfall. This is addressed in greater detail in page 29.</p> <p>Please refer to comments provided by the Highway Authority at pages 4-6 above.</p> <p>The amended plans would ‘cut off’ part of the access to the parking and reduce capacity by 1 space. However this could be resolved with a very minor amendment which can be secured by condition.</p> <p>Noted – please see comments above from the Highway Authority.</p> <p>The access would run alongside the west boundary of no 48 High St. It would be separated by a verge. No 48 has a projecting element containing a garage and bedroom above but present a blank gable to the route that the access road would follow. The plans also show retained off street parking for no 48 off the new access road. It is considered that this arrangement is satisfactory in amenity terms, and is similar to</p>
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<p>The surfacing and verge treatment of the access adjacent to no 38 High St has not been specified.</p> <p>The terraced block rear of no 38 High St has increased in height and there is also a double garage intended on the boundary. Additionally, it proposes a bathroom window in the facing gable end. These factors would result in an adverse impact on Bryn Byre its sustainability as a business and a local facility</p> <p>Impact in existing business (Bryn Byre B & B accommodation): The development would render the business unviable resulting in its loss, for the following reasons:</p> <ul style="list-style-type: none"> • Disturbance from construction traffic. • Disruption to parking and drop off facilities during construction. • Blockage of principal and disabled access • Noise and disturbance • Loss of privacy in visitor rooms • Road safety issues at the access to/from High St. • Advance bookings are already affected. • Impact on reputation devolved over 23 years. <p>Planning Policy: NPPF doesn't mean that there should be a strong presumption in favour of this development as the Applicant suggests. Safeguards are included for the protection of buildings and places. (NPPF Clauses 58, 64, 66). 'Saved Melton Local Plan policies BE1, BE2 include similar important criteria. Waltham has grown as a distinctive linear village of mainly limestone roadside buildings in close proximity to open countryside, a relationship identified by MBC in the Waltham settlement appraisal. Back land development in this important part of the older village would establish a precedent that would compromise the objective of preserving one of the key villagesscape elements that led to the creation of</p>	<p>arrangements found in numerous locations.</p> <p>The surfacing material would be bound gravel but it is considered necessary that this detail is agreed, because this would occupy the most prominent part of the site and be visible within the Conservation Area. The verges would remain grass.</p> <p>The terraced block containing plots 1-3 would be directly to the rear of no 38 (Bryn Byre). However its gable end would be some 22m from the facing window which significantly exceeds separation distances that are routinely accepted, against the established benchmark of 14m. Even allowing for a change of level of approx. 1m, it is considered this relationship is satisfactory.</p> <p>The gable end would contain a bathroom window which would be obscurely glazed to prevent loss of privacy, and could be conditioned to be non-opening if it was regarded as intrusive (mechanical ventilation would be required as a result).</p> <p>In addition a double garage is proposed on the boundary of no 38, serving plots 1 and 2. This is not aligned with the gable end of Plot 1 and would therefore impose additionally to the house itself. It would be approx. 25 metres from the direct 'line of sight' of main windows and at an oblique angle from the nearest which, together with its single storey scale, is considered to be sufficient to prevent it becoming overbearing.. No overlooking or loss of privacy can be created as no windows are proposed.</p> <p>There is no doubt that building in this location would alter the outlook from the patio area which is enjoyed by guests of the facility which currently benefits from open views but it is not considered that amenities would be affected to a degree that would warrant a refusal from the construction of plot 1 in this location.</p> <p>The NPPF is explicit that there is a presumption in favour of sustainable development (para 14 and a series of other references). 'Sustainable development is adjudicated based on a combination of environmental, economic and social factors and cannot be concluded upon on the basis of any one aspect alone. This application presents a series of strengths and weaknesses, of varying degrees, and the 'balancing exercise' required is addressed at the conclusion of this report.</p> <p>The impact of the development in terms of 'villagesscape' and the Conservation Area are addressed in greater detail above against the</p>
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<p>this CA. The layout bears no relationship to the grain and density of the older village, it forms a large alien abutment to the CA rather than integrating with it.</p> <p>Other matters: It appears that there may be encroachment onto the driveway of 42 High St. The existing gatepost is mounted onto the existing wall. The plans indicate that the new gatepost will be in line with the new lean to wall. As the gateway is a fixed dimension it appears that the new wall is partially sited on the property of 42.</p>	<p>comments of the Parish Council, including recognition that the development does not reflect the style its surroundings in terms of ‘grain’ or ‘density’ and would cause a degree of harm to its setting.</p> <p>Any encroachment into land not owned by the applicant would be a matter for the parties concerned. This comment relates to a ‘lean to’ style feature on Plot 26 for which there are no details and can be addressed by conditions.</p>
<p>Highway Safety: The access onto High Street will cause a danger to road users and pedestrians, particular safety risk for school children.</p> <p>No pavement within the layout would lead to safety issues for pedestrians moving about the site.</p> <p>High Street cannot cope with more traffic</p> <p>Access along High Street is already an issue due to the road narrowing and parking of vehicles.</p> <p>Increase in traffic movements will add further congestion.</p> <p>The width of High Street can not cope with anymore housing developments</p> <p>Since moving to High Street 10 years ago the traffic in the village has escalated and high street is a very busy rat run of cars swerving in and out of all the parked cars on both sides of the road. Building 29 houses with one access along a narrow road in between 2 current high street properties will only add to an already sometimes horrendous traffic situation.</p> <p>The High Street is regularly congested with traffic particularly with so many properties in the vicinity of this application only having on-street parking.</p> <p>To increase traffic flow onto the High Street in this location will significantly exacerbate the situation.</p> <p>More cars will make the high street even more dangerous.</p> <p>This is obviously about profits for the developer as it shows no regard for the character and balance of the village, the safety & well being of the existing villagers or the traffic overload on a village already struggling with heavy vehicles, parking and speeding issues.</p>	<p>Please see full commentary above on Highways safety.</p> <p>The proposed development would be served by a two accesses from the High Street, both of which have pedestrian linkages to High St. The development would have a spinal road serving all properties but containing a break so that 2 of the houses would be serviced via an aces adjacent to no38, the remainder at no 46. The access would remain un-adopted due to the width not meeting the Highways current standards, but could achieve adoptable standards by minor design changes.</p> <p>The Highway Authority raises no objections to the access or any highway safety matters and it is considered that the proposal would not lead to severe impacts as envisaged within the NPPF and a refusal could not be resisted on highway safety issues.</p>

