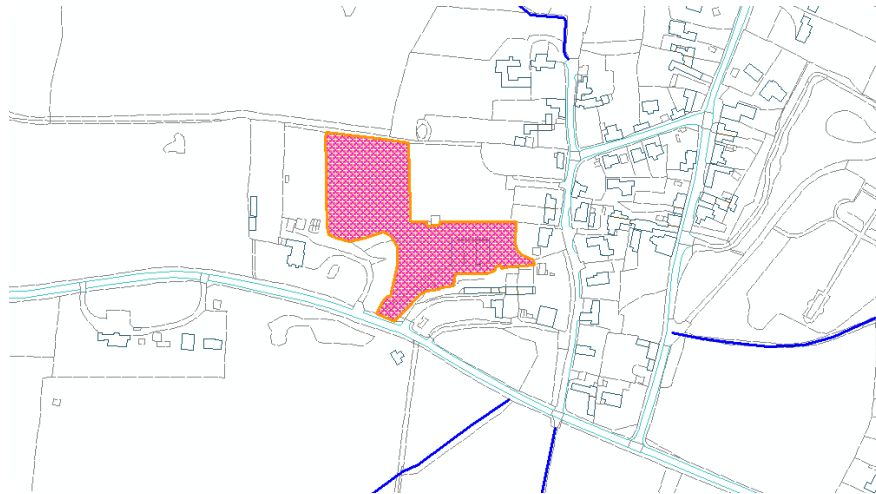


Reference: 15/00361/OUT
Date submitted: 07.05.15
Applicant: Mr W M Ross-Wilson
Location: Land At Holme Farm, Rearsby Lane, Gaddesby
Proposal: Demolition of existing agricultural buildings replaced with new courtyard development of 10 private dwellings and additional 4 detached dwellings.



Proposal :-

This application seeks outline planning permission for 14 dwellings, of which 6 would be affordable, and a mix of 1, 2 and 3 bedroom properties. The land falls outside of the village envelope for Gaddesby but within the designated Conservation Area and is considered to be an edge of village location. Part of the site contains agricultural farm buildings whilst the west of the site is open grass land containing mature trees at the front and is a designated Protected Open Area. Access to the site is proposed directly from Rearsby Lane, utilising the existing access into the site. The site is considered to be a mix of greenfield site, not having been previously developed, and redeveloping the area comprising the agricultural buildings.

The application seeks consent for the access and layout only with all other matters relating to scale, appearance and landscape reserved for later approval. The proposal seeks to take advantage of the different characteristics of the site and takes two different approaches to development. It is proposed to erect a courtyard development of traditional style two storey dwellings, having a mix of public and private amenity space on the site of the agricultural buildings. Within the parkland setting a more contemporary development of four single storey dwellings is proposed, these will be designed to be low impact and use a mixture of timber cladding and green roofs to respond to the more natural character of the site.

The application has been supported by a Design and Access Statement, Planning and Heritage Statement and Phase I Habitat survey and Tree survey. .

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**

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

History:-

14/01028/OUT - Demolition of existing agricultural buildings replaced with new courtyard development of 10 private dwellings and additional 4 detached dwellings. Application withdrawn to address objections received.

Planning Policies:-

Melton Local Plan (saved policies):

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

Policy 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 BE12 - Planning permission will not be granted for development within a protected open area except when a proposal is in conjunction with or associated with an existing use and the development would not adversely affect the intrinsic character of the area.

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

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

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

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 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.

