

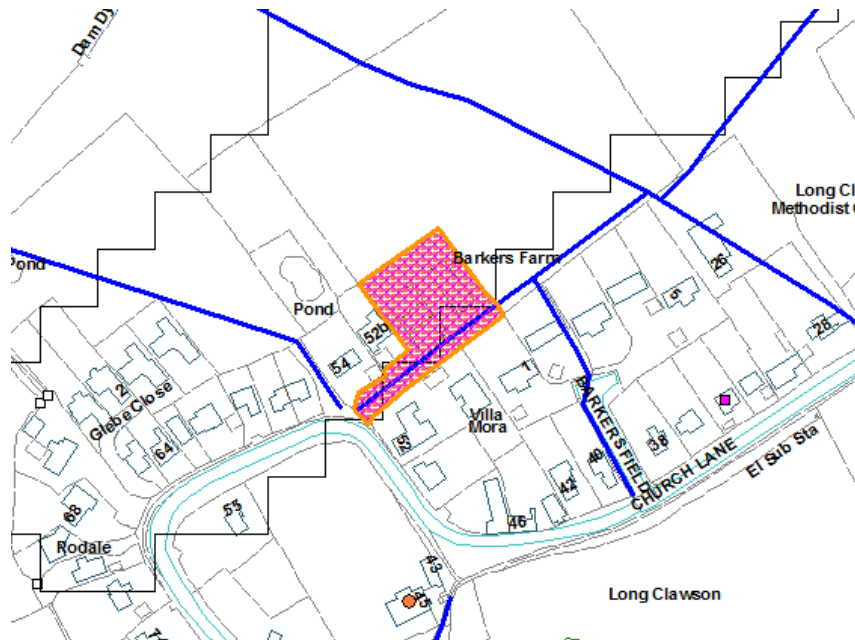
**Reference:** 15/00531/OUT

**Date submitted:** 07.07.15

**Applicant:** Mr And Mrs K Tudor

**Location:** Land Adjacent 54 Barkers Farm, Church Lane, Long Clawson

**Proposal:** Outline application for the formation of a courtyard development of 4 new barn style dwellings with extension and alteration to existing access road.



**Proposal :-**

This application seeks outline planning permission for 4 dwellings arranged in a courtyard style consisting of 1 no. four bed two story dwelling, 2 no. 1 ½ storey dormer bungalows and 1 no. 2 bed bungalow on land falling outside of the village envelope for Long Clawson. Access to the site is proposed directly from Church Lane utilising the existing access into the site. The site is considered to be a brownfied site that currently houses an agricultural barn and stabling.

The application seeks consent for the access, layout and scale with all other matters relating to appearance and landscape reserved for later approval.

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

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

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

**History:-**

12/00361/COU - Change of use of agricultural buildings to use for B1 uses approved on the 3rd August 2012.

08/00531/COU – Application permitted for the conversion of the existing buildings to be used for B1 uses. Conditions were imposed to restrict the times and operation.

98/00193/OUT – Application for the erection of 5 detached dwellings was refused in May 1998 due to the location in the open countryside, where policies seek to restrict development unless it involves the re-use of

existing buildings for employment or leisure, or where specific justification can be provided. This decision was subsequently appealed; the Inspector considered the main issue of this appeal to be the effect of the proposed development on the character and appearance of the countryside. It was considered that the development proposed would represent “a significant intrusion into the open countryside” and concluded that it “would seriously harm the character and appearance of the countryside” and on this basis the appeal was dismissed.

### **Planning Policies:-**

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

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

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

**Policy 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.

#### **The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:**

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.

