

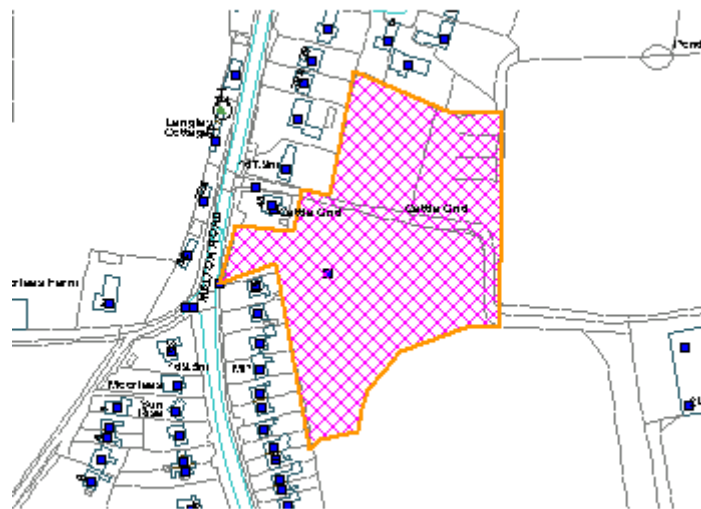
**Reference:** 15/00398/OUT

**Date submitted:** 19.05.2015

**Applicant:** K & A Watchorn & Sons - Mr M Watchorn

**Location:** Field 1357, Melton Road, Waltham On The Wolds

**Proposal:** Residential development of up to 45 new dwellings, together with new areas of public open space, access, landscaping and drainage infrastructure.



**Proposal :-**

This application seeks **outline planning permission for up to 45 dwellings** (including 14 affordable: 30%) of a mix of single storey and two storey 2 and 3 bedroom properties. The land falls outside of the village envelope for Waltham on the Wolds. Access to the site is proposed directly from Melton Road between nos. 45 and 51 where the field meets the road, and will involve the relocation of the existing traffic refuge close to this point further to the north east by approx. 20m. The site is considered to be greenfield site with no presumption in favour of development

**The application is in outline with all matters reserved**

**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:-**

No relevant history

**Planning Policies:-**

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

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

**Policy 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</b></p> <p>The proposed access junction layout shows the relocation of the existing central refuge crossing within the site frontage. Whilst it would be preferable if the refuge was located to the north of the site, so that it provides a safe and attractive crossing for parents &amp; children going to and from the school, it may not be possible to achieve this within the confines of the public highway.. The details of the crossing shown would not be acceptable, Melton Road is an abnormal load route, and therefore the running lanes should be</p>	<p>The access arrangements have been amended following initial concerns, to relocate the central island further to the north - east and formalise it as a crossing point. This has been achieved with adequate carriageway width to allow for the flow of vehicles using the road (3.4m carriageways).</p> <p>This location is closer to the school and as such considered to be a positive amendment.</p> <p>The access itself is demonstrated to be of sufficient geometry to satisfy HA standards and can be provided with the requisite sightlines for an access within the 30 mph zone (2.4 x 48m).</p>