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:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: Objects on grounds of sustainability and pedestrian safety.</p> <p>Whilst the proposal includes improvements to the vehicular access that would mean it would conform generally to an appropriate standard, the proposed development is not considered acceptable in transport terms as the site is considered unsustainable where future residents would be too reliant on the use of the private motor car for their journeys. Furthermore the footway from the site along Rearsby Lane is extremely narrow, and would not allow pedestrians to walk side by side or pass people coming in the opposite direction, without having to step into the carriageway. As such this would be a deterrent to walking, especially for parents taking their children to the village school.</p> <p>The level of parking shown within the curtilage of the site is low, however as there is sufficient space within the site to provide adequate parking facilities and as this could be covered by planning condition, it would not form the basis of a refusal.</p> <p>If from a planning perspective you are minded to look favourably upon the proposal, then in the interests of highway safety, the Highways Authority would want the opportunity to suggest the imposition of appropriate conditions.</p>	<p>The Highways Authority consider the village of Gaddesby to not be sustainable in transport terms however the Council's latest audit of village services considers Gaddesby to be reasonably sustainable given there is a public house/restaurant, primary school, village hall, church and regular bus service. The Settlement Roles and Relationship report undertaken in preparation for the Local Plan places the village of Gaddesby in the 'Rural Support' category and therefore capable of some housing growth to support the existing service provision and help to retain those services.</p> <p>Notwithstanding the highways comments it is considered that the site location performs reasonably well in sustainability terms – resulting from the services and transport links in the immediate vicinity and the advantage of proximity to facilities in Gaddesby. It would not lead to severe harm in transport terms.</p> <p>The village of Gaddesby is characterised by narrow rural lanes some having narrow pavements and some without any provision at all. The footpaths from the site are continuous and well maintained in an eastern direction and provide a direct link from the site towards the main services. The Cheney Arms is within 170 metres distance and the school is approximately 605 metres along Rearsby Lane/Nether End. From the site there are passing places at several points along Rearsby Lane - 2 gated entrances, Chapel Lane, the public house entrance and Main Street before the road becomes Nether End and the footway widens. The whole of the footway is within the 30mph zone and visibility is good for both pedestrians and vehicles using this road, however it is unlit which adds to the dangers. The Highways Authority has confirmed that there have been no reported personal road traffic accidents for this length of road over the past five years.</p> <p>Notwithstanding the pedestrian safety concern of the Highways Authority, as a result of the narrow pavement, there is not an option to widen the pavement to the requested two metres. The</p>

	<p>arrangement is one that is replicated throughout the village and contributes to the rural character of the area. Nevertheless the concern of the Highway Authority is that due to the narrow width people would not be able to walk easily side by side or pass people coming in the opposite directions. Given the location of the development being in the less populated area of the village and away from the services the footfall would be far less than that experienced along Nether End towards the Cheney Arms, the primary school and village hall. On overall assessment of the scheme there would be a relative short length of pavement (approximately 100m) with the restricted width of a metre but passing places are available to allow people to wait and pass.</p> <p>The site is within the 30mph zone with good visibility and it is considered that the safety concern of the Highways Authority has not been demonstrated to amount to ‘severe’ harm as advocated within the NPPF. Given that there has been no accident data and as Rearsby Lane is unlit, walkers are already approaching with caution.</p> <p>The Highways Authority has advised that site access is acceptable subject to conditions requiring minimum visibility splays, adequate parking and turning within the site.</p>
<p>LCC Ecology – No objection, subject to conditions</p> <p>The updated ecological survey (CBE Consulting, September 2015) is useful as it indicates that many ponds close to the application site appear to have dried up, but does indicate that the pond with the existing GCN record and a pond to the north of the site have potential to support GCN. LCC are satisfied with the proposed mitigation (provided that the areas marked as open space and to the north of the site are managed for GCN as part of an on-going management plan) and agree with the updated advice from the ecologist that an EPS licence will be required for the development.</p>	<p>Noted. A condition can be imposed to ensure that adequate mitigation measures are included to safeguard the potential onsite presence of Great Crested Newts.</p> <p>The field has previously been evaluated as being of Parish Level ecological significance. The ecological survey submitted with the application (CBE Consulting, October 2014) indicates that this field has deteriorated and no longer supports a rich botanical community. Therefore the site would no longer meet LCC’s Local Wildlife Site Criteria. The woodland on the south part of the site is considered to be of high value in landscape and ecological terms and is to be retained and not developed upon. The northern boundary is potentially a commuting and access route for wildlife and will also be retained and a condition imposed by the request of the County Ecologist excluding the boundary hedge from being included into the residential plots. The applicant seeks to provide biodiversity enhancements on the site through providing appropriate buffer zones around the mature trees and existing hedgerows to allow a natural ecological corridor through the site. Much of the area to the west will be retained as open space which the low density development would allow. Whilst the</p>