**The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.**

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

#### **On Specific issues it advises:**

##### **Promoting sustainable transport**

- Safe and suitable access to the site can be achieved for all people
- Development should be located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

**Delivering a Wide choice of High Quality Homes**

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA’s should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

**Require Good Design**

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

**Conserving and enhancing the natural environment**

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

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:</b> No objection</p> <p>The existing vehicular access is on the outside of a bend and visibility is restricted slightly for vehicles turning right into the site. However given that Church Lane is relatively lightly trafficked and given that the speed of traffic passing the site access is relatively low too, it would be difficult to demonstrate that the proposal would lead to severe harm being created</p> <p>It is also understood that the existing barns have an extant planning permission for conversion to a business use and therefore it could be argued that the proposal would not lead to a significant increase in use of the access</p> <p><b>Public Rights of Way:</b> - No objection</p> <p>Public Footpath G32 runs through the site. LCC have no objection to the application as it should not detract from the public’s use and enjoyment of the Right of Way. It is noted that a new kissing</p>	<p>The application proposed a development of 4 dwellings, arranged in a courtyard style consisting of 1 no. four bed two story dwelling, 2 no. 1 ½ storey dormer bungalows and 1 no. 2 bed bungalow. The site is currently in use for stabling of horses and contains a large agricultural barn. Planning permission had been granted for the site to be used as a commercial premises but the planning permission lapsed on the 3<sup>rd</sup> August 2015. The agricultural use could be reinstated at any time and therefore the access into the site could be more intensely used.</p> <p><b>The Local Highway Authority advice is that, in its view the residual cumulative impacts of development are not considered severe in accordance with Paragraph 32 of the NPPF and have no objection to the proposal on highway safety subject to conditions, see assessment above.</b></p> <p>Public Footpath G32 provides access from the village out into the open countryside giving access to the public footpath network in the</p>

<p>gate is marked on the plan where the footpath leaves the site, this would be a welcome improvement to this well used village footpath and this should be secured within the planning permission by condition. It is also noted that details of landscaping are likely to be dealt with as a reserved matter. However no trees or shrubs are to be planted on or near the line of the footpath which runs along the <i>north western</i> side of the access road and therefore close alongside Plot 4.</p>	<p>vicinity. The dwellings would not encroach over the footpath and it will remain unobstructed and available for use by residents. It is proposed to install a new kissing gate at the point the footpath meets the field and this is welcomed by the Access and Rights of Way Officer at County Hall.</p> <p><b>No objection has been raised by LCC subject to a condition to ensure that the proposed kissing gate is provided and that no trees or shrubs are to be planted on or near the line of the footpath.</b></p>
<p><b>LCC Ecology – No objection</b></p> <p>The ecology survey submitted in support of the application (CBE Consulting, April 2015) indicates that the buildings on site currently have a low potential to support roosting bats. LCC are in agreement with this conclusion and have no further survey requirements in regard to this species.</p> <p>The ecologist has considered the impacts on great crested newts on the site and indicates that there is a low potential for any GCN to be harmed, recommending that a further inspection for amphibians should be carried out immediately prior to work commencing. LCC disagree with this conclusion and would recommend that further, detailed mitigation is proposed.</p> <p>LCC advise that GCN must be kept off site during the construction phase. Due to the close proximity of the pond to the application site the only feasible way of this being completed is by the installation of GCN fencing.</p> <p>It should be noted that LCC do consider that mitigation is possible for this development, as long term the garden areas are likely to increase suitable habitat for GCN. However, it is considered that the construction phase of the development has the potential to harm newts.</p>	<p>Since receiving the consultation response the applicants have submitted mitigation measures to safeguard the protected species during the construction phase. The Ecology adviser has no objection to the measures proposed but advises that a license will be required from Natural England prior to commencement of any works.</p> <p><b>The application has been independently reviewed and raised no objection to the proposal on ecology matters, subject to the mitigation proposed to safeguard Great Crested Newts in the area.</b></p>
<p><b>Severn Trent Water Authority:</b> No comments received to date.</p>	<p>Noted.</p>
<p><b>Parish Council:</b> Objects</p> <ul style="list-style-type: none"> <li>The proposed access is unacceptable, being located directly between two existing accesses on a bend and the additional traffic generated would be intolerable and dangerous for neighbouring properties and pedestrians;</li> </ul>	<p>Access to the proposed dwellings will be via the existing access off Church Lane, which also serves two residential properties. The Highways Authority has not objected to the small increase a development of four dwellings would introduce. Whilst the application is for outline consent the layout would be fixed which shows that parking for each dwelling can be accommodated within the site to prevent on street parking. It is not considered that the development would create highway safety issues in this location and no evidence has been provided to counter the advice of the Highways Authority and a refusal could</p>

