

**Reference:** 15/00944/OUT  
**Date submitted:** 26.11.2015  
**Applicant:** Andrew Granger & Co  
**Location:** Land off Canal Lane, Hose  
**Proposal:** Residential development of up to 25 dwellings with associated access and open space



**Proposal:-**

This application seeks **outline planning permission for up to 25 dwellings** (including 10 affordable: 40%) of a mix of single and two storey, 2, 3, 4 and 5 bedroom properties. The site is located on the western edge of Hose, adjacent to the village boundary. A new site access is proposed directly off Canal Lane with the provision of a new footway also. The site is considered to be a Greenfield site with no presumption in favour of development

**The application is in outline with all matters reserved apart from access**

**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**
- **Impact upon residential amenities**
- **Sustainable development**
- **Traffic and access issues**

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

**History:-**

There is no relevant planning history on this site.

## **Planning Policies:-**

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

**Policy OS2** - This policy restricts development including housing outside of town/village envelopes. In the context of this proposal, this policy could be seen to be restricting the supply of housing. Therefore and based upon the advice contained in the NPPF, **Policy OS2 should be considered out of date when considering the supply of new housing.**

**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 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 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.

- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

**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

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:**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highways Authority: No objection, subject to conditions addressing:</b></p> <ul style="list-style-type: none"> <li>• <b>Visibility</b></li> <li>• <b>Off site highways works</b></li> <li>• <b>Access gradients</b></li> <li>• <b>Drainage</b></li> <li>• <b>Gates &amp; Bollards</b></li> <li>• <b>Construction traffic</b></li> <li>• <b>Surfacing of access</b></li> </ul>	<p>The proposal has been amended to show the provision of a new footway along Canal Lane to serve the site and a road narrowing feature at a pinch point in the available width of the highway. Whilst this solution is perhaps not considered ideal, given the that the scheme does provide a footway to serve the site, provide carriageway widening at the junction and a traffic calming feature, it would be difficult to demonstrate that the proposal would now lead to severe harm</p> <p><b><u>Sustainability</u></b></p> <p>The site is located within 800 metres of the</p>

	<p>existing bus stops on Harby Lane, although currently there are only shelters on the southern side of the road. Therefore in order to help encourage bus travel as a viable alternative, improvements should be made to the two bus stops at nearest to the village hall, to provide raised kerbing, a new shelter on the north side of Harby Lane (at a location to be agreed) and new bus stop poles, flags and timetable cases at the both stops.</p> <p><b>There are considered to be no grounds to resist permission based on highways issues.</b></p>
<p><b>LCC Rights of Way Officer</b></p> <p><b>No objection subject to maintenance of route of public right of way.</b></p> <p>The above planning application has recently been brought to my attention as Public Bridleway G36 runs adjacent to the western boundary of the site.</p> <p>I have no objection to the planning proposal as the use and enjoyment of the Public Right of Way should not be affected by the development.</p> <p>However, owing to the proximity of the bridleway I suggest the following notes are applied to any permission for development of the site:</p> <p>If the Public Right of Way is enclosed between boundary features the available width should not be encroached upon by works associated with the development. The Public Bridleway must not be further enclosed in any way without undertaking discussions with the County Council's Safe and Sustainable Team.</p> <p>It is intended to change the boundary treatment currently separating the application site from the Public Right of Way, the Highway Authority's approval to the type of boundary treatment proposed should be obtained.</p> <p>Any new trees or shrubs which are proposed to be planted adjacent to a Public Right of Way should be set back by a minimum of 1 metre from the edge of the route and be species which do not spread. This will minimise the likelihood of the width of the Right of Way being encroached upon and reduced in width by overhanging vegetation in the future.</p> <p>If the developer requires the Right of Way to be temporarily closed or diverted, for any period of time, to enable construction works to take place, an application should be made to Leicester County Council at least 8 weeks before the temporary</p>	<p><b>Noted. The application seeks outline consent and the layout is not yet developed.</b></p> <p>However it is evident that the site is capable of development incorporating the bridleway with the appropriate treatment as advised opposite.</p>