	<p>application is outline illustrative drawings have been supplied which show the four single storey dwellings within the western part of the site would have ‘green roofs’ as part of the overall biodiversity of the site with additional planting and habitats created.</p> <p>The Ecology report has been independently assessed and raises no objection from the County Council Ecologist subject to mitigation as proposed.</p>
<p>LCC Archaeology: No objection</p> <p>The Leicestershire and Rutland Historic Environment Record (HER) notes that the site lies on the edge of the anticipated medieval and post-medieval historic settlement core of Gaddesby. Historic buildings in the area include an 18th century farmhouse and an early 18th century cottage, both are Grade II listed and lie to the east of the development on Chapel Lane. The presence of ridge and furrow earthworks, apparently somewhat degraded by more recent agricultural activity, suggests that the western portion of the development site lie within an area formerly occupied by the medieval and or early post-medieval open fields. It is possible however that evidence of earlier occupation and activity, reflecting the fluctuating fortunes of the village may occur within the development area.</p> <p>The applicant has submitted a Heritage Statement (HS) in support of their scheme, the main conclusion of which is that despite the development lying within the designated conservation area, it is sufficiently screened to avoid significant detrimental effects to the rural character of the village; this is despite the impact of the scheme upon the surviving ridge and furrow earthworks.</p> <p>The HS also notes the National Planning Policy Framework (NPPF) requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. This work should be proportionate to the assets’ importance and sufficient to understand the potential impact of the proposal on their significance. To that extent, the Heritage Statement considers the conservation area, listed buildings (St Luke’s Church) and reference is made to the ridge and furrow earthworks. It does not appear that the potential for buried archaeological remains has been considered.</p> <p>In accordance with National Planning Policy Framework (NPPF), paragraph 129, assessment of the submitted development details and particular archaeological interest of the site, has indicated that the proposals are likely to have a detrimental</p>	<p>The application seeks outline consent for access and layout only. The site lies within the designated Conservation Area for Gaddesby on a parcel of land that is in agricultural use. 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>The site is fairly well screened from view sitting behind existing dwellings fronting Rearsby Lane and is bound by residential dwellings to the west, east and south. There is also a covering of mature trees at the front of the site which has Protected Open Area designation. The site is considered to have two distinct parts and the proposal, whilst no elevations have been supplied, illustrative drawings show that it is capable of being designed sympathetically and respond to each character in order to enhance and preserve the conservation area.</p> <p>NPPF paragraph 128 requires applicants to describe the significance of any heritage assets to be affected by the proposal. The application has been supported with a Planning and Heritage Assessment which has assessed the impact upon listed buildings and concludes that they would not be affected by the proposal. Whilst there are listed buildings within the village they are sufficiently set apart from the site and screened by existing features and buildings. It is not considered that the site can be argued to contribute to their setting and any harm would be considered to be neutral in context of the NPPF paragraph 133 and 134.</p> <p>The site at present does not contribute greatly to the Conservation Area designation as part is used as agricultural storage with the remainder of the site unkempt. However the site contains mature trees to the frontage within the Protected Open Area which does contribute to the open character of this part of the village. The site frontage is to be retained with four single storey dwellings designed to respond to the natural character of the site, built further to the north and redevelopment on the site of the large agricultural buildings with</p>

<p>impact upon any heritage assets present. NPPF paragraph 141, states that developers are required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact of development.</p> <p>In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording. The Historic & Natural Environment Team (HNET) will provide a formal Brief for the latter work at the applicant's request.</p> <p>If planning permission is granted the applicant must obtain a suitable Written Scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the Planning Authority. The WSI must be submitted to the Planning Authority and HNET, as archaeological advisors to your authority, for approval before the start of development.</p>	<p>two linear blocks facing inwards. Two trees are to be removed to facilitate the development and allow the internal roads to be built however this is not seen to undermine the contribution the site makes to the streetscene due to the number of trees present.</p> <p>Overall it is considered that the proposal would not have a detrimental impact upon the Conservation Area and will provide some enhancements to the area.</p> <p>With regard to buried archaeology further information is required in order to establish what may be present due to the ancient ridge and furrow land and the expert advisors are satisfied that this can be secured by condition.</p>
<p>Lead Local Flood Authority: No objection, subject to surface water flood risk assessment and a drainage scheme utilising sustainable drainage principles being submitted and approved.</p>	<p>Noted. The application seeks outline consent and conditions can be imposed to request SUDs be incorporated within the scheme.</p>
<p>Severn Trent Water Authority: No objection subject to conditions requiring details of foul and surface water disposal.</p>	<p>Noted.</p>
<p>Parish Council: Objects</p> <p>The application does not provide for local housing needs. The single bedroom dwellings, by the nature of their design, would not be able to accommodate a family and therefore, a high turnover in occupancy could be expected. The two bedroom properties are unsuitable for the average family (two adults, two children), which too could lead to a high turnover in occupancy.</p> <p>The proposal would not support sustainable development in Gaddesby, i.e there are limited local jobs, no shop or post office. Employment outside the area would result in more traffic movement.</p>	<p>The application proposes a mix of dwellings comprising of :-</p> <ul style="list-style-type: none"> • Plots 1,5,6 & 10: three bed dwellings • Plots 2,4,7 & 9: two bed dwellings • Plots 3 & 8: one bed dwellings • Plots 11,12,13 & 14: detached two bed bungalows with garages <p>This represents a good mix of dwellings that satisfies the Boroughs identified need. Six of the dwellings would be affordable dwellings, the size and tenure of which is still to be agreed but there has been interest shown from a Registered Provider. This attracts weight in the overall balance of the benefits against any harmful impacts.</p> <p>It is noted that there are no employment sites of significance in the village but the site is close to Rearsby where access to larger employment sites are available. The village has a public house and a school which would provide some local employment opportunities. Overall the village is considered to be reasonably sustainable (see above on page 4) and a refusal on this issue could</p>