<ul style="list-style-type: none"> <li>The proposal would adversely affect the character and appearance of the countryside and be out of keeping with the linear form of the village;</li> <li>It would adversely affect neighbouring properties by way of loss of privacy and amenity</li> </ul>	<p>not be justified.</p> <p>The courtyard development would utilise an existing brownfield site, removing large agricultural buildings and in that regards can be seen to enhance the character of the area rather than detract from it. The proposal would continue the linear form of development being sited adjacent to existing dwellings and would not appear incongruous to the built form of the village. It is not considered that the proposal would detract from the appearance of the countryside which bounds the site to the north and east as the proposal is contained within the existing boundary of the site and would not encroach into the open countryside beyond. The appearance of the dwellings would be considered at a later date and subject to the construction materials it is considered that the proposal would not have an adverse impact upon the character of the area.</p> <p>The dwellings would be arranged in a courtyard style. The nearest residential property sitting to the west contains no windows on the east elevation. Plot 1 would be adjacent the property and is proposed at 2 storey scale.</p> <p>There are properties fronting Bakers Lane that have rear views out towards the application site. The dwellings have been set apart from the dwellings at appropriate distances, 21 meters to 27 meters respectively. This conforms to the accepted separation distances applied to residential development in order to address residential amenity.</p> <p>As the application is in outline seeking approval for access, layout and scale only overlooking can be design out and due to the layout of the development and separation distances it is not considered that there would be unduly adverse impacts created to the nearby residents.</p>
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**Representations:**

Site notices were posted and neighbouring properties consulted. As a result **27 letters of objection have been received from 21 separate households** the representations are detailed below.

<b>Representations</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highway Safety:</b> No objection</p> <p>Church Lane is narrow and has already been over-developed resulting in parked cars on pavements and green areas which are already hazardous for pedestrians, as is the centre of the village</p> <p>There has over the last few years been twelve houses built on this short stretch of Church Lane from 76 to 54</p>	<p>Whilst development has taken place in Long Clawson the village is considered to be a sustainable village. Each application is to be considered on its own merits and in the case of this proposal it is considered that there would not be a detrimental impact upon highway safety through allowing development of four dwellings (see comments from Highway Authority and response above). The agricultural use of the access could be more intense than the current</p>

<p>Chapel Lane cannot cope with any more traffic.</p> <p>Access to the proposed site is on a right angle bend. Extra vehicular access to the new houses could be dangerous for pedestrians that are using the footpath which runs along the access route</p> <p>Being close to the bend will cause safety issues especially with parked cars</p> <p>The parking provisions are not enough and will lead to parking on Church Lane which is not suitable due to the bends</p> <p>This application will increase the traffic along Church Lane and Long Clawson in general</p> <p>The road network of Long Clawson was not designed to take the current levels of traffic, which also includes large lorries and tankers to supply the logistical needs of the Dairy</p> <p>The village is already very busy with the parking and congestion in the village centre being particularly bad.</p> <p>The doctors surgery is a great service but victim of its success and barely able to cope with the numbers of patients. This causes significant parking problems on the Sands on a daily basis and increases traffic to the village with patients attending from outlying villages.</p>	<p>situation and this is seen as betterment in highway safety terms.</p> <p><b>The Local Highway Authority has not objected to the proposal on highways safety or cumulative impact grounds, which are not to be considered 'serve'</b></p>
<p><b>Impact upon the Character of the area.</b></p> <p>Development is outside of the village envelope if it is passed it will set a dangerous precedent to other developers.</p> <p>There is a fundamental right to safeguard villages identity</p> <p>Over the past five years there has already been significant backfill over development along Church Lane.</p> <p>There has been a loss of character on Church Lane over the past 6 years due to houses being squeezed in behind others leading to over development and a crowded appearance</p> <p>This application will change the current 'agricultural' landscape of the plot</p> <p>If this application is approved it will create a precedent for a strip of back land development adjacent to Barkers Field</p>	<p>The application site, whilst outside of the village envelope, is closely related to the built form and contained within an existing parcel of land that is considered to be a brownfield site having buildings upon it. Access into the site lies off Church Lane which is within the village envelope and serves two residential properties situated along this part of the lane. Because of this arrangement it is not considered that redevelopment of the site would constitute a significantly harmful impact upon the character of the area as advocated within the NPPF as it will provided a continuation of the village without encroaching into the open countryside. The proposal will remove the large barn, which is becoming unkempt and would enhance this part of the village which borders the Conservation Area.</p> <p>The site abuts the defined village envelope and would sit alongside existing dwellings and would not be considered to be a back land development. Due to its brownfield classification it is not</p>