<p>This road extremely busy throughout the day with general traffic it's also the route to the A1 and Oakham.</p> <p>Cars already mount the pavement to pass other vehicles due to the width of the road and parked cars.</p> <p>It will compromise pedestrian safety</p> <p>The traffic is a real problem , lots of cars park on the road anyway but the local businesses on the High Street , shop, Deli , hairdressers and B and B make it difficult to find a space. Farm vehicles have to mount the kerb to pass them.</p> <p>The accident data is incorrect... Only last year a car rolled and landed on its roof outside the village shop.</p> <p>Public transport in Waltham is so scarce it is likely that the new development would bring with it yet more motorised vehicles using and parking on the High Street, plus with having the access to the development directly onto the High Street this could be potentially dangerous with site lines and turning vehicles to both other road users and pedestrians.</p> <p>Delivery vehicles due to on-line shopping will add considerably to the traffic to and from the estate</p> <p>The traffic survey is not a true reflection as it was conducted to the east of the development and therefore did not take into account the amount of traffic visiting the shops to the west of the development causing parking congestion.</p> <p>The existing pavement certainly does not provide good visibility in either direction as there are frequently cars parked, blocking vision when leaving properties.</p>	
<p>Impact upon the Character of the area.</p> <p>Too many houses – out of keeping with the character of the area.</p> <p>29 new dwellings on this site is totally unreasonable. The scale of the development extending so far back beyond the existing village envelope will unbalance the scale of the village and in particular the Architectural street scene of this part of the village conservation area.</p> <p>Damaging effect of it on the ambience of the Conservation Area, and Bryn Barn in particular, will have a very negative impact on the village and its historical aspect.</p>	<p>Please see assessment on pages 12/13 of the report.</p> <p>The proposal would introduce 24 dwellings behind existing dwellings fronting High Street and 2 fronting High St itself.</p> <p>The density of the layout dwellings is high for the village and, in combination with its layout, not reflective of the pattern of the area. The dwellings are linear in form along this part of High Street, away from the tight knit historic core, whereas the proposal seeks to present dwellings either side of the spinal road sitting behind existing dwellings.</p>