<p>The resultant extra traffic incurred from this development on an already busy road, which has seen a number of serious accidents and fatalities, would further make the road even busier. The access to the development is within a 30mph zone, which in the main is ignored by drivers. Excess speed appears to be the normal, as being confirmed by a recent 'Community Speed Watch' Study.</p> <p>The integrity of Gaddesby could potentially disappear. The designated courtyard development is out of keeping with the character of the village and has, in the Parish Councils opinion, no defining architectural merit whatsoever.</p> <p>The courtyard development, as shown, is extremely close in proximity to the boundary of some of the existing properties in Chapel Lane, which would cause a lack in privacy for the current occupiers.</p> <p>Additionally it is noted that the courtyard development has been turned on the site by approximately 90 degrees, which does not address any material concerns raised and that there have been changes to the highway vision splay.</p> <p>Gaddesby Parish Council feel that what is required is an assortment of different property types, which can accommodate families and can be purchased or rented by those whose ambition is to live and be involved in the community. Gaddesby Parish Council wish to ensure that all protected areas and Open Space should remain so, for all future generations to benefit.</p>	<p>not be justified.</p> <p>The Highways Authority has been consulted and whilst they have objected on grounds of sustainability and pedestrian safety as a result of the narrow pavement in this location. They have confirmed that there have been no recorded personal accidents along this part of Rearsby Lane. The site is within the 30MPH zone and the Highways Authority have not objected to the access and considered that an access can be accommodated to meet the highways standards. The Parish Council are unable to provide the data from the Community Speed Watch to support their objection and therefore no evidence has been supplied to support the claim that the road is dangerous and not suitable for the small scale development proposed.</p> <p>The application is in outline seeking consent for the access and layout. Matters relating to design are to be considered at reserved matters however illustrative drawings have been supplied which shows possible solutions involving two linear blocks of five dwelling's facing on to public amenity space, in a courtyard type arrangement and four individual modern single storey blocks with green roofs. The illustrative drawings show how the two areas have different characters which can be responded to by different approaches to development in order to complement the surroundings and assimilate into the site.</p> <p>The development to the east of the site, closest to the residents along Chapel Lane would be set apart from the nearest dwelling by 37 metres. This exceeds the Council's established separation distances and is there considered to be an acceptable arrangement. Furthermore the proposed location of the dwellings and the additional planting to enhance the biodiversity would provide a buffer between the two sites.</p> <p>The courtyard development has been turned in order to better integrate the parking which has now been provided along the eastern boundary away from the Coach House which is opposite the proposal within the site. The changes to the visibility splays were undertaken to accord with Highways Authority guidance.</p> <p>The proposal provides a mix of sizes and tenures with six being proposed as Affordable dwellings.</p> <p>The Protected Open Area to the front of the site will be relatively unchanged by the proposal but will be part of the overall management of the site which will be a positive in terms of enhancement to the character of the area.</p>
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<p>Developer Contributions: s106</p> <p>Waste - The Civic Amenity contribution is outlined in the Leicestershire Planning Obligations Policy. 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 £1,157 (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 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.</p> <p>The existing Civic Amenity Site serves a large number of households, the level of the amount reflects the proportional impact of the contribution and is therefore likely to be pooled but for the particular (Melton Mowbray) Civic Amenity Site which would serve the proposed development.</p> <p>Libraries – No contribution necessary. East Goscote Library currently exceeds upper threshold in terms of standards for stock provision and will not be affected by the proposed development</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>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 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 122.</p> <p>The contributions requested for mitigation against waste 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 request waste request will specifically fund project number MEL005 which has not yet met the trigger of 5 projects since 2010.</p>
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Representations:

Site notices were posted and neighbouring properties consulted. As a result **24 letters of objection have been received from 20 separate households** the representations are detailed below.