<p>There is no proven need for the type of houses proposed in the development</p> <p>No need for a 4 bed property which will be cramped</p> <p>Two properties on the site would be far more suitable</p> <p>This outline application shows property types that are not in-keeping with the other properties nearby. It states that one dwelling will be a 1.5 story dwelling</p> <p>This outline application shows property types that are not in-keeping with other back-fill properties nearby.</p>	<p>considered to present an encroachment into open countryside and is therefore unlikely to set a precedent of back land because of its site specific considerations.</p> <p>The most up to date evidence (the 2015 SHMA) shows a requirement of 245 dwellings per year in the Borough, of various types. The application seeks outline consent for approval of the access, layout and scale of the development. Matters relating to the design of the dwellings, including building materials and landscape would be reserved for further consideration.</p> <p>It is proposed to provide a mix of house types to meet the Borough's housing needs. One large family home is proposed supported by downsizing/starter properties of single and 1 ½ storey proportions. The dwellings in the vicinity are all of two storey scale and subject to design of the dwellings it is considered that the proposal on the edge of the village would be acceptable and to not have a detrimental impact upon the character of the area.</p>
<p><b>Impact upon Services:</b></p> <p>The village school is oversubscribed with no room to extend.</p> <p>Village children are forced to travel to neighbouring villages to attend school.</p> <p>The public transport system in the village is almost non-existent.</p> <p>The Doctors surgery is full.</p> <p>The village has grown by over 30% in the last 20 years and its infrastructure is now totally inadequate - the roads, village centre, school and doctor's surgery are all suffering.</p> <p>Congestion levels in the village are already at a critical level.</p> <p>The village infrastructure (roads, drainage, Dr's Surgery and School) are already operating beyond their "safe" capacity.</p> <p>There are not enough suitable jobs in the village. This means that residents would be commuters out of the village - surely not the aim of the local plans</p>	<p>The village of Long Clawson, due to its size and access to a wide range of public services including employment, is considered to be a sustainable location.</p> <p>The village school and the Doctors Surgery are constrained due to their locations which makes expansion difficult. However, the development of 4 dwellings which includes properties for downsizing, is not considered possible to demonstrate, with evidence that it will impact significantly upon the services in the village.</p> <p>(awaiting comments from LCC Education)</p>
<p><b>Impact upon Residential Amenity</b></p> <p>The proposed dwellings are also likely to cause loss of residential privacy and outlook for nearby properties and impact on the rural aspect of the village.</p>	<p>Noted. Please see assessment on page 5 above.</p> <p>The application seeks outline consent for approval of the access, layout and scale leaving the appearance and landscaping for further consideration at reserved matters application. It is considered that the layout and scale of the</p>