<p>3.4 metres wide, and in order to provide a safe harbourage for pedestrians, the island should be 2 metres wide.</p> <p>If it is not possible to provide a suitable replacement central refuge, then the HA may seek to resist the application.</p> <p>The Parish Council have expressed concerns about the speed of traffic on Melton Road, and as the measured speed of traffic recorded is above 30 mph in each direction, perhaps the development if permitted should provide for Vehicle Activated Signs on both approaches on Melton Road, to try to ensure the speed of traffic is no higher than 30 mph, both for the safe operation of the access and the pedestrian crossing.</p> <p><b>Comments on amendments (showing revised position of central refuge):</b> The access plans are now acceptable,</p> <p>Details of internal layout do not meet standards but it is understood these are not for approval at this stage.</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>Public Footpaths E99 and F1 run diagonally through the proposed development. Both Footpaths have been retained on their existing lines within the proposed site layout. N</p> <p><b>No objection to the application</b> provided the effect on public's use and the following:</p> <ul style="list-style-type: none"> <li>• Footpaths should, be 2m wide with 1m verge either side.</li> <li>• Provision of an all weather surface</li> <li>• Planting should allow 1m clearance</li> <li>• No new gates or stiles without the necessary consents</li> <li>• Alternative routes provided if temporary closure is required</li> <li>• Damage repaired at the developers expense</li> <li>• Safety measures in place during construction</li> <li>• Signage provided</li> </ul>	<p>Noted. The application seeks outline consent and the layout is not yet developed.</p> <p>However it is evident that the site is capable of development incorporating the footpaths with the appropriate treatment as advised opposite.</p>
<p><b>LCC Ecology – No objection, subject to conditions securing mitigation.</b></p> <p>The updated report (FPCR, July 2015) containing the additional bat and great crested newt surveys. We note that the further GCN surveys recorded a maximum of 3 GCN in pond 4 and also recorded eggs in pond 5, indicating that the area supports a small, breeding, GCN population.</p> <p>The proposed mitigation for GCN is proportionate to the findings and would request that, should planning permission be granted, the applicant is</p>	<p>Mitigation measures have been proposed for newts and bats 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>required to follow these recommendations as a condition of the development.</p> <p>The bat surveys indicate that the site is used by bats, with the majority of the bat activity being present in the north-eastern boundary area of the site. We are also satisfied with the proposed bat mitigation, and would request that the proposed layout is adjusted to retain a buffer between the development and the boundary at the east of the site.</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 feel 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 conditions:</b></p> <p>No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the LPA.</p> <p>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.</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 LPA.</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 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> 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> <p><b>Scale:</b> 45 house is too great a number for the village. It will affect the rural character and strain local services. The density is too great for the size of the plot.</p> <p><b>Road safety and transport:</b> the site does not benefit from good public transport and most residents will need to commute for work by car. Sightlines are limited and the access is close to Moor Lees lane, creating a hazard.</p> <p><b>Environment:</b> the site is an important green area accessible to the village and provides links to the important footpath network. Development will spoil the attractiveness of its use.</p> <p>The site is a Haven to wildlife which will be lost.</p> <p><b>Drainage :</b> the site has a ‘perched water table’ and suffers from standing water and surface flow during wet periods. The developers plans for drainage are unclear and a more robust approach is needed.</p>	<p>The application is in ‘outline’ without details of the layout provided. However the density proposed at 29 houses per ha. Is illustrated and it is not considered to be excessive.</p> <p>Sightlines are adequate for the location proposed and the junction is adequately spaced from Moor Lees Lane to prevent conflict. Waltham has relatively good transport links and opportunities for employment, limited shopping, primary education within the village.</p> <p>The site has been surveyed for protected species and bats and newts have been found. Provisions and mitigation have been incorporated into the plans which have been assessed as adequate by independent ecological advisors.</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 into existing watercourses can be managed to prevent exacerbating the existing problems in the area.</p>
<p><b>Developer Contributions: s106</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>• <b>Travel Packs;</b> 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>• Bus shelters at 2 nearest bus stops; to provide high quality and attractive public</li> </ul>	<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>

transport facilities to encourage modal shift.  
At £4908 per shelter.

**Waste** - 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 **£3720** (to the nearest pound).

The contribution is required in light of the proposed development and was determined by assessing which Civic Amenity Site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity facilities. The increased need would not exist but for the proposed development. The nearest Civic Amenity Site to the proposed development is located at Melton Mowbray and residents of the proposed development are likely to use this site.

The 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.

The developer contribution would be used on project reference MEL005 at the Melton Civic Amenity Site. Project MEL005 will increase the capacity of the Civic Amenity Site at Melton by:-

- New compactors 2015.

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 project MEL005.

**Libraries** –The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.

The proposed development on Melton Road, Waltham is within 7.5 km Melton Mowbray Library on Wilton Road, being the nearest local library facility which would serve the development site. **The library facilities contribution would be £1360** (rounded up to the nearest £10). It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for materials, e.g. books, audio books, newspapers and periodicals etc for loan and reference use to account for additional

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.