<p>The Development will unbalance the village; it would significantly increase the size of Waltham. It will spoil the character and look of our village</p> <p>A housing development of that size and situation is totally not in keeping with the character and nature of Waltham; a village that is in a conservation area. In the past Waltham has had more than its fair share of infill housing.</p> <p>New builds should be sympathetic to their surroundings and the proposed new houses are definitely not; to allow such a development would be highly detrimental to the village.</p> <p>It will not be part of the village it will be a place apart. Sitting elevated from the High Street having a visual impact upon the conservation area.</p> <p>The character and appearance of the Conservation Area would be severely affected and the Village would be spoilt for us and Future generations A large scale development like this does not belong and is out of scale with the High Street, it does not contribute to the existing Village scene</p> <p>Will destroy the rural character of the village.</p> <p>The proposal presents dense form of development not in keeping with the conservation area and affects the setting....particular from the south</p> <p>The development of such a large estate would adversely affect the character of the village. Situated on rising ground the new houses would dominate the surrounding area.</p> <p>This part of the settlement is strongly linear in form, it is the oldest part of the village and should be preserved as such</p> <p>The size and scale of the development is not in keeping with a village setting and is an unwarranted extension into open countryside</p> <p>The proposal has been designed around the car and is not reflective of the historic core of the village and its conservation area.</p> <p>The reduction by one dwelling is nonsense and does not respond to the objections on the density and character of the village.</p> <p>The plots are too small for family...they need space to grow.</p> <p>The proposal is inward facing with the rear boundaries presented to neighbours and the open</p>	<p>However, the site would be almost wholly screened from view from High St due to the existing development that forms a near-continuous line along High St and the two houses proposed on the frontage. The opportunity for views into the site will be limited (the two accesses and small gaps between High St buildings) and as such there will be minimal public vantage points from which the contrast in building styles will be appreciable. Accordingly, whilst present, the different characters would have a minimal affect on the appearance of the Conservation Area and experience of it. As such, this impact is considered to be limited and, within the terms used by the NPPF, of 'less than significant' harm to the Conservation Area.</p> <p>Exceptions would be the two frontage properties which would be in full, unobstructed view. These are designed in very traditional form and would maintain the building line of High St and would be constructed from traditional materials. They would occupy a 'gap site' in the streetscene which currently detracts from the area and as such represent a positive aspect of the development.</p> <p>Public open space is provided (to comply with the local plan policy H11) and the site will give direct access to the public rights of way to the south (as requested by LCC) which will assist the development to integrate with its surrounding and for 'permeability' through and from the new development</p> <p>The NPPF paragraph 56 states that "<i>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</i>" at paragraph 57 states "<i>It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes</i>"</p> <p>The site is considered to meet these objectives to an extent, whilst recognising it differs in character from its surroundings."</p> <p>Because of the back land nature of the development it is considered that its density is acceptable due to its limited impact arising from its location.</p>
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<p>countryside. The need for security fencing and the siting of sheds and other domestic paraphernalia will impact upon the character of the countryside when viewed across from the south.</p> <p>Outside of the village envelope representing an unwarranted extension into that open countryside.</p> <p>There are too many houses set close together on a piece of greenbelt land, which is outside the Village Envelope.</p> <p>Will ruin a pleasant green site in the village.</p> <p>The 'affordable housing' tag seems to have become a useful ploy in making an application to place unwelcome housing, superfluous to local needs in a totally inappropriate location.</p> <p>Doesn't meet Waltham's housing needs.</p>	<p>The site whilst lying outside of the defined village envelope is required to be balanced against any public benefits to be derived from the development. The amended proposal seeks to provide 26 dwellings of a mix that meets the Borough's identified housing needs and provides six affordable units (23%) which is below the current policy requirement of 40%. This is discussed further within the report below.</p>
<p>Impact upon residential outlook/amenity</p> <p>The access road severely affects residential amenities for number 38a as the length of the access drive runs direct along the side elevation and garden area causing noise and disturbance.</p> <p>There are no footpath provisions or planting proposed and the access road will impact upon the residential amenities of both Bryn Bed and Breakfast and number 38 High Street....its unacceptable relationship will create noise disturbance and over looking being in front of the principle elevation.</p> <p>All of the eastern side of our property is single storey, is low lying and as the land rises behind by up to 1.5 meters any housing will dominate our own and surrounding dwellings, blocking the open views enjoyed by us our guests and the residents of Waltham on the Wolds.</p> <p>Plot 1 presents a dominant gable at the top of the garden are of Bryn Barn this will create a dominant an oppressive situation for the residents and the visitors....the trees are not there and this is false representation of the true impact.</p> <p>The adjacent terrace of houses in plots 1,2 and 3 will cause loss of amenity to Bryn Barn, due their proximity, their height, especially in relation to the neighbouring single storey buildings, and the shadow caused by being south of Bryn Barn</p> <p>The amenity of adjoining residents would be</p>	<p>The proposed access between nos 36 and 38 has been restricted so that it serves only 2 plots. This is considered to overcome previous concerns regarding noise and disturbance from passing traffic (i.e. when it was intended to serve all 28).</p> <p>This access will be flanked by grass verges (as at present) and will be 5.5 wide serving only 2 properties. As such it is considered that there would not be a conflict with pedestrian use of the ability to serve the parking and access fro Bryn Byre. The amended pans make provision for the exiting 'pull in' facilities to be retained but a refinement is necessary to maintain its capacity. This can be achieved through a condition.</p> <p>Policy OS1 seeks to ensure that residential amenities are safeguarded from undue noise and would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity. It is considered that the amended arrangements will retain an acceptable level of residential amenity.</p> <p>These comments relate to the scheme layout prior to the most recent amendments. They are detailed in nature and the issues raised are addressed above on pages 18 and 19 in the context of the most recent set of plans.</p> <p>Number 38-42 High Street benefit from long rear</p>