	development, being a mix of 2, 1 and 1½ storey would be acceptable in this location given the separation distances from neighbouring dwellings. Any overlooking can be designed out in order to protect residential amenity.
<p><b>Drainage</b></p> <p>The sewage system over the years has been a problem in this part of the village</p>	<p>Noted. Seven Trent has been consulted and has not responded. Drainage conditions are to be imposed which will require further details to be submitted to ensure that adequate drainage is provided.</p> <p>Separate consent will be required by Severn Trent prior to any connections to the sewage/drainage system and if required improvements may be requested.</p>
<p><b>Heritage</b></p> <p>The present farm buildings are unlike to have deep foundations and therefore may conceal archaeological feature or artefact's. It is close to the Saxon Core of the village (Castle field) and has been Glebe Land for much of its history which may indicate a lack of modern day disturbance apart from the barns.</p>	<p>The site is not in an area known to be of archaeology interest and therefore no comments have been submitted by the County advisor.</p>
<p><b>Wildlife</b></p> <p>There is a strong likelihood that Great Crested Newts are on the site and bats might be in the barn.</p> <p>Environmentally there are bats in the locality which we believe roost in the barns and the neighbouring wildlife pond has a significant population of newts some of which are great crested newts, these are likely to be hibernate in the surroundings of the barn.</p> <p>As close neighbours, we see bats flying around during dusk and assume that these reside in the existing barns (which would be demolished as part of this application)</p>	<p>Mitigation has been proposed for the protection of Great Crested Newts.</p> <p><b>Appropriate surveys have been submitted and have been independent reviewed by the Council's Ecological advisor. The ecological advisor did not object to the proposal (see above)</b></p>
<p><b>Planning Policy and Guidance</b></p> <p>The development goes against the saved policies OS1 &amp; OS2 of the new local plan because it is outside the village envelope. Currently these policies have been weakened by the fact that Melton Borough Council does not have a local plan that shows 5 years supply of developable housing land which is a requirement of the NPPF.</p> <p>This application is outside the village envelope (and the proposed draft changes). It is therefore against the wishes of the village.</p> <p>This is beyond the previous boundary and sets a worrying precedent at a time when we feel we are being inundated by development applications without the protection of a Local Plan, which is</p>	<p>The Council is not in a position to decline to accept planning applications until the local plan or neighbouring plan is adopted. They have to be considered against current and relevant policy and guidance. In any event, the Council is not aware of proposals to develop a Neighbourhood Plan for Long Clawson.</p> <p>The new Local Plan is still to be formalised following input from reference groups it is expected that a preferred options will be published this autumn. The Local Plan 2006 is considered to be out of date and during this transitional period the saved policies are to be weighed against the NPPF where they are compatible the policies will retain weight.</p> <p>The application site lies outside of the village</p>





<p>There has not been any pre-application consultation with the local community which is understood to be a planning requirement.</p> <p>Residents of Long Clawson are opposed to this development</p>	<p>benefits of a scheme against any harms it would produce such as impact upon character of the area, ecology, heritage, flooding etc. The application has been assessed and it is considered that there would be limited harm to Great Crested Newts which can be successfully mitigated. The benefits include provision of housing, of a type needed and that is capable of preserving and enhancing the setting of the Conservation Area, with satisfactory access and parking arrangements. It is not considered that the Inspectors assessment of the site relates to the current position on site now due to the many changes to the area through progression of housing development. It is not considered that redevelopment of the site would present an intrusive encroachment into the open countryside for reasons set out elsewhere within the report.</p> <p>The scheme falls below the threshold required for developers to undertake public consultation.</p> <p>27 letters of objection from 21 separate households has been received. The material considerations raised through the representation which are varied and must be taken into account. The application has to be considered against planning policy and where any harm identified cannot be successfully mitigated the proposal will either succeed or fail on planning considerations.</p>
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**Other Material Considerations, not raised through representations:**