**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.**

It is not clear how the requests relate to improvements at the library. As no explanation has been provided. It is therefore found that the request is not compliant with CIL Reg. 122 in this instance as the improvements would not be relevant to this specific development or necessary.

**The contributions requested for mitigation against libraries are a tariffed style requests that will be ‘pooled’. Under CIL Reg. 123(3) no more than five contributions can be pooled for any single infrastructure project.**

**The request for improvements to the civic amenity site has been allocated to a specific project and will provide new open top**

<p>use from the proposed development.</p> <p><b>Education – no contribution requested:</b> The site falls within the catchment area of Waltham Primary School that has a <b>surplus of 24 places, including accounting for this development.</b></p>	<p><b>containers that will increase the capacity at the site. It is therefore considered appropriate for inclusion in a S106 agreement..</b></p> <p>Noted.</p>
<p><b>Building Control:</b> The access arrangements will require a turning head to prevent a fire appliance having to reverse more than 20m.</p>	<p>Noted.</p>

**Representations:**

Site notices were posted and neighbouring properties consulted. As a result **27 letters of objection have been received from 25 separate households;** 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 site is elevated and therefore has the potential to dominate the sky line and have an adverse impact on the rural character</li> <li>- The size of Waltham will grow and lose its character</li> <li>- The dwellings should be in keeping with the general appearance of the village. At the point on Melton Road where they are planned, there is an abundance of bungalows, which of course will be overlooked by any houses built</li> <li>- The two footpaths that pass through the site will become routes along estate roads for the most part. This is totally unacceptable as at present both paths have an open aspect. Footpaths need to be in their own green corridor.</li> </ul>	<p>The site slopes up from Melton Rd and the houses built along its length. However the changes in levels are limited and the incline gradual, and it is not considered that an effect of ‘towering above’ those existing would result. The houses on Melton Rd form a coherent linear pattern which would remain largely unaffected (the field that meets the road and would accommodate the access does not have a significant contribution in the street scene). A little further north-east houses are built further back from Melton Rd on higher ground (e.g. in Fair Field) and whilst notably higher than the frontage properties, are not oppressive or incongruous as a result of the distance they are back from the road and the partial obstruction of views created by the frontage properties.</p> <p>Waltham as a whole displays housing of varying character including more modern layouts in parts. This site is some distance and separated from the historic core and Conservation Area and would also be viewed and experienced separately from its surroundings so as to avoid creating a stark contrast, or visually conflict; a clear appreciation of its character would only be obtained if entering the development itself.</p> <p>For similar reasons, the scale of the development would not be readily apparent to users of Melton Rd and visitors to other parts of Waltham and it 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 similarly do not offer views of the site in the context, or against, of the historic core of the</p>



