

PLANNING COMMITTEE: 7th JANUARY 2016

COMMITTEE UPDATE: 15/00547/OUT Development of 10 private dwellings and public open space, Field No 7858, Melton Road, Long Clawson

The purpose of this update report is to convey the content of the drainage details proposed by the application, as requested by the Committee at its meeting of 9th December 2015. The original report is attached as Appendix A.

The application was accompanied by a Flood Risk Assessment (FRA) that addressed the flood risks of the site, surface water flow and proposed a 'drainage strategy' for development at Reserved Matters stage

http://publicaccess.melton.gov.uk/online-applications/files/4CEC0FB17A1D04CA9CDBBB769E62D812/pdf/15_00547_OUT-Flood_Risk_Assesment-733841.pdf

The details are summarised below:

Flood Risk

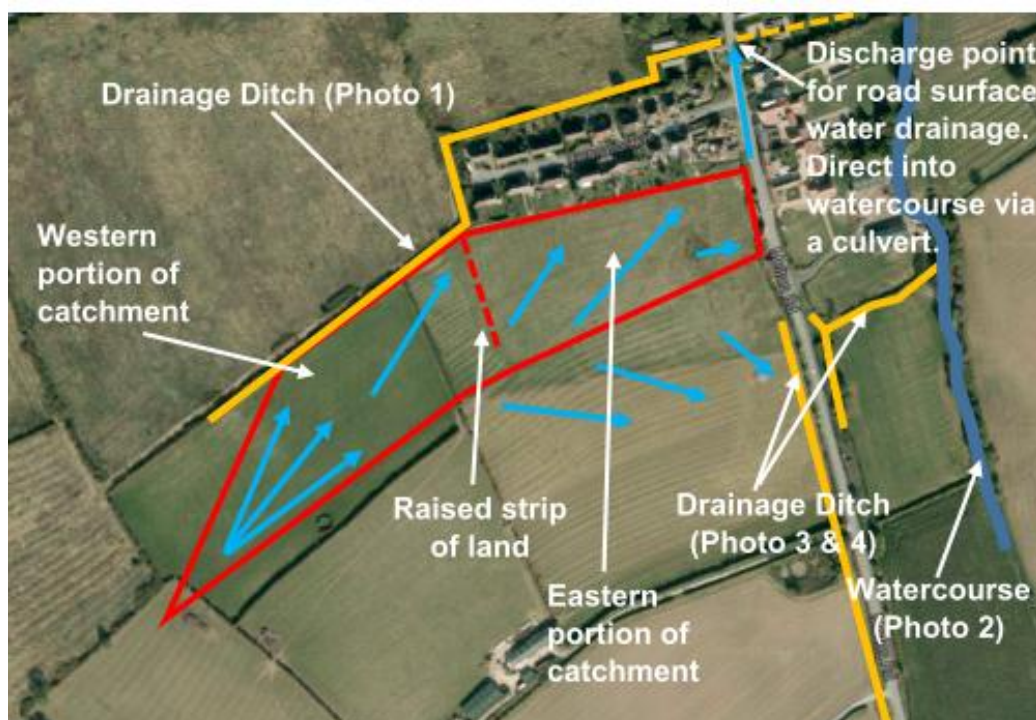
The FRA identified that the site is in 'Flood Zone 1', i.e. is not at risk from fluvial or coastal flooding. However it also established that that it is vulnerable to surface water collection and that the drainage channels in the area are 'high risk, owing to a recording of flooding issues in the system of which they form part.

Current Drainage arrangements

The FRA analyses the current drainage and water flow on and around the site and explains that:

- Water from the site currently flows along ditches behind Coronation Avenue and connect to the watercourse at a point further north.
- Water from the site itself flows towards its north-east corner where it joins road surface drainage and travels north to enter the same watercourse.
- Water from the area south of the site gathers in a ditch alongside Melton Rd and crosses under the road through a piped culvert. It then flows into a watercourse further to the east which flows northwards, joined by the watercourses described above.
- This pipe has limited capacity and often backs up. When it does so, water 'overtops' onto Melton Rd itself and uses this as a channel, linking it to the same watercourses.
- The watercourses join a little to the north east and flow in a north direction. It is here that the culvert at Claxton Rise takes the water and this is known to have a history of flooding because of its limited capacity.