<p>closure/diversion is required. The developer will be expected to provide a safe and convenient alternative route while the existing Public Right of Way is temporarily closed.</p> <p>Any damage caused to the surface of a Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.</p> <p>Care should be taken to ensure that pedestrians/cyclists and horse riders are not exposed to any elements of danger associated with construction works, and wherever appropriate they should be safeguarded from the site by a secure fence. In view of the close proximity of the proposed development to the Right of Way, particular attention should be given to ensuring that no materials or plant are stored on the line of the bridleway and that no Contractors' vehicles are parked either along or across it ensuring that free access can be exercised safely at all times.</p>	
<p><b>LCC Ecology – No objection, subject to conditions securing mitigation.</b></p> <p>The updated Great Crested New Survey (Brindle and Green, November 2015, revised March 2016) contains an updated mitigation plan. I am satisfied with the details of this and am pleased to see that they are reflected within the revised site layout (Revision C). I therefore have no objection to the current development, provided that the following can be incorporated into a condition (s) of the development.</p> <ul style="list-style-type: none"> <li>• Layout to be in accordance with the Illustrative Site Layout, Rev C. Any amendments to this must retain a minimum of a 10m buffer surrounding the ponds and a 4 to 5 m buffer between the development (including garden boundaries) and the boundary hedgerows.</li> <li>• All development to be in accordance with the GCN mitigation strategy (Brindle and Green, November 2015, revised 31/03/2016).</li> <li>• Works to be in accordance with the recommendations of the Phase 1 Habitat Survey and Protected Species Assessment (Brindle &amp; Green, November 2015).</li> <li>• Protected Species surveys to be updated in support of either the reserved matters application, or the commencement of works if either of these occurs after March 2017. – Protected species surveys</li> </ul>	<p>Mitigation measures have been proposed for newts and a condition can be imposed to safeguard the potential onsite presence of Great Crested Newts.</p> <p><b>The Ecology report has been independently assessed and raises no objection from the County Council Ecologist, subject to mitigation as proposed.</b></p>

<p>should only be considered valid for a period of two years.</p> <ul style="list-style-type: none"> <li>• A management plan must be completed and submitted. This should include the areas of semi-natural vegetation required for GCN mitigation, including the area surrounding the ponds and the retained corridor to the northern boundary of the site.</li> </ul>	
<p><b>LCC Archaeology</b></p> <p>The Leicestershire and Rutland Historic Environment Record (HER) notes the application site lies within an area of archaeological interest, adjacent to the medieval and post-medieval historic settlement core of Hose (HER ref: MLE8747). Whilst no recorded archaeological remains have been undertaken within the site itself, medieval and Roman artefactual remains have been recovered in the immediate area and may indicate the potential for similar evidence and/or other significant buried archaeological remains within the development site itself (MLE7967 abd 8136).</p>	<p>Additional information was submitted and a WSI for trial trenching which was considered acceptable by Leicestershire County Council Archaeology.</p> <p>Further details and trail trenching would be conditioned to be provided at Reserved Matters stage of the proposal</p>
<p><b>Environment Agency</b></p> <p>The agency has reviewed the planning consultation workload to ensure that their time and expertise is focused on those locations and developments that present the following:</p> <ul style="list-style-type: none"> <li>• a high risk to the environment</li> <li>• those that are able to offer significant environmental benefit.</li> </ul> <p>The Environment Agency has reviewed the above application and feels that, as presented, the development is in Flood Zone 1, it does not fall under either of the above categories, and therefore do not wish to comment further on these proposals.</p>	<p>Noted.</p> <p>The proposal was accompanied with a Flood Risk Assessment which did not highlight any known risks</p> <p><b>It is concluded that the proposed development is appropriate for the flood risk and is not expected to increase the flood risk elsewhere.</b></p>
<p><b>Lead Local Flood Authority:</b></p> <p><b>No objection subject to a surface water condition:</b></p> <p>No development approved by this planning permission shall take place until such time as a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.</p> <p>The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to</p>	<p>The application is accompanied by a Flood Risk Assessment (FRA) The FRA concludes that the site is not vulnerable to flooding and is in 'flood zone 1'.</p> <p>It also examines the possibility of a SUDS solution and calculates capacity required.</p> <p>The application seeks outline consent and</p>