<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Planning Policies and compliance with the NPPF</b></p>	<p>The application is required in law 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 some significance because of 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. 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 being located in an unsustainable location.</p> <p>The site is classified as a brownfield site and suitable for development subject to other planning considerations. The proposal seeks to provide 4 dwellings of a house type that goes some way to meeting the boroughs housing needs. Furthermore it provides some betterment to the</p>

	<p>character of the area removing large sheds on the edge of the village replacing with a small courtyard of dwellings to complete the built form along this edge of village location. The benefits of allowing some housing that meet need, that could improve the appearance of this part of the village and does not pose any adverse or severe harms, is considered to offer significant benefit that weighs in favour of allow development in this location. 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 and on developing a brownfield site.</p> <p><b>It is considered that development in this location would assist in boosting housing growth within an identified sustainable village and the harm identified (outside the Village Envelope) are outweighed by the benefits the proposal offers.</b></p>
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**Conclusion**

The application presents a redevelopment opportunity on brownfield land adjacent to the village of Long Clawson. Whilst the site lies outside of the defined village envelope it is close to existing residential properties and will provide a continuation of the built form in this part of the village. It is not considered to present an intrusive development upon the open countryside beyond the confines of the site. The proposal provides 4 no. dwellings of which three support the local housing needs for the borough, being suitable for downsizing and starter homes. The site is no longer required for its agricultural use and the redevelopment would seek to preserve and enhance the setting of the Conservation Area through removal of the large redundant barns.

**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 going some way to meeting the identified local need, with adequate access and parking arrangements. The balancing issues – development of a site outside of the village envelope – are considered to be of limited harm in this location due to the unique characteristic of the site and potential for sympathetic design and careful landscaping, and the severe limitations of relying on the village envelope policy.**

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 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 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. 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.
7. Notwithstanding the details submitted, before any dwelling hereby permitted is first occupied the existing vehicular access currently serving the site from Church Lane, shall have been improved in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Such details to include widening to a minimum width of 5 metres with 0.5 metre clear margins on each side and surfacing in a hard bound material for a minimum distance of 7 metres behind the highway boundary. Once the access has been improved, it shall thereafter be permanently maintained fully in accordance with the approved scheme.
8. Before first use of the development hereby permitted, the existing gates to the vehicular access shall be removed. Any new vehicular access gates, barriers, bollards, chains or other such obstructions erected shall be set back a minimum distance of 7 metres behind the highway boundary and shall be hung so as not to open outwards.
9. All details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing and visibility splays and be submitted for approval by the local Planning Authority before development commences.
10. Before first occupation of any dwelling hereby permitted, turning facilities shall be provided, hard surfaced and made available for use within the site in order to allow vehicles to enter and leave in a forward direction fully in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The turning area so provided shall not be obstructed and shall thereafter be permanently so maintained.
11. Notwithstanding the details submitted, before first occupation of any dwelling, car parking shall be provided, hard surfaced and made available for use to serve that dwelling on the basis of 2 spaces for a dwelling with up to three bedrooms and 3 spaces for a dwelling with four or more bedrooms. The parking spaces so provided shall thereafter be permanently so maintained.
12. The kissing gate as shown on plan drawing number 6900-03-01 Rev A submitted on the 3 July 2015 shall be installed to the satisfaction of the Highways Authority and remain in situ in perpetuity.
13. Prior to commencement of the development barrier fencing shall be installed to protect Great Crested Newts from entering the site during construction activity. The site will be provided with a removable access panel to facilitate vehicle access and shall remain in place both during the working day and outside of working hours. Pedestrian step overs will be provided along the footpath routes to maintain access along the public rights of way as detailed within the mitigation plan drawing number 6900A-02 submitted on the 12<sup>th</sup> August 2015.

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 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.
7. In the interests of highway safety.
8. To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.
9. To ensure a satisfactory form of development and in the interests of highway safety.
10. To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.
11. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area
12. To enhance the public rights of way network and to avoid conflicts with other uses.
13. In the interest of safeguarded protected speices.

Officer to contact: **Mrs D Knipe**

**Date: 18 August 2015**