These patterns are illustrated in the diagram below:



Drainage strategy:

The FRA proposes an approach to site drainage which is intended to safeguard the site from flooding but also to prevent exacerbating known flood issues elsewhere (downstream):

- The development itself can be protected from flooding through appropriate floor and surface levels.
- The site has been tested and is unsuitable for soakaway arrangements due to its clay composition. Following the ‘surface water drainage hierarchy’ SUDS are therefore required.
- Drainage provided on the site will collect water and, rather than allow to flow into the north east corner and onwards to watercourses via Melton Rd, be diverted southwards to the ditch alongside Melton Rd that then crosses underneath.
- This crossing is already susceptible to overloading (see (d) above), therefore it is proposed to retain water on the site in attenuation ponds when the capacity of the crossing is exceeded. This will capture water from the site that does not currently enter this point, but also water that collects here from land further south which currently causes overtopping. The collected water will be released only when capacity exists. (Calculations are provided addressing the capacity of attenuation and the flow rate for the release of water when capacity is available).



FIGURE 12 - POSSIBLE AREA WITHIN THE SITE FOR ATTENUATION STORAGE.

Comment

The scheme proposes to introduce attenuation on the site that would interfere with the current ‘natural’ flow of water from and across the site. The introduction of attenuation would impact upon sources of water flow that currently enter the watercourse system .

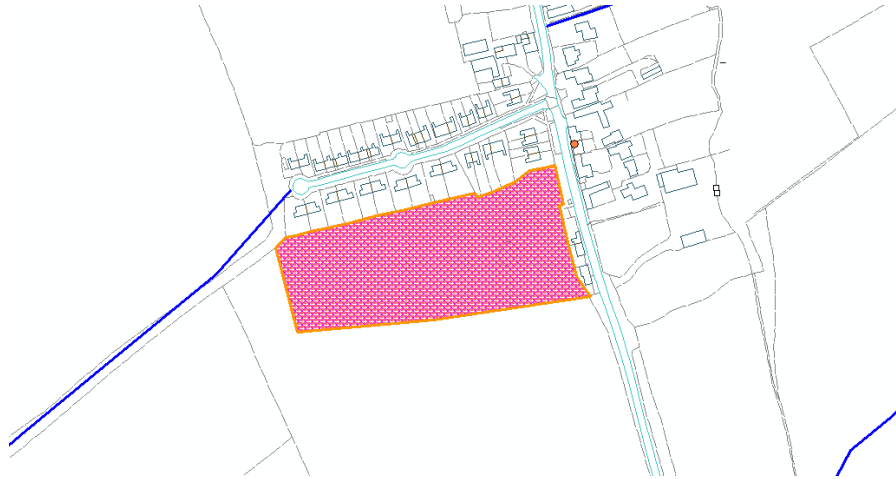
At Melton Rd, the system would prevent overtopping which currently sees water entering the watercourse system by flowing along the surface of Melton Rd itself, and at the north east corner of the site is would divert water away from the Melton Rd drainage system and onwards to the watercourses.

These measures would remove sources of water that currently join together (with others) and have affected Claxton Rise during times of heavy rainfall/snow melt.

It is concluded that the proposed development is appropriate for the flood risk and is not expected to increase the flood risk elsewhere.

‘COMMITTEE DATE: 9th December 2015

Reference: 15/00547/OUT
Date submitted: 03.08.15
Applicant: Mr And Mrs R Lee And Miss S Donnelly
Location: Field No 7858, Melton Road, Long Clawson
Proposal: Development of 10 private dwellings and public open space.