<p>maintain or improve; the existing water quality, the limitation of surface water run-off to the practical minimum discharge rate of 5 l/s; 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.</p> <p>The scheme shall be fully 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.</p> <p>Full details for the drainage proposal should be supplied, including but not limited to, headwall details, culvert 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.</p>	<p>conditions can be imposed to ensure appropriate drainage methods are incorporated within the reserved matters application. Details of future maintenance also needed.</p>
<p><b>Severn Trent Water Authority:</b></p> <p>No objection subject to conditions requiring details of foul and surface water disposal.</p>	<p><b>Noted.</b></p>
<p><b>Parish Council: Objects</b></p> <ul style="list-style-type: none"> <li>• The development would overlook properties on Chapel Lane and cause loss of privacy;</li> <li>• It is a prominent position coming into the village and not be in keeping with the rural aspect from Canal Lane;</li> <li>• This number of dwellings is not sustainable in a small village i.e. the school, surgery, utilities;</li> <li>• The increase in the amount of traffic either going through the village or out on Canal Lane. The centre of the village is already often jammed with vehicles parking around the Green and Canal Lane is a single lane not suitable for any more vehicles;</li> <li>• Canal Lane is the only quiet road in Hose and is used a great deal as a village amenity for walkers/cyclists/horse riding;</li> <li>• Long standing problems of flooding on Canal Lane near the site</li> </ul>	<p>The proposal is in outline stage at present, further details of design and layout will be considered at the reserved matters stage.</p> <p>Matters of design and setting will be taken into consideration at the Reserved Matters stage, it is felt that an appropriate layout and design can be achieved on this site to ensure the rural character of the location is preserved.</p> <p>Hose has relatively good transport links and opportunities for employment with the village providing a number of services, provisions to these services have been consulted on and a request for a contribution made where appropriate.</p> <p>Sightlines are adequate for the location proposed and the junction is adequately spaced from other access points.</p> <p>Provisions have been made to provide a footpath to ensure that minimal disruption is caused to the existing Lane.</p> <p>Please see comments above on drainage. Suitable drainage can prevent water from running of the site and can also ensure that the resultant flow</p>

	into existing watercourses can be managed to prevent exacerbating the existing problems in the area.
<p><b>Developer Contributions: Section 106</b></p> <p><b>Highways:</b> To comply with Government guidance in the NPPF, the CIL Regulations 2011, and the County Council’s Local Transport Plan 3, the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use.</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• 6 month bus passes (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £350 per pass</li> <li>• New/Improvements to 2 nearest bus stops (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263.00 per stop.</li> <li>• Information display cases at 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120 per display.</li> <li>• A bus shelter at the stop on the north side of Harby Lane; to provide high quality and attractive public transport facilities to encourage modal shift. A £4908 per shelter.</li> </ul> <p><b>Waste</b> - 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.</p> <p>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 <b>£2,067</b> (to the nearest pound).</p> <p>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</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><b>It is considered that the transport 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.</b></p> <p>The County Council consider the Civic Amenity contribution is 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 (Melton Mowbray) to the proposed development.</p> <p><b>It is considered that the waste 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.</b></p>



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 calculation was determined by a contribution calculated on 25 units multiplied by the current rate for the Melton Mowbray Civic Amenity Site of £82.66 (subject to Indexation and reviewed on at least an annual basis) per dwelling/unit = £2,067 (to the nearest pound).

This would be used to mitigate the impacts arising from the increased use of the Civic Amenity Site associated with the new development (in 2012/2013 (latest figures available) the Civic Amenity Site at Melton Mowbray accepted approximately 5,006 tonnes per annum) for example by the acquisition of additional containers or the management of traffic into and out of the Civic Amenity Site to ensure that traffic on adjoining roads are not adversely affected by vehicles queuing to get into and out of the Civic Amenity Site.