Representations	Assessment of Head of Regulatory Services
<p>Impact upon Highway Safety</p> <p>Both the access points into the development are unsuitable for around 20+ more vehicles. Rearsby Lane has fast moving traffic and adjacent bends; Chapel Lane/Cross street are very narrow roads and used by children as a play area for biking and skating</p> <p>Highway safety is compromised: traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians/cyclists. There are many young</p>	<p>Please see full assessment above under Highways page 4.</p> <p>The Highways Authority do not object to the small increase in traffic to be created from 14 dwellings or the access as it is accepted that conditions can be imposed to adequately address this matter. The Highways Authority objection is based upon the sustainability of the village which contradicts the Councils own study and on pedestrian safety due to the narrow roads. Pedestrian safety is of great importance but as highlighted above narrow pavements are a</p>

<p>families with very young children in the area who currently enjoy security and freedom in the area</p> <p>Increase in traffic along Rearsby Lane</p> <p>The access will cause additional hazard on Rearsby Lane where people do not respect the 30MPH speed limit</p> <p>The pathways are narrow along this part of Rearsby Road and pedestrian have to walk in single file or step into the road to pass</p> <p>Pedestrian activity within the proposed area is hindered by narrow pavements, speeding vehicles (failing to slow to the 30mph speed restriction – as confirmed by recent traffic survey) and no street lighting. This means the area is in complete darkness and very hazardous within the winter months</p> <p>Rearsby Road is dangerous with 4 deaths since we have lived here</p> <p>Residents drive their children to school as the paths are too narrow more cars will create more dangers around the school</p> <p>The access is narrow where will 10 wheelie bins go if they are not collected from the dwellings due to safety issues</p> <p>Reference is made to the access off Chapel Lane this is narrow and not capable or suitable of accommodating additional traffic</p>	<p>characteristic of the village and residents are aware of this and respond accordingly for their own safety. The applicant is in a position to widen the pavement immediately outside of their site which would leave approximately 170 metres of the narrow width pavement, beyond that the pavement along Nether End is wider. There are few residential dwellings beyond the application site and the footfall is likely to be less along Rearsby Lane as compared to that along Nether End which will have a greater use as this provides access to the village hall and the school is along that part of the highway.</p> <p>Whilst the proposal will introduce more residents to this part of the village. The house types proposed will appeal to a wide range of occupiers; including those that wish to downsize and starter homes for young people. A small proportion would be suitable for families with children of school age. It is considered unreasonable to withhold planning permission without any evidence that the proposal would lead to serious highway safety impacts based upon the small numbers proposed.</p>
<p>Impact upon the character of the area and Conservation Area</p> <p>The design and construction make no reference to the historic built form of the village</p> <p>The design is not in keeping with the Conservation Area and introduces modern units and does not reflect the buildings in the village</p> <p>The big courtyard block of 10 housing units and 4 turf roofed modern bungalows are totally out of character with the harmonious appearance and style of the other buildings in this part of the village at the bottom of the hill</p> <p>The revised housing moves away from the traditional courtyard and presents a modern town estate style</p> <p>Inappropriate design not in keeping with the village character</p>	<p>The NPPF Chapter 7 places importance on good design to promote sustainable development. Paragraph 60 states that decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It goes on to state that it is proper to seek to promote or reinforce local distinctiveness. The site is relatively confined and screened from public vantage points and as such has a degree of self containment and will not be viewed alongside other parts of the village, which themselves vary considerably.. It has an open characteristic which is regarded as contributing to the village setting and reinforced by having the protected open area designation. The proposal seeks to retain this character through responding to the different characteristics through different designs opportunities. The four single storey dwellings are not likely to be traditional and based on the illustrative drawings submitted could be regarded as inappropriate, however the</p>