	village and are considered acceptable.
<p><b>Impact upon Highway Safety:</b></p> <ul style="list-style-type: none"> <li>- Traffic along the A607 is heavy and poses dangers</li> <li>- The crossing island will be compromised</li> <li>- Proposed sightlines at the new access are inadequate</li> </ul> <ul style="list-style-type: none"> <li>- Question why a single access is proposed when 2 would be feasible</li> <li>- The road is already busy and vehicles speed. 90 more vehicles plus those from the applicants campsite will be added</li> <li>- The access is on a bend on the road making entry dangerous</li> <li>- Traffic will worsen of the quarry proposals at Denton go ahead</li> <li>- The development will add to the problems cause by parking on Main and High St and may affect businesses</li> <li>- Waltham is used as a diversion when the A1 is closed; this has not been taken into account</li> <li>- Traffic accidents have occurred in the area: <ol style="list-style-type: none"> <li>1. two cars have careered off the main road crashing straight through the hedge of 32 Melton Rd and into the garden.</li> <li>2. There has been a multiple car (approx. 7 cars) pile up as a result of black ice which formed from the run off water from the farm fields and the new estate roads (Fairfield) onto the main Melton Road. In this accident, one vehicle was a lorry that knocked down the telegraph pole across the road blocking all traffic, one car ended up in a neighbour's greenhouse, several others ran into each other, closing the road for several hours.</li> <li>3. There have been numerous accidents related to the central road chicane outside no 32. On at least two occasions the vehicles ran over the top of the chicane, seriously damaging it and leaving exposed electrical wires.</li> </ol> </li> </ul>	<p>The plans incorporate sight lines suitable for the speed of traffic and propose to relocate the crossing island further north. Its design shows it to be adequate with sufficient carriageway width either side.</p> <p>The location of the access offers a clear line of site to and from Moor Lees Lane and as such it is considered that drivers will be able to use both accesses avoiding conflict.</p> <p>The proposal includes a single access for two way traffic</p> <p>The proposal includes relocation of the crossing island and the provision of carriageways either side of 3.4m. As such it will not impede passing traffic, including HGV traffic (this width has been specified particularly because the A607 is a route used by HGV's).</p> <p>There is only roadside parking available at High St. Residents may use the business facilities from time to time and help support them.</p> <p>There reason(s) the access will increase the likelihood of the incidents described becoming more frequent has not been explained. The is good visibility for vehicles travelling north to observe those turning right on Melton Rd into the site if they are stationery. The access will be to adopted standard with drainage etc and will not affect or replicate the drainage issues associated with Fair Field.</p>
<p><b>Impact upon residential Amenities</b></p> <ul style="list-style-type: none"> <li>- Residents will be affected by noise and disturbance during construction, including to a care home that borders the site</li> <li>- Mud from the site will create hazards on the A607</li> <li>- Loss of privacy to existing residents that border the proposed development</li> </ul>	<p>A degree of noise and disturbance can be expected from any development. However should these exceed acceptable limits (e.g. of volume, vibration or hour of operation) they can be addressed by Environmental Pollution legislation, as has been the case on other building sites</p>

<p>(Fairfield),</p> <ul style="list-style-type: none"> <li>- Buffering proposals have not been specified</li> <li>- The frontage of one of the houses faces directly the rear 55 Melton Rd and will be elevated, therefore dominating.</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>
<p><b>Drainage</b></p> <ul style="list-style-type: none"> <li>- There is an existing problem with run off from the field to the houses on Fairfield and Melton Rd, and off the site into the village system which at times cannot cope</li> <li>- The site has a high water table. There are issues associated with Fairfield for the same reason.</li> <li>- Soakaways do not work due to the water table</li> <li>- The Fairfield development was not provided with adequate drainage, relying instead on existing surface water sewers</li> <li>- The road (A607) suffers from water damage at present</li> <li>- There is no guarantee the drainage arrangements will be effective</li> </ul>	<p>The application is accompanied by a Flood Risk Assessment and drainage strategy that recognise that infiltration is not possible and disposal into the existing drainage system would need to be limited and controlled. It therefore proposes a drainage strategy which comprises of retention ponds on the site that would be of sufficient size (calculated, with 30% allowance for climate change) which would only be released when capacity was available.</p> <p>Severn Trent or the Lead Local Flood Authority have been consulted and raise no objections to the proposal. This can be conditioned and form part of the reserved matters application.</p>
<p><b>Impact upon Ecology/Conservation</b></p> <ul style="list-style-type: none"> <li>- The site is a haven for wildlife</li> <li>- The wildlife study should be independent.</li> <li>- The application should be accompanied by an Environmental Assessment</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 have been independently assessed by our Ecological advisors..</p>
<p><b>Schooling</b></p> <ul style="list-style-type: none"> <li>- The school has limited capacity and structurally cannot accept more pupils</li> <li>- More pupils will be to the disadvantage of existing pupils</li> <li>- Over demand could result in the school closing</li> <li>- Where will 90 additional children go to school</li> <li>- The developers also need to liaise with Waltham School Headteacher over the needs of the school to cope with the increased intake of children, based on the type of houses being built and the expected new demographic</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. The EA estimate there is likely to be around 11 primary aged children (not 90 as stated opposite).</p>
<p><b>Facilities</b></p> <ul style="list-style-type: none"> <li>- There is no significant employment and new residents would need to commute</li> <li>- Doctors surgeries: With 45 new family homes where will they be seen.</li> <li>- The sewerage system is already overstretched, resulting in odour for several months</li> </ul>	<p>The surgery has been approached for comments regarding their capacity and the response will be reported.</p> <p>Severn Trent has no objection to the proposal on either capacity or functionality grounds.</p>