Proposal :-

This application seeks outline planning permission for 10 dwellings of a mix of single storey and two storey 2 and 3 bedroom properties. The land falls outside of the village envelope for Long Clawson and is considered to be an edge of village location. Access to the site is proposed directly from Melton Road and included in the proposal is traffic calming measure outside of the application site. The site is considered to be greenfield site with no presumption in favour of development and is a known site for Great Crested Newts.

The application seeks consent for the access, layout and scale only 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**
- **Impact upon residential amenities**
- **Sustainable development**
- **Drainage/flooding 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 C13: states that planning permission will not be granted if the development adversely affects a designated SSSI or NNR, local Nature Reserve or site of ecological interest, site of geological interest unless there is an overriding need for the development.

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

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

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

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

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

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)

- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

On Specific issues it advises:

Promoting sustainable transport

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

Delivering a Wide choice of High Quality Homes

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

Require Good Design

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

Conserving and Enhancing the Historic Environment

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

Conserving and enhancing the natural environment

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

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:

| Consultation reply | Assessment of Head of Regulatory Services |
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| <p>Highways Authority: No objection, subject to conditions</p> <p>These revised observations are made following</p> | <p>The application seeks outline consent for a development of ten dwellings. The matters for consideration are the access into the site, layout and scale of development. The matters relating to</p> |

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| <p>receipt of the amended site layout plan revision C. The road design does not fully meet LCC adoptable policy and therefore as submitted will not be considered for adoption.</p> <p>Off-Site Implications The proposed measures shown on the submitted plans to reduce vehicle speeds on Melton Road passing the site are generally acceptable to the Local Highway Authority and will provide a benefit to the wider community by helping reduce the speeds of vehicles on Melton Road. The scheme for traffic calming will have to be subject to a public consultation, and therefore the final detail of the scheme may change to accommodate any comments received during the consultation exercise. The applicants will have to pay the County Council's full costs in carrying out the consultation exercise and for producing any amended drawings/schemes required to overcome any concerns raised during the consultation period.</p> <p>Internal Layout The internal road layout does not fully accord to Local Highway Authority standards for adoption, and whilst this is not a reason to seek to resist the application, if the intention is for the internal road to be adopted, then the layout will need to be amended to accord to standards, such amendments to include increased traffic calming, forward visibility splays, provision of a turning head that fully accords to LHA standards. Such details could be submitted as part of any future reserved matters of full approval on the site.</p> | <p>appearance (design) and landscape would form a reserved matters application should approval be granted.</p> <p>It is proposed to take the access off Melton Road with a private drive serving the development of ten dwellings. The dwellings are a mix of single and two storey and is made up of 5 no. two beds, 4 no. three beds and 1 no. four bed properties.</p> <p>The dwellings are arranged along the southern side of the spinal road which leaves a landscaped buffer zone between the rear of the properties fronting Coronation Avenue and a turning head.</p> <p>Following a survey of traffic speeds along Melton Road the findings showed that the speeds are excessively high. Therefore off-site improvements have been proposed which involved traffic calming measures along Melton Road. The Highways Authority have no objection to the access off Melton Road and consider that the traffic calming measures would have wider community benefits but will be subject to a formal consultation.</p> <p>The spinal road in its current form is not at an adoptable standard but as a private drive it is acceptable. Each dwelling has its own parking provision and it is considered that the proposal is acceptable in transport terms.</p> |
| <p>LCC Rights of Way Officer</p> <p>No objection to the application as it should not affect the public's use and enjoyment of the Right of Way; however LCC do have the following comments to make:</p> <p>A "potential new footpath link" is shown on the plan. LCC would welcome such a link as it would provide an amenity asset for the new residents allowing more convenient access to and therefore greater use of Public Footpath G38. This, in turn, would increase travel choice and potentially reduce the number of new car journeys generated by the development. Public Footpath G38 is a village to village path linking Long Clawson to Nether Broughton and is part of a popular local, circular walk.</p> <p>If the internal road is to be considered for adoption then the new footpath link could form part of that scheme, details to be submitted as part of the reserved matters.</p> <p>Any changes to the boundary treatment currently</p> | <p>Noted. The application seeks outline consent for the access, scale and layout. It is not intended for the road to be adopted at this stage which would need changes to meet the Highway Standards however the applicant is in control of the surrounding land and can provide the link to footpath G38.</p> |