<p>adversely affected</p> <p>The dark skies will be replaced with artificial lighting which will adversely affect our residential amenities as currently enjoyed.</p> <p>Having development built behind our property (no. 50) will affect our privacy and outlook.</p> <p>The proposal would be visually intrusive and cause overlooking.</p> <p>The number of vehicles using the drive will cause noise disturbance.</p> <p>The dwellings are to be sited on higher land and built up for drainage reasons and will cause an overbearing impact upon residents along the north boundary.</p> <p>The proposal will impact upon the sun light into the gardens which are already often damp</p>	<p>gardens, in excess of 40 metres. The rear gardens of plots 20 -24 would back on to these the gardens but due to the separation distance, even though the proposed dwellings would be more elevated it is not considered that unacceptably adverse impacts would be caused to residential amenities.</p> <p>Number 48 has a balcony over the ground floor extension with patio doors leading out from the bedroom. The amended plans relocate the plot behind no 48 further from its rear elevation and garden and also introduces space for a substation in between. The result of this is that the new house would be sufficiently distant to prevent unacceptable impact in terms of overlooking or overbearing, despite the change of levels (i.e a distance of 22m.), in excess Council's accepted separation guidelines of 14 metres for such a relationship, even if allowance is made for the variation in levels.</p> <p>The gable end of plot 19 contains first floor lounge and bedroom windows, and again because of the distances involved this relationship is considered acceptable.</p> <p>Due to the back land location and the separation distances proposed there are no residential properties sitting to the west, south or east that could be greatly affected.</p>
<p>Drainage</p> <p>There is also a real problem with the mains sewer in the lower end of the High Street, with many days of unpleasant odour. To add 29 properties will again only make this situation much worse.</p> <p>The site often floods.</p> <p>The geology of the site is one that would not be suitable to development. The flooding potential is therefore significant, not at the proposed development site but elsewhere in the village.</p> <p>The back fields are prone to flooding with the water running down into the gardens</p> <p>Water comes up from the aquifers and causes flooding on the site.</p> <p>No 36 High Street has been severely affected by flooding from the site in the past (photographs supplied) as recently as 2012. The field got so water logged because of the perched water table it ran down in to the gardens and patio</p> <p>The fact that the proposed dwellings are to be raised 150mm to safeguard against flooding does not give confidence to the residents previously affected by flooding that flood risk will not occur.</p>	<p>A Flood Assessment has been carried out and independently reviewed by the Environment Agency and the Lead Local Flood Authority with no objections raised subject to conditions. The details of these are addressed above under the comments from the Environment Agency and LLFA within the report above.</p> <p>Under the Surface Water Management Act 2010, the requirement for the use of Sustainable Drainage (SUDs) systems is required on a development of this scale. The aim of SUDs is to restrict development runoff at peak flow rates to predevelopment rates, in this case – greenfield runoff rates will apply, to ensure they do not add to flooding issues.</p> <p>The issues raised through the consultation highlights that there is an existing problem which cannot be rectified by this proposal.</p> <p>The application has been supported with appropriate reports which have been independently reviewed by the Environment Agency, LLFA and Seven Trent Water Authority and they raise no objection subject to conditions (see above).</p>