Each household in Leicestershire in 2012/2013 delivered on average approximately 0.276 tonnes of municipal waste to a Civic Amenity Site. On this basis the proposed development of 25 dwellings would generate over 6 tonnes of additional Civic Amenity Waste at the Melton Mowbray Civic Amenity Site. The proposed development would place additional demand on the Melton Mowbray Civic Amenity Site and the requests for the Civic amenity developer contribution would meet the demands placed on the site as a result of the proposed development.

Government legislation is focused on maximising the diversion of waste from landfill and the County Council must have appropriate containers and/or storage areas to deal with the different types of waste. Due to the complex nature of the waste received at the Civic Amenity Site it will become increasingly difficult over time to maintain performance and a good level of service at peak times, particular with an increased demand placed on it due to this development.

The developer contribution would be used on project reference MEL006 at the Melton Civic Amenity Site. Project MEL006 will increase the capacity of the Civic Amenity Site at Melton by;

- Expansion of floor space for recycling area.

There are no other known obligations from other approved developments, since April 2010, that affect the Melton Civic Amenity Site which may also be used to fund MEL 006.

The County Council consider the Civic Amenity contribution is justified and is 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 of the contribution is to be used for the purpose of providing the additional capacity at the nearest Civic Amenity Site (Melton Mowbray) to the proposed development.

It is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional demands on the Civic Amenity infrastructure at Melton Mowbray which would arise due to this proposed development.

**Libraries** – The County Council consider the proposal would result in the following service requirements, for which contributions should be sought from the developer:

The library facilities contribution is outlined in the Leicestershire Planning Obligation Policy (adopted 3<sup>rd</sup> December 2014). The County Council considered 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 canal Lane, hose is within 10.3Km of Melton Mowbray Library on Wilton road being the nearest local library facility which would serve the development site. The library facilities contribution would be **£710** (rounded to the nearest £10).

It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for fixtures and fittings to account for additional use form the proposed development. This is one of five obligations listed under project number MEL007.

The Leicestershire Small Area Population and Household Estimates 2001-2004 gives the settlement population for Melton Mowbray library at approximately 25,890 people. The library has an active borrower base of 4,976 people. However post code analysis demonstrates that Melton Mowbray Library attracts usage from a much wider catchment of 31,922 people through additional borrowers who live outside the settlement area but come into Melton for work, shopping or leisure reasons.

The County Council consider the Library contribution is 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 Library Site (Melton Mowbray) to the proposed development.

**It is considered that the Library 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.**

Active users of Melton Mowbray Library currently borrow on average 25 items a year. The national performance indicator N19 measures the percentage of adults who have used a public library service in the past 12 months (the latest figure is Oct 08- Oct 09) and for Leicestershire this figure is approximately 48%. This figure would be higher if children were factored into the equation.

Consequently the proposed development at Canal Lane, Hose is likely to generate an additional 34 plus users and would require an additional 82 items of lending stock plus reference and audio visual material to mitigate the impacts of the proposed development on the local library service.

The County Council consider the library contribution is justified and is necessary to make the development acceptable in planning terms in accordance with the relevant national and local policies and the additional demands that would be placed on this key infrastructure as a result of the proposed development. The contribution requirement is directly related to the development because the contribution is to be used for the purpose of providing the additional capacity at the nearest library facility to the proposed development which is at Melton Mowbray.

It is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional demands on the library facilities at Melton Mowbray which would arise due to this proposed development.

**Education – no contribution requested:**

The site falls within the catchment area of Hose CE Primary School. The School has a net capacity of 77 and 65 pupils are projected on roll should this development proceed; a surplus of 12 places after taking into account the 6 pupils generated by this development.

There are currently no pupil places at this school being funded by Section 106 agreements from any other developments in the area. An education contribution will therefore not be requested for this sector.

The site falls within the catchment area of Bottesford Belvoir High School. The School has a net capacity of 650 and 536 pupils are projected on the roll should this development proceed; a surplus of 114 pupil places.