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| <p>separating the application site from the Public Right of Way, should receive approval from the Local Planning Authority in consultation with Highway Authority. LCC suggest the boundary treatment is included in a Condition requiring the developer to provide a detailed landscaping scheme as a reserved matter.</p> | |
| <p>LCC Ecology – No objection, subject to conditions securing mitigation.</p> <p>The ecology report submitted in support of the application (CBE Consulting, June 2015) is not acceptable and further consideration is required with regard to the potential impact on great crested newts (GCN).</p> <p>The GCN surveys have not been completed in accordance with the standard national methodology, as detailed within the Great Crested Newt Mitigation Guidelines (English Nature, 2001). This requires 4 surveys comprising 3 methods throughout the GCN season, with at least 2 visits between mid-April to mid-May. Whilst LCC understand that the pond was difficult to survey as it was not suitable for bottle traps, no surveys have been completed between mid-April and mid-May. Additionally the final three surveys are too close together to be confident in a negative result and the final survey comprised only 1 survey method. LCC therefore consider that the newt survey may have missed GCN that are present.</p> <p>It is considered that it is very likely that GCN are present within this pond (or are using it on occasions) on the basis of previous historic records for the site and a record from a local resident adjacent to the site which we are happy to accept due to the photograph submitted.</p> <p>LCC would therefore require a mitigation plan to be submitted with this application. The application appears to involve works to this pond and these should be factored into the mitigation. LCC are unable to scale off the proposed site layout plan, but also have concerns with the proximity of the garden of plot 1 to the pond. LCC would request a buffer of at least 15m, containing suitable habitat around a GCN Pond. It is understood that any GCN mitigation for this site would require a licence from Natural England and further surveys would be needed to support this.</p> <p>Birds</p> <p>The proposed development would have a negligible impact on the bat and bird population in the area. The development site would lose only a small area of grassland habitat of which there is an abundance in the vicinity. The proposed</p> | <p>Noted.</p> <p>The application was accompanied by a habitats survey that discovered the presence of no protected species or suitable habitats, describing the pond as having low potential because of its seasonal nature and water quality. However, representations received have reported sightings of Great Crested Newts in the pond and suggested that they link to other ponds in the residential gardens of houses in Coronation Avenue, hence the request for a mitigation scheme.</p> <p>The proposal seeks to provide net biodiversity gains through enhancements within the landscaping. A buffer zone is proposed to the south boundary which will help increase the biodiversity on the site as well as soften the visual impact of Coronation Avenue on the views from the open countryside. Additional native species will be planted in the buffer zone and within the open area of the site to the south creating an improved visual appearance when travelling towards the site on Melton Road.</p> <p>It is also proposed to provide an enhanced pond and retention basin which will assist in improving the environment for Great Crested Newts and other native species. Further biodiversity enhancements are proposed in the form of bat boxes and bird nesting boxes which will be distributed throughout the proposed landscape buffer areas within the site.</p> <p>Mitigation measures have been proposed for and a condition can be imposed to safeguard the potential onsite presence of Great Crested Newts.</p> <p>The Ecology report has been independently assessed and raises no objection from the County Council Ecologist subject to securing mitigation as proposed.</p> |