<ul style="list-style-type: none"> <li>- The bus service to Grantham has been reduced and timings do not allow children to reach Grantham by 9am</li> </ul>	
<p><b>Planning Policy</b></p> <ul style="list-style-type: none"> <li>- Waltham has grown steadily and an increased by 22% since 2011. It has therefore made a fair contribution to increasing housing supply. This development would result in the growth of Waltham by 55% since 2011</li> <li>- The village envelope has been effective</li> <li>- Applications should not take advantage of the absence of an up to date local plan Decisions should wait until the new local plan is in place</li> <li>- proposed development is outside the village envelope and contrary to the saved policies of the Melton local plan, Policy OS2, Policy H8. Policy BE1</li> <li>- Green fields and farmland should be protected from development</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>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. 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. 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 limited demand for affordable houses, only 2 applications at present</li> <li>- Development such as this and as proposed on High St are not suitable to meet local needs</li> <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> <li>- The consultation arrangements were insufficient</li> <li>- Who will be responsible for maintenance of left over land adjacent to no 43.</li> <li>- If there is a need for development, why has this site been selected</li> </ul>	<p>Each application is considered on its own merits and the outcome of this will not affect subsequent proposals.</p> <p>There was pre-application consultation comprising a leaflet drop to every resident and a dedicated website, and the planning application has been notified to adjoining residents in its original and revised forms. There has been 6 month period available for comment.</p> <p>Please see comments above regarding housing need and supply</p>

<p>- The lack of facilities may lead to an increase in crime in the village</p>	<p>There is no evidence to support this statement.</p>
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**Other Material Considerations, not raised through representations:**

<p><b>Consideration</b></p>	<p><b>Assessment of Head of Regulatory Services</b></p>
<p><b>Neighbourhood Plan</b></p> <p>Concern that development should not go ahead until the Neighbourhood Plan is complete.</p>	<p>National Planning Policy Guidance states that :</p> <p><i>a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and</i></p> <p><i>b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”</i></p> <p>It goes on to advise that “ <i>Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period”</i></p> <p>Where refusal of planning applications are made on the grounds of prematurity the authority needs to indicate clearly how planning permission would prejudice the outcome of the plan-making process.</p> <p>The Waltham Neighbourhood Plan is still in development and has not made any proposals or consulted upon them.</p> <p><b>It is considered that the NP is not in the position to which the National Guidance advises ‘prematurity’ concerns can be applied, and therefore not considered that a refusal could be reasoned on the grounds of prematurity in light of the above factors.</b></p>
<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 14 affordable units, details of which would follow at reserved matters stage.</p> <p>This is a proportion somewhat less than the 37% identified by the most up to date evidence (the SHMA 2014) and in support of this position the applicant has produced a viability appraisal.</p>

	<p>This demonstrated that the full proportion of 37% could not be achieved on the site. The appraisal has been independently reviewed by the Valuation Office who concluded that 40 % would be ‘marginally viable’. The applicant has accepted some but questioned other of the VO’s assumptions and re-appraised the proposal arriving at the conclusion that 30% can be provided.</p> <p>Within these calculations one of the main areas of disagreement is the residual land value of the site. This is owned by the applicant and they have ‘factored in’ a 15 – fold increase in value from its current use for agriculture (or alternative use for pony paddocks) as incentive to release the land for development ; an increase from £15,000 per acre to £225,000 (£72,000 - £1,089,000 for the whole site).</p> <p>The VO has applied a lower value and applied a value of £200,000 per acre and indicated that a lower value of £150,000 could be argued.</p> <p>These values per acre provide an overall site value of £918,000 and £726,000 for the whole site, both significantly less than the applicants valuation. It is considered that this difference in approach is significant because the lower levels could, if accepted, could facilitate more affordable housing (up to 2 additional, using the applicants own values) and almost meet identified needs.</p>
<p><b>Sustainability</b></p>	<p>Waltham is considered to perform reasonably well in sustainability terms owing to its community facilities and transport links. <b>Recent decisions made by the Council and on appeal by the Secretary of State have described it as a sustainable location</b> for housing for these reasons and there have been no material changes to this position in the interim. <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 Waltham nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it ‘special’ status. Accordingly it does not meet the types of location that the NPPF requires to be protected and accordingly only limited weight can be afforded to this aspect.</p>