**Noted**

The method of calculating Section 106 education contributions is based on the net capacity of the catchment school and the availability of places at any other primary school within a 2 mile available walking route of the development.

<p>There are no other 11-16 schools within a three mile walking distance to the development.</p> <p>There are currently no pupil places in this sector being funded from Section 106 agreements for other developments in the area to be discounted. An education contribution will therefore not be requested for this sector.</p> <p>The site falls within the catchment area of Melton Vale Post 16 Centre. The College has a net capacity of 640 and 488 pupils are projected on the roll should this development proceed; a surplus of 152 pupil places.</p> <p>There are no other Post 16 schools within a three mile walking distance of the development.</p> <p>There are currently no pupil places in this sector being funded from Section 106 agreements for other developments in the area to be discounted.</p> <p>An education contribution will therefore not be requested for this sector.</p> <p>As this development is less than 250 houses with two or more bedrooms a claim for a special school contribution will not be made.</p>	
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**Representations:**

Site notices were posted and neighbouring properties consulted. As a result **19 letters of objection have been received** the representations are detailed below:

<b>Representations</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Impact upon the Character of the Area</b></p> <ul style="list-style-type: none"> <li>- The size of Hose will grow and lose its character</li> </ul>	<p>Hose whilst predominantly rural in form does display housing of varying character including more modern layouts in parts.</p> <p>The site is situated behind an existing residential development and therefore would not be viewed as an independent urban development.</p> <p>The scale of the development would not be readily apparent to users of Canal Lane and visitors to other parts of Hose and is not considered that it would overwhelm the village or affect those parts of it that display strong and valuable character</p> <p>There are views of the site from public vantage points provided by footpaths. However these</p>

	similarly do not offer views of the site in the context, or against, of the historic core of the village and are considered acceptable.
<b>Impact upon Highway Safety:</b> <ul style="list-style-type: none"> <li>- Increase in traffic</li> <li>- Road hazardous for pedestrians and cyclists</li> <li>- Lane not a road and not wide enough for additional traffic.</li> </ul>	<p>The plans incorporate the provision of a footway to serve the site, provide carriageway widening at the junction and a traffic calming feature.</p> <p>The location of the access offers a clear line of site to and from Canal Lane and as such it is considered that drivers will be able to use both accesses avoiding conflict.</p>
<b>Impact upon residential Amenities</b> <ul style="list-style-type: none"> <li>- Loss of privacy to existing residents that border the proposed development.</li> <li>- Buffering proposals have not been specified</li> </ul>	<p>The application is in outline with the layout illustrative. The site is sufficient to allow development with normally expected levels of separation and boundary treatment where necessary. Similarly, the house positions illustrated are not 'fixed' and would be assessed for privacy impacts at reserved matters stage.</p>
<b>Drainage</b> <ul style="list-style-type: none"> <li>- There is an existing drainage issue within this area.</li> </ul>	<p>The application is accompanied by a Flood Risk Assessment and drainage strategy, Severn Trent and the Lead Local Flood Authority have been consulted and raise no objections to the proposal. Conditions are to be imposed that will require further information to form part of the reserved matters application.</p>
<b>Impact upon Ecology/Conservation</b> <ul style="list-style-type: none"> <li>- The site is a haven for wildlife and would affect the existing ponds on the site.</li> </ul>	<p>The Ecology surveys submitted with the proposal have identified the presence of protected species and these have been addressed by mitigation schemes. The surveys and their recommendations been independently assessed by our Ecological advisors.</p>
<b>Schooling</b> <ul style="list-style-type: none"> <li>- The school has limited capacity and structurally cannot accept more pupils</li> </ul>	<p>The Education Authority (EA) has been consulted and advises that there is capacity within the school for the number of children anticipated from a development of this scale.</p>
<b>Facilities</b> <ul style="list-style-type: none"> <li>- Services such as the existing village shop will not be able to cope with the increase in population.</li> <li>- Water, sewerage, telephone and internet not capable of increase in demand.</li> </ul>	<p>Additional dwellings and an increase in population would ensure the village shop remains and thrives.</p> <p>Severn Trent has no objection to the proposal on either capacity or functionality grounds, contributions would be secured to ensure that existing facilities are upgraded and where possible additional services provided.</p>
<b>Planning Policy</b> <ul style="list-style-type: none"> <li>- Proposed development is outside the village envelope and contrary to the saved policies of the Melton local plan, Policy OS2.</li> <li>- Green fields and farmland should be</li> </ul>	<p>The proposal is contrary to the local plan policy OS2 however as stated above the NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p>