<p>Economics: loss of local facilities.</p> <p>The proposal would impact greatly on Bryn Bed and Breakfast facility. The access road impacts upon the parking provision. The number of vehicles using the access road would be intolerable for us and our business. The safety aspect, the noise and pollution generated with queuing vehicles waiting to exit onto an already busy road right next to our dining room. The rural attraction will be greatly affected.</p> <p>Bryn Barn is disabled friendly but this development will impact upon the parking provision and having no footpath will compromise safety for the less abled bodied visitors getting to and from their cars/bed and breakfast.</p> <p>Bryn Barn Bed and Breakfast will have its outlook affected by the development which will impact upon the business as it will no longer be a quiet tranquil place to stay and visit the area.</p> <p>Bryn Barn is charming and quiet and is easily accessible for us at our advanced age and we can safely park our car close to the B&B.</p> <p>Bryn Barn will lose its unique atmosphere if these new house are built and the plans should be reconsidered.</p> <p>Bryn Barns attraction is its quiet rural location – this will be severely affected should the proposal be allowed.</p> <p>An invaluable asset to the village, Bryn Barn B & B, is under serious threat from this plan due to the narrow site access at the side of the property, the increased traffic, noise and pollution both during the construction and beyond.</p> <p>If allowed this could affect the viability of the Bed and Breakfast facility which is an asset to the village.</p> <p>The construction phase will cause disruption to the Bryn Barn and could affect the viability of this facility if people chose not to come because of the noise.</p>	<p>Noted: these comments have been repeated in respect of the amended plans (see above).</p> <p>It is accepted that the outlook would be altered from one of open fields to residential development and that there would be reduced privacy and amenity from the development</p> <p>However, this does not conclusively affect the viability of the bed and breakfast facilities in a pleasant rural village would still have the choice to use the facility.</p> <p>The resurfacing of the access drive to the parking bays could improve the parking provision for those less abled would have a smooth surface.</p> <p>Concerns that the business would no longer be viable have not been supported by evidence. Whilst objections have been received from guests that frequently use the facility and state that they would no longer choose to visit if development was approved. It is a matter of personal choice and does not secure the argument that the facility would not be used at all.</p>
<p>Wildlife</p> <p>It will lose a wildlife area and have a detrimental impact upon the foxes, birds, hedgehogs, pheasants.</p> <p>There is no ecological impact survey but only a nod to conservation with a 2m wide wildlife corridor along a seemingly convenient boundary.</p>	<p>Appropriate surveys have been submitted and have been independent reviewed by the Council’s Ecological advisor. The ecological advisor does not object to the proposal (see above)</p>