<p>The visual impact of a development will negatively impact the character of the immediate area</p> <p>The proposed expansion would risk changing the tranquillity and nature of the village</p>	<p>application is in outline and design details are to follow if permission is obtained.</p> <p>The use of timber and green roofs would assist with assimilating the proposal into its surroundings and presents an unobtrusive development. A more modern approach to housing development in this area would be considered to have a detrimental impact upon the character and would not be appropriate in this context.</p> <p>The two storey dwellings take on a more traditional brick and tile construction but have been laid out as two linear blocks which face inwards in a courtyard style arrangement. Each would have its own private amenity space with shared public space in front. This presents a more dense development on the site than the existing agricultural buildings occupy. The design details have not been submitted but it is considered that they are capable of responding to the rural location and present the smaller house types to address the local housing need for the Borough. Due to the positioning they will be fairly well screened from the roadside, however, overall it is considered that the proposal represents a good use of the site and is capable of preserving and enhancing the Conservation Area without unduly impacting upon designated listed buildings.</p>
<p>The site is outside of the village envelope and does not present infill development</p> <p>The site is entirely out of the village envelope and wholly within the Conservation Area on land that is Ridge and Furrow</p>	<p>The site lies outside of the 1999 Local Plan village envelope but it is not considered that it can be described as being wholly within the open countryside. Residential development lies to the west, south and east and whilst not directly behind the development site the built form of the village does continue northwards.</p> <p>Being outside of the village envelope is no longer, alone, a reason to refuse a planning proposal; the harm that may arise needs to be weighed up in the overall balance of the proposal (see page 14 below). It is not considered that significant adverse harm will arise from allowing some development on this site, in particular the development proposal responds well to the site constraints. Should a more intense development be proposed this would raise concerns upon the character of the village which may have resulted in a refusal.</p>
<p>Impact upon residential Amenities</p> <p>The application will have a detrimental impact upon residential amenities</p> <p>Loss of privacy to neighbouring dwellings.</p> <p>Overlooking will be created</p>	<p>The application is in outline with the access, and layout seeking approval at this stage. A layout plan has been provided which shows how the proposal would be laid out. The dwellings would be sited sufficiently away from nearby residents along Chapel Lane with a distance of 37 metres from the nearest residential property and is not considered to have any unduly detrimental impact upon the living conditions of those residents. A</p>

<p>The courtyard block will be visually overbearing and cause loss of privacy</p> <p>Noise, disruption and works traffic. Local residents specifically choose this location on the basis of the quiet and private surroundings the village offers</p>	<p>dense Leylandii hedge forms the current boundary treatment and additional native landscaping is proposed.</p> <p>To the south is a long linear building of two and single storey proportions that face on to the site which is attached to number 6 and 6a Rearsby Lane. The single storey element is directly opposite the proposed linear block of courtyard dwellings however the buildings appear to be in use as outbuildings serving as garaging and storage and not habitable accommodation there no appreciable loss of residential amenity will occur. The main habitable dwellings is contained within the two storey element and whilst it has principle windows facing onto the application site it is not considered that overlooking or loss of privacy could be created due to the orientation being offset further to the east of the site. Whilst no elevations have been provided as part of the scheme; this is reserved for later approval, it is expected that the proposal will present its principle elevation facing out onto the driveway however given the offset, it is not considered that direct overlooking could be created and could be designed out.</p> <p>To the west of the site, along Rearsby Lane is a large dwelling which has a sweeping drive leading up to the dwelling. Its residential amenity area borders the western boundary of the site and contains the tennis courts which has flood lighting. The boundary treatment consists of a hedge that is sparse in parts with a post and rail fence. No development is proposed at the front of the site which has the Protected Open Area designation and contains the mature trees. The area along the western boundary will remain as open space but will have enhanced landscaping, including trees planted to provide the biodiversity enhancements for the site, which was once considered as a Parish level ecology site that has now degraded over time. The development of the four single storey dwellings are to be positioned much further into the site and it is considered that the relationship would present an acceptable arrangement.</p> <p>There are no dwellings to the north of the site that would be affected by the proposal.</p> <p>It is not considered that the proposal whilst in outline form can be designed so as not to have an under or adverse impact upon the existing residential amenities.</p>
<p>Drainage</p> <p>Public services, such as drainage and water supply will be affected</p>	<p>Severn Trent and the Lead Local Flood Authority have been consulted and raise no objections to the proposal. As the site is mainly a greenfield site the surface water run off can be no greater than</p>