## **Conclusion**

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

The Borough is deficient in terms of housing land supply more generally and this would be 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, but does not provide the appropriate quantity, in proportion with the development and to support the local needs.

Waltham is considered to be a sustainable location for housing having access to various facilities, primary education, local shops, and a regular bus services and limited distances to employment opportunities.

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 the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues are considered to be development of a greenfield site and an under provision of affordable housing. The former is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value. The latter has been justified on the basis of viability (see above) and is considered to be acceptable because the shortfall is limited, and the scheme would still provide an important contribution (14).**

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 "external appearance of the building(s) and 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. 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.

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

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. The development shall be carried out in accordance with the measures set out in the a mitigation plan for protection of Great Crested Newts and Bats (FPCR July 2015 Section 4) submitted as part of the application.
10. The Footpaths should comprise of a 2m wide surfaced route with a 1m grass verge on either side, in accordance with the County Council's Guidance Notes for Developers, which are incorporated within Part 3, Section DG7 of the 6Cs Design Guide. The application of these criteria should ensure that the routes do not appear narrow and unattractive to users, but retain an open aspect instead.
11. Both Public Rights of Way through the development site should be provided with an all-weather sealed surface. The surface must be constructed to a specification agreed with the County Council's Travel Choice and Access Team during the reserved matters stage. The provision of a surface will provide all-weather walking / cycling opportunities for those living and or working within the proposed development. This, in turn will increase travel choice and potentially reduce the number of new car journeys generated by the development
12. Any new trees or shrubs which are proposed to be planted adjacent to the Public Rights of Way should be set back by a minimum of 1 metre from the edge of the route and be of species which do not spread.
13. No new gates, stiles, fences or other structures affecting a Right of Way, of either a temporary or permanent nature, should be constructed without the written consent of the Highway Authority having been obtained. Given that it is proposed to take this field out of agricultural use, it may be possible to remove a number of existing stock-proof stiles from the footpaths, leaving a gate or replacing with a hand gate thus improving the paths and encouraging their use. that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

14. The site shall be served by a single point of vehicular access only from Melton Road, as shown on the submitted plans.
15. Development shall not begin until details of design for off-site highway works being the proposed road junction and relocation of the central island shown generally on drawing number ADC1087/002 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.
16. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected to the main site access off Melton Road (should it remain as a private access), they shall be set back a minimum distance of 25 metres behind the highway boundary and shall be hung so as not to open outwards.
17. Notwithstanding the details submitted, 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, signing, lining and visibility splays and be submitted for approval by the local Planning Authority before development commences.  
  
(Note: Your attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development).
18. The existing vehicular access currently serving the between nos. 43 and 45 Melton Road that becomes redundant as a result of this proposal shall be closed permanently and the existing vehicular crossings reinstated in accordance with a scheme that shall first have been submitted to and approved by the LPA in consultation with the Highway Authority within one month of the new access being brought into use.
19. Before building works first commence on site the visibility splays shown on drawing number ADC1087/002 Rev C, out of the proposed site access in each direction on to Melton Road, shall have been provided. 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 metres above ground level within the visibility splays.

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 foul and surface water from the site, and ensuring that there is no increase to flood risk as a result of this development.
9. To ensure protected species are adequately protected.
10. to 13 : to ensure the footpaths traversing the site are adequately incorporated into the development.



14.to 19 : In the interests if highway safety.

Officer to contact: **Mr J Worley**

**Date: 30th November 2015**