<p>protected from development</p> <ul style="list-style-type: none"> <li>- Disused steel factory which is a brownfield site should be used before Greenfield sites.</li> </ul>	<p>The NPPF advises that local housing policies will be considered out of date where the Council cannot demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported.</p> <p>The Council cannot demonstrate a five year land supply and as such housing policies are deemed out of date.</p> <p><b>Several appeal decisions have confirmed that the Local Plan's Village Envelope policy (OS2) is incompatible with the NPPF and therefore out of date, and therefore the NPPF should take precedence.</b></p> <p>However this on its own is not considered to weigh in favour of approving development where harm is identified, such as being located in an unsustainable location.</p> <p>The site is a greenfield site where there is no presumption in favour of development however the harm attributed by the development are required to be considered against the benefits of allowing the development in this location.</p>
<p><b>Housing need and mix</b></p> <ul style="list-style-type: none"> <li>- There is no need for such a number of dwellings</li> </ul>	<p>There is a housing shortage nationally and the Borough of Melton is no different. Historically the Borough has failed to provide housing and is not in a position to demonstrate a 5 year land supply. Between 2011-2015 351 new homes were built, based upon the requirements of the Strategic Housing Market Assessments 908 were needed (245 per year). From sites currently under construction or with valid planning permission the Council can demonstrate a deliverable supply of 800 new homes which equates to approximately 2.5 year land supply. The most recent evidence indicates that there is need for 37% of new homes to be 'affordable' (90 per year).</p>
<p><b>Other Considerations</b></p> <ul style="list-style-type: none"> <li>- The granting of this permission will create a precedent</li> </ul>	<p>Each application is considered on its own merits and the outcome of this will not affect subsequent proposals.</p>

**Other Material Considerations not raised through representations:**

Consideration	Assessment of Head of Regulatory Services
<p><b>Housing type</b></p> <p>The configuration and Housing mix provided</p>	<p><b>Housing Mix:</b></p> <p>Although in outline, the application proposes a range of house types and sizes, including bungalows and some smaller units. These are considered to reflect identified needs, particularly the smaller and single storey units.</p> <p><b>Affordable Housing</b></p> <p>The application proposes 10 affordable units, details of which would follow at reserved matters</p>

	<p>stage.</p> <p>This equates to 40% and is a recognised need identified by the most up to date evidence (the SHMA 2014).</p>
<p><b>Sustainability</b></p>	<p>Hose is considered to perform reasonably well in sustainability terms owing to its community facilities and transport links.</p> <p><b>It is therefore considered that it could be impossible to refuse the application of the basis of the sustainability of the location.</b></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 Hose 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 partly addressed by the application, Affordable housing provision remains one of the Council’s key priorities. This application presents some affordable housing that helps to meet identified local needs.

Accordingly, the application presents a vehicle for the delivery of affordable housing, with this submission proposing 10 units of affordable housing and is the requisite amount required for an application of 25 dwellings.

Hose is considered to be a suitable location for housing with a number of services available including a primary school, public house, shop, post office and village hall.

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

**In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from this proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be development of a Greenfield site.**

**The issue of development a Greenfield site 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.**

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) Contribution to maintenance of open space
- (iv) 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. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "layout, scale, external appearance of the building(s) and the landscaping of the site" (hereinafter called "the reserved matters"). Has been obtained from the Local Planning Authority.
3. The reserved matters as required by condition 2 above, shall provide for a mixed of types and sizes of dwellings that will meet the area's local market housing need.
4. 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.
5. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of the development
6. 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.
7. 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.
8. No development approved by this planning permission shall take place until such time as a detailed 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 trains to maintain or improve; the existing water quality, the limitation of surface water run-off to the practical minimum discharge rate of 5l/s; 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 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, culvert details, pipe protection in 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.