<p>The amended plans include a two metre wild life corridor but does not at the top of Bryn Barn which has a residential boundary and car port at the top...it defeats the objective of a ecology corridor.</p> <p>No survey of the existing trees and hedgerows have been undertaken.</p> <p>Insufficient information has been submitted in regards to landscape.</p>	
<p>Sustainable design</p> <p>The proposal does not seek to provide renewable energy or rain water harvesting. Only attempting to meet the minimal requirements under building regulations.</p>	<p>Noted. There is no intention to meet any sustainable building coding and the development will be constructed to current building regulations requirements.</p> <p>The village of Waltham has no piped gas and residents typically have oil as their main heating fuel. The proposal makes no provisions for oil tanks and proposes to use electricity as the single source of energy to serve the residents.</p> <p>The applicants have advised that the running costs for a four bedroom detached dwelling would be typically £90 per month for the running of electricity for heating, hot water and lighting. It is claimed that they will have the cheapest running costs of all the residents who similarly do not benefit from mains gas.</p>
<p>Planning Policy:</p> <p>The development would be outside of the village envelope and should not be permitted.</p> <p>The proposed development is outside the village envelope, and thus contrary to the Development Plan, which a legal loophole appears to over-ride.</p> <p>This parcel of land on which the proposed development is sited has always been designated agricultural land indeed planning permission has been refused before on at least three separate occasions because it lay outside the Village Envelope</p> <p>The Adopted Melton Local Plan specifies that for a small group of dwellings to be considered acceptable. There will be a need to ensure that development does not adversely affect the form, character and appearance of the village. Contrary to this requirement, the planned development is substantially outside the village envelope and would have a harmful impact on the character of this charming village.</p> <p>This is back land development, which is against the Adopted Melton Local Plan</p> <p>The proposal does not comply with policy OS1</p>	<p>The site is located in the open countryside beyond the settlement boundary of Waltham on the Wolds and, therefore, saved Policy OS2 is applicable.</p> <p>While this policy is applicable it is not consistent with the NPPF and cannot, in itself, be used as ground s to resist residential development. This position has been established in very many decisions made by the Council and the Planning Inspectorate on appeal, including examples in Waltham.</p> <p>The key issue is the supply of housing sites within the Borough and whether the proposed development benefits from the presumption in favour of development as confirmed by the NPPF. There is currently significantly less than a 5 year supply of deliverable housing sites in Melton Borough. In such cases paragraph 49 of the NPPF indicates that relevant policies for the supply of housing should not be considered up to date.</p> <p>Recent appeal decisions have concluded that that the wording and intention of Policy OS2 aims to protect the countryside by strictly limiting new development and in so doing must inevitably restrict the supply of housing. This is in accordance with other recent appeals elsewhere and supporting case law and as such is inconsistent with the NPPF.</p>

<p>and BE1 it does not harmonise with the surrounds and will be over development of the site.</p> <p>The proposed development by virtue off its detachment from the village, inward looking aspect and isolation from the High Street, would have a detrimental impact on the character and appearance of the village as well as the Conservation Area and is contrary to policies OS1, BE1 and H19 and the NPPF.</p> <p>Paragraph 54 of the National Planning Policy Framework states that in rural areas, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, there does not appear to be any such local need for a further 29 new dwellings within the village.</p> <p>The proposal fails to represent sustainable development is contrary to the NPPF. Particular parag. 64 in respecting local distinctiveness.</p> <p>That MBC does not have a current local plan should not be seen as a green light for developers to push through schemes without due scrutiny.</p> <p>The NPPF is designed to speed up the planning process but not at any costs.</p> <p>The provision of 21% Affordable Housing is below that normally required and the benefits are lower.</p>	<p>Since OS2 is a relevant policy for the supply of housing and this Authority does not have a 5 year housing land supply of deliverable housing land Policy OS2 must be considered to be out of date within the terms of paragraph 49 of the NPPF. Consequently, the presumption in favour of sustainable development applies and paragraph 14 of the NPPF is engaged.</p> <p>Paragraph 14 states that where the presumption applies, and where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This is when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate that development should be restricted.</p> <p>There are three dimensions to sustainable development; economic, social and environmental.</p> <p>Economic The proposal would deliver a number of construction jobs and associated employment in the supply chain. It is also noted that housing construction generates economic activity and the new development would generate New Homes Bonus payments to the Council and Council Tax receipts. The increased population would help to support local businesses and would include skilled workers. This is not disputed.</p> <p>Social It is accepted that the proposal would provide a range of social benefits; principally 28 new homes, including 6 affordable housing. There would be other benefits secured by Section 106 contributions. However the affordable housing, which is in great need within the borough, is not meeting the full requirements a development of this size would be required to contribute, its only providing half of what would be expected and therefore has less public benefits socially.</p> <p>The construction of the access for 28 dwellings between two existing residents would create noise and disturbance to the occupiers and the visitors of the Bed and Breakfast facility. This harm to residential amenity cannot be made acceptable due to the restriction and ownership issues at the access point. This goes against a core planning principle in ensure a good standards of living or both future and existing.</p> <p>Environmental The Transport Assessment and subsequent additional data which was submitted seeks to</p>
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	<p>confirm that the existing road network is capable of accommodating the increase in traffic movements associated with the proposed development and no objection has been received from the Highway Authority.</p> <p>Flood issues associated with the site have been highlighted, which is, as a result of the geology of the site. The expert bodies have confirmed that they have no objection to the redevelopment of the greenfield site subject to conditions requiring floor heights to be raised and the use of sustainable drainage systems. Although further testing is suggested prior to development to take place to see if any mitigation is required during the construction phase to prevent flood risk elsewhere.</p> <p>The development undoubtedly would change the character and appearance of this part of the village which is linear in form and is considered to be harmful to the character of the area</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>In terms of housing supply saved Policy OS2 is deemed out of date and the NPPF provides the policy basis. It is considered that the development would deliver some economic and social benefits which should be given weight in the determination of the application. The Council is therefore required to balance these considerations and this ‘balancing exercise’ is addressed in the conclusion to this report.</p>
<p>Other Matters:</p> <p>There are a number of inaccuracies within the planning statement.... Where is the data to show that this small village school could take the extra children this housing would generate.... Farming Vehicles. Where is there any reference to what this road is used for on a daily basis? Combine Harvesters, tractors, Lorries, Trailers, all from local farms are up and down High street every day....there is only one public house.....GP facilities area available in Waltham.....Belvoir is the catchment area for high schools..... as professionals you cannot rely on its credibility to provide you with factual data.</p> <p>Far too many houses they are not needed in Waltham.</p>	<p>Noted. Proposals are supported with reports and surveys which are sent out to third parties as part of the consultation. Should any shortcomings be found with the reports the applicants are notified and amendments where necessary are sought. Members of the public through local knowledge often raise matters which have not been considered at the initial stages, as was the case with the geology of the area and again updates/amendments are requested. It is considered that the relevant facts are understood and the decision reached on them is sound.</p> <p>The Borough of Melton is deficient in housing supply and all housing developments go to</p>