<p>The site has an ancient drainage system which is unable to handle volumes of water and flooding occurs at number 8 Rearsby Lane</p>	<p>the existing runoff rate and surface water drainage will need to be provided on site. This will be conditioned and form part of the reserved matters application.</p>
<p>Impact upon Ecology/Conservation</p> <p>The site is home for wildlife including birds, bats, badgers and Great Crested Newts</p> <p>People brought their homes on the understanding the site would always be left for conservation area</p> <p>The Monkjak deer will be displaced from the site</p> <p>Two trees are to be lost and the development will impact upon wildlife</p> <p>Removing the old buildings will impact upon wildlife habitats</p>	<p>The Ecology surveys submitted with the proposal have been independently assessed and no objections have been raised subject to mitigation to safeguard the protected species.</p>
<p>Sustainability and Public Services</p> <p>The claims in the application re local bus service are grossly incorrect; the No 100 service runs every two hours and does not run in the evenings or Sundays</p> <p>The bus 100 service runs 2 hourly Monday to Friday only – residents would need to use their cars at the weekend</p> <p>The Sustainability argument made in the application is doubtful given the lack of both nearby employment and public transport.</p> <p>There are no shops, employment, hairdressers, health care facilities available within the village – residents will travel out of the village to access them</p> <p>The school is full</p> <p>There are no provisions of public play spaces for children within the scheme</p> <p>This proposal will increase the size of the village which has limited services available</p>	<p>Please see commentary under highways page 4.</p> <p>Whilst the village of Gaddesby is not perfect in providing all the services that are desired it does perform better than other rural villages in the Borough and is therefore considered suitable for some housing growth.</p>
<p>Housing Needs/Availability</p> <p>There are houses available to buy and rent in the village and there is no evidence of the need for this development</p> <p>These houses will not provide proper family homes</p> <p>The two bedroom homes will have a high turnover of occupants who will not generally want involved in the village community</p>	<p>The house types proposed meet the Borough's identified local need and goes some way to providing affordable housing in the Borough which is of great demand. The house types proposed would allow for people to downsize freeing up larger family homes elsewhere and provide opportunities for first time home owners.</p> <p>There will be a mix of homeownership and rental accommodation available.</p>

Planning Policy

Contrary to local policies – clearly state resistance to development outside the village envelope, should be designed to harmonise with their surroundings, protected open areas should resist new development adversely affecting their character, sites of 10 or more dwellings should provide adequate public amenity space for passive recreation and should not adversely affect sites of ecological or geological interest.

The NPPF states that development must include good standards of amenity, enhancing or maintain the vitality of local communities. As no amenities are planned these plans do not satisfy those requirements

The application is required to be considered against the Local Plan and other material considerations. The proposal is contrary to the local plan policy OS2 however as stated above the NPPF is a material consideration of significance, including its commitment to boost housing growth. 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. **Successive appeal decisions have concluded that the village envelope policy (OS2) is out of date in the context of housing proposals adjacent to village envelopes and should carry no weight.**

The Council cannot demonstrate a five year land supply however this on its own is not considered to weigh in favour of approving development that is contrary to the local plan where harms are identified, such as impact upon the character of the area and highways.

The site is a greenfield site where there is no presumption in favour of development however the harm attributed to the development are required to be considered against the benefits of allowing the development in this location. The provision of up to 14 dwellings with 6 affordable units of house types that meet the identified housing needs is considered to offer significant benefit that weighs in favour of allow development in this location outside of the village envelope. The proposal due to its unique site characteristics is not considered to adversely affect the countryside designation due to its siting adjacent the built up area of the village to the east. The site is within the designated Conservation Area and the proposal seeks to remove large agricultural buildings which have a less than significant impact upon the designation but are considered to not contribute to the designation. The land to the front of the site has Protected Open Area designation and therefore policy BE12 is applicable. The policy seeks to ensure that development would not adversely affect the intrinsic character. This part of the site will remain undeveloped but the existing track would be upgraded to provide the entrance into the site. This is considered to present minimal change to the character and on balance of the whole scheme the benefits would outweigh any moderate impact upon the designation.

The proposal also provides net biodiversity gains throughout the site with additional native planting to supplement the neglected landscaping along with management of the protected open area. This is considered to assist with preserving and