9. Before building works commence, minimum visibility splays of 2.4 metres by 54 metres shall be provided in each direction out of the junction of the access with Canal Lane. These shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Nothing shall be allowed to grow above a height of 0.6 meters above ground level within the visibility splays.
10. Development shall not begin until details of design for off-site highway works being the access and footway scheme shown generally on drawing 21497\_03\_080\_02 Rev C have been approved in writing by the local planning authority; and no dwelling in the development shall be occupied until that scheme has been constructed in accordance with the approved details.
11. The gradient of the proposed access road shall not exceed 1:30 for its first 10 metres.
12. 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 including private access drives, and thereafter shall be so maintained.
13. if any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minim distance of 20 metres behind the highway boundary and shall be hung so as not to open outwards.
14. all details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing and visibility splays and be submitted for approval by the local Planning Authority in consultation with the Highway Authority before development commences. Note: your attention is drawn to the requirement in the Highway Authority's current design guide to provide Traffic Calming measures within the new development.
15. 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.
16. Before the development commences, details of the routing of construction traffic shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.
17. Before first occupation of any dwelling, the proposed access roads serving the site from Canal Lane, 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.
18. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and 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.
19. Any amendments to layout as demonstrated within the illustrative Site Layout, Rev C must retain a

- minimum of a 10M buffer surrounding the ponds and a 4 to 5m buffer between the development (including garden boundaries) and the boundary hedgerows.
- 20 All development to be in accordance with the GCN mitigation strategy (Brindle & Green, November 2015, revised 31/03/2016).
  - 21 Works to be in accordance with the recommendations of the Phase 1 Habitat Survey and Protect Species Assessment (Brindle and Green, November 2015).
  - 22 Protected species surveys to be updated in support of either the reserved matters application or the commencement of works if either of these occurs after March 2017. – Protected Species surveys should only be considered valid for a period of two years.
  - 23 A management plan must be completed and submitted. This should include the areas of semi-natural vegetation required for GCN mitigation, including the area surrounding the ponds and the retained corridor to the northern boundary of the site.
  - 24 No development shall take place/commence until a programme of archaeological work, informed by an initial phase of trial trenching, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and
    - The programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme)
    - The programme for post-investigation assessment
    - Provision to be made for analysis of the site investigation and recording
    - Provision to be made for publication and dissemination of the analysis and records of the site investigation
    - Provision to be made for archive deposition of the analysis and records of the site investigation
    - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
  - 25 No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 24
  - 26 The development shall not be occupied until the site investigation and post investigate assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 24 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured

Reasons:

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 2 The application is in outline only
- 3 To ensure that the housing needs of the borough are met
- 4 To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
- 5 To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
- 6 To provide a reasonable period for the replacement of any planting
- 7 To provide a reasonable period for the replacement of any planting
- 8 To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution
- 9 In the interests of highway safety
- 10 In the interests of highway safety
- 11 In the interests of highway safety
- 12 In the interests of highway safety
- 13 In the interests of highway safety

- 14 In the interests of highway safety
- 15 In the interests of highway safety
- 16 In the interests of highway safety
- 17 In the interests of highway safety
- 18 To prevent flooding by ensuring the satisfactory storage of and disposal of foul and surface water from the site, and ensuring that there is no increase to flood risk as a result of this development
- 19 To ensure protected species are adequately protected
- 20 To ensure protected species are adequately protected
- 21 To ensure protected species are adequately protected
- 22 To ensure protected species are adequately protected
- 23 To ensure protected species are adequately protected
- 24 To ensure satisfactory archaeological investigation and recording
- 25 To ensure satisfactory archaeological investigation and recording
- 26 To ensure satisfactory archaeological investigation and recording

Officer to contact: **Ms Louise Parker**

**Date: 12<sup>th</sup> May 2016.**