<p>Already have affordable housing at Twells Road.</p> <p>Affordable Housing should not be built on un-adopted access roads where the costs are passed down to the residents – goes against ‘affordability’</p> <p>The applicant has not demonstrated any need for the proposal and there are no planned new employment in the village for it to serve.</p> <p>The infrastructure in Waltham is inadequate to cope with a development of this nature. Electricity cuts are already far more frequent than they should be, water pressure is painfully low and the sewerage system is struggling to cope with the village as is.</p> <p>Can the school accommodate more children from the village?</p> <p>Approval would set a dangerous precedent to the rest of the greenfields around villages.</p> <p>The house types do not propose any bungalows which help a number of people, such as elderly residents and those with mobility.</p> <p>No consideration has been demonstrated in the application on the long-term disruption caused by construction traffic, along with increased noise (construction workers, construction traffic, plant and equipment) and air pollution (dust), during the build phase</p> <p>English Heritage has not been consulted. This development affects heritage assets in the area..</p>	<p>supporting the housing needs of the residents this includes affordable housing.</p> <p>The applicant is in discussion with a Registered Provider and no commitment has been given at this time.</p> <p>No objection has been received from Seven Trent Water Authority or Western Power. The applicant has been in discussion with Western Power and upgrading work is required and includes and off site substation to support the proposal.</p> <p>The education authority has advised that the site falls within the catchment area of Waltham on the Wolds Primary School. The School has a net capacity of 100 and 71 pupils are projected on roll should this development proceed; a surplus of 29 pupil places after taking into account the 6 pupils generated by this development.</p> <p>Each application has to be judged on its own merits.</p> <p>There would be a mix of house types but correctly stated that there are no bungalows proposed which is a house type which is substantially deficient.</p> <p>Noted. There will be disruption from construction phase which will be relatively short lived. The construction industry have recognised codes of standards to adhere to (this is not controlled by the Council)</p> <p>The proposal did not trigger consultation with the English Heritage and has been adjudged against planning policy and legislation.</p>
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Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<p>Housing Supply and affordable housing provision</p>	<p>The proposal to construct 26 dwellings would go towards the provision of housing in the borough and would promote housing growth. In the absence of a 5 year land supply the Council is required to look favourably on housing development particular where any harm can be made acceptable. This requires a careful balance of public benefits against any identifiable harm.</p> <p>The applicants have explained that due to viability they are unable to meet the full</p>