	<p>enhancing the Conservation Area whilst respecting the open character of the site and on balance of the issues is considered to be acceptable in this location. Whilst there are no designated local area of play proposed the site has a good provision of open space which will accord with local plan policy H10. There is no requirement for an equipped area as the proposal is below the threshold for such amenity.</p> <p>It is considered that development in this location would assist in boosting housing growth as advocated within the NPPF in and close to an identified sustainable village. The harm identified (outside the Village Envelope) are outweighed by the benefits the proposal offers, subject to the signing of a S106 securing the affordable homes, developer contributions and management of the landscaped areas.</p>
<p>Other Considerations</p> <p>Whys is the access shown from Chapel Lane– is this mean future development?</p> <p>The site to the north is shown in blue with access from Chapel Lane this would be unacceptable for development as Chapel Lane is too narrow and accidents would inevitably occur</p> <p>If approved it will set a precedence for other greenfields around the village to be built on</p> <p>Lack of consultation – residents were not aware of this resubmitted application</p> <p>There are some inconsistencies in the application form and the design and access statement in regards to what the house types are</p> <p>Holme Farm has been a working farm for over 50 years and the barns are used</p>	<p>No access is proposed from Chapel Lane.</p> <p>The land to the north of the site is shown in blue as it is in the applicant’s ownership.</p> <p>Each application is to be determined on its own merits.</p> <p>Neighbouring properties were consulted and a site notice was pinned to the telegraph pole opposite the site to alert the wider public. This meets the consultation strategy for this type of application.</p> <p>Noted. These were corrected.</p> <p>Noted.</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 affordable housing that helps to meet identified local needs. Accordingly, the application presents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the local market housing needs. Gaddesby is considered to be a reasonably sustainable location having access to primary education, some local facilities and a regular bus services. It is considered that there are material considerations **of significant weight in favour** of the application.

There are a number of other positive benefits of the scheme which include biodiversity enhancement, surface water management in the form of a sustainable drainage, developer contributions to mitigate impacts upon local services and the local employment opportunities a development of this size would provide.

Though by no means 'optimum', the site is considered to perform reasonably well in terms of access to facilities and transport links; those in the immediate vicinity. However there remain deficiencies, most obviously in relation to secondary/higher education, shops, health care and leisure/recreation.

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 rural village and concerns in regards to sustainable location and pedestrian safety

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a greenfield site and sustainability – are considered to be of limited harm. This is because, in this location, the site benefits from a range of services in the immediate vicinity and nearby which mitigate the extent to which travel is necessary and limits journey distance, and because of the unique characteristics of the site provide potential for sympathetic design, careful landscaping and bio diversity opportunities.

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) The provision of 40% 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 "external appearance of the building(s) landscaping of the site and scale" (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 type and size 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. 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.
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. 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. It should be noted that some of the proposed buildings are located within the updated Flood Map for Surface Water (see attached), as such the a suitable risk assessment with mitigation measures should be undertaken to ensure that there is no risk to the development or increased risk to adjacent land. 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 onsite 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.

- 8 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
9. Prior to commencement of development a mitigation plan for protection of Great Crested Newts shall be submitted and approved in writing by the Local Planning Authority. The mitigation shall be put in place in accordance with the approved details throughout the construction phase.
10. Before development commences minimum visibility splays of 2.4 metres by 70 metres shall be provided out of the site access in each direction on to Rearsby Road. These splays shall be cleared of all obstruction that exceeds a height of 600mm above the level of the adjacent carriageway and once provided shall thereafter be permanently so maintained.
11. Before first occupation of any dwelling, the existing footway on the site frontage to Rearsby Road shall have been widened to a minimum width of 2 metres and designed and constructed in accordance with current Local Highway Authority standards, the details of which shall have first been submitted to and approved by the Local Planning Authority before development commences.
12. Before first occupation of any dwelling, the existing vehicular access shall have been widened as shown on drawing no. 6833A-003 and shall have been surfaced in tarmacadam, concrete or similar hard bound material for a minimum distance of 15 metres behind the highway boundary. Once provided the access shall thereafter be permanently so maintained.
13. Before first occupation of any dwelling, the widened access shall have been positively drained, so as to prevent surface water running from the site and into the highway. Once provided the drainage shall thereafter be permanently so maintained.
14. Before first occupation of any dwelling, the proposed car parking and any turning facilities shown serving that the dwelling shall have been provided, hard surfaced and made available for use and shall thereafter be permanently so maintained.
15. No gates, barriers, bollards, chains or any other such obstruction shall be placed across the proposed access drive serving the site, unless they are set back a minimum distance of 15 metres behind the highway boundary and shall have been hung/erected so as not to open outwardly.

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 provide a reasonable period for the replacement of any planting.
6. 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.
7. 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.
8. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site, and ensuring that there is no increase to flood risk as a result of this development.
9. In the interest of safeguarding protected species.
10. In the interests of highway safety.
11. In the interests of highway safety.
12. To ensure the access is of adequate width in the interests of highway safety.
13. In the interests of highway safety.
14. In the interest of highway safety
15. To allow for easy access and egress in the interests of highway safety.

Officer to contact: **Mrs Denise Knipe**

Date: 23 September 2015