	<p>affordable housing requirement but are prepared to meet the S106 requests for contributions towards highways, civic amenities (waste) and library. They propose 6 affordable houses which equates to 23%, rather than 10 that would meet identified needs and comply with the applicable policies.</p> <p>A viability report was submitted and this has been independently assessed by the District Value Office (DVO). The assessment of DVO concluded that the scheme was viable and the full 40% affordable housing is not viable.</p> <p>Further analysis is underway in order to evaluate the applicant's offer of 6, configured as shown in the application.</p> <p>The NPPF advises that careful attention should be given to issues of viability (para 173) and should adopt a flexible approach to planning obligations where viability issues are present.</p> <p>In considering the public benefits of supply of market housing with some affordable housing and contribution to employment within the construction industry, when engaging paragraph 14 of the NPPF.</p>
<p>Sustainability</p>	<p>Waltham is considered to perform reasonably well in sustainability terms owing to its community facilities and transport links. Recent decisions made by the Council and on appeal by the Secretary of State have described it as a sustainable location for housing for these reasons and there have been no material changes to this position in the interim. It is therefore considered that it could be impossible to refuse the application of the basis of the sustainability of the location.</p> <p>However, sustainability also takes into account economic and environmental factors and it is recognised that the site is 'greenfield' without a presumption for development. This is considered to weigh against the proposal. However, the land is not identified by any study or policy as important to the setting of Waltham nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it 'special' status. Accordingly it does not meet the types of location that the NPPF requires to be protected and accordingly only limited weight can be afforded to this aspect.</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 Borough is deficient in terms of housing land supply more generally and 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.

Affordable housing provision remains one of the Council's key priorities. This application presents affordable housing that goes some way to meet identified local needs but falls short of the desired quantities and proportions (23% rather than 37%).

Waltham on the Wolds is considered to be a sustainable location with good access to services and is capable of accommodating growth that respects the rural character of the area.

Due to the back land nature of this greenfield site development of this size is not considered to be reflective of the general pattern of development evident in the village and represents a dense form of development out of keeping with the distinctive village character and form of development. It proposes a much higher density and due to the location of the access between two residential properties is not considered to safeguard residential amenities. However, its backland nature also means that the development will be largely screened from view and will not be viewed within, or alongside, the Conservation area and as such the contrast in styles will be of very limited harm. Additionally, the application would secure appropriate development for the 'gap site' adjacent to no 48 which is currently unsightly.

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 are considered to be development of a greenfield site and an under provision of affordable housing. The former is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value. The latter has been justified on the basis of viability (see above) and is considered to be acceptable because the shortfall is limited, and the scheme would still provide an important contribution.

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 to sustainable transport options
 - (iii) 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
- (b) **The following conditions:**
 1. The development shall be begun before the expiration of three years from the date of this permission.
 2. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 3. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
 4. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority

prior to the occupation of the development or any phase of the development, whichever is the sooner.

5. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.

The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to help improve water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenario's for the 1 in 1, 1 in 30 and 1 in 100 year + climate change. Where discharging to a sewer, this should be modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.

6. The development hereby permitted shall not commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use
7. The Footpath linking to Mowbray Way (between Plots 11 and 12/13) shall be hard surfaced and provided with a new handgate/kissing gate where it crosses the boundary to join Public Footpath E99. The link shall be created prior to the occupation of the final dwelling on the site.
8. Any new trees or shrubs which are proposed to be planted adjacent to the Public Rights of Way should be set back by a minimum of 1 metre from the edge of the route and be of species which do not spread.
9. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 15 metres behind the highway boundary and shall be hung so as not to open outwards.
10. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.
11. Before first occupation of any dwelling hereby permitted, the proposed shared turning facility shown on the submitted plan shall have been provided, hard surfaced and made available for use in order to allow vehicles to enter and leave in a forward direction. The turning area so provided shall not be obstructed and shall thereafter be permanently so maintained.
12. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
13. The car parking facilities shown within the curtilage of the site serving each dwelling, shall be provided, hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained.
14. Before first occupation of any dwelling, the shared private access road serving the site shall have been surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 20 metres behind the highway boundary and shall be so maintained at all times.
15. Notwithstanding the plans hereby approved, revised details of the access to the parking facilities from no. 38 High St shall be submitted to and approved by the Local planning Authority. The development shall be undertaken in accordance with the approved details.

16. The development shall be carried out in accordance with the recommendations set out in the ecological report, EDP 2341_01 (August 2014), section 4.

Officer to contact: **Mr J Worley**

Date: 9th February 2016