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| <p>landscaping plans also suggest that there will be a new landscaped screen creating a wildlife corridor to the south of the application site. LCC would request that, should planning permission be granted the landscaping in this area is planted and managed for biodiversity. Excluding the potential issue with the garden of plot 1 detailed above, the final layout should be in accordance with that detailed on plan 6883-03-002.</p> <p>Amended plan and Mitigation Consultation Response</p> <p>Further information has been submitted to details the mitigation proposed for protection of the GCN</p> <p>In principle, the mitigation proposed is satisfactory. However, LCC note that the pond and much of the landscaping is now outside of the application site boundary, but this will be required as GCN mitigation for the planning application. Can this be covered within a condition/agreement if permission is granted? LCC would require the following to be incorporated into planning requirements/conditions, should permission be granted:</p> <ul style="list-style-type: none"> - All landscaping must be agreed (including that outside of the red-line boundary). - recommend that the mitigation for this development also includes the enhancement of the existing pond on site. - GCN mitigation should be in accordance with the plan submitted by HSSP (6883-03-010). <p>A Note to Applicant should also be forwarded to advise the applicant on the likely requirement for an EPS licence, for which detailed surveys at the optimal time of year are likely to be required. Should the mitigation required for the EPS licence vary from that agreed within the planning system, the LPA should be contacted to establish if a variation of condition application is required.</p> <p>Ecological surveys should only be considered valid for a period of two years. Should the reserved matters or development not commence within 2 years (whichever occurs first) from the date of the survey (i.e. Spring 2017) an updated survey should be completed. Should the status of protected species change on site an updated mitigation plan will be required.</p> | |
| <p>LCC Archaeology: No objection</p> <p>The Leicestershire and Rutland Historic Environment Record (HER) notes that the sites</p> | <p>Noted. Following the initial comments from LCC Archaeology the applicants have undertaken the trial trenching as requested. The results confirmed that there was very little archaeology</p> |

lies in an area of archaeological interest, comprising the former remains of ridge and furrow earthworks, on the periphery of the historic village core, with cropmarks of uncertain date and character noted 150m to the south. A probable Roman occupation site has also been recorded to the west (c. 600m) of the development area. Given the lack of previous structured archaeological investigation and the long term pasture character of the site (aerial photographs viewed since 1969), it is not surprising that no known archaeological remains have as yet been identified within the development area itself.

In addition to foundations for the proposed dwellings, groundworks will be required for the associated access roads, services and landscaping. Where present, buried archaeological remains are likely to occur well within the depth of disturbance of the required ground works. It is probably therefore that any archaeological deposits will be significantly truncated or lost.

The preservation of archaeological remains is, of course, a “material consideration” in the determination of planning applications. The proposals include operations that may destroy any buried archaeological remains that are present, but the archaeological implications cannot be adequately assessed on the basis of the currently available information. Since it is possible that archaeological remains may be adversely affected by this proposal, we recommend that the planning authority defer determination of the application and request that the applicant complete an Archaeological Impact Assessment of the proposals.

This will require provision by the applicant for:

1. An Archaeological desk-based Assessment
2. A field evaluation, by appropriate techniques including trial trenching, if identified necessary in the assessment, to identify and locate any archaeological remains of significance, and propose suitable treatment to avoid or minimise damage by the development. Further design, civil engineering or archaeological work may then be necessary to achieve this.

Consultation response to Trial Trenching:-

The archaeological evaluation report prepared by ULAS on behalf of the developer (ULAS Rep.: 2015-159), whilst locating a quantity of medieval and post-medieval pottery recovered from the topsoil, failed to locate any significant buried archaeological remains.

interest discovered and no further works are required.

There is no objection on archaeological grounds.

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| <p>On that basis, having reviewed the application against the submitted information and the Leicestershire and Rutland Historic Environment Record (HER), LCC do not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets. LCC would therefore advise that the application warrants no further archaeological action (NPPF Section 12, para. 128-129).</p> | |
| <p>Environment Agency</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"> • a high risk to the environment • those that are able to offer significant environmental benefit. <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>The LLFA should be consulted on the management of surface water</p> | <p>Noted.</p> <p>The proposal was accompanied with a Flood Risk Assessment due to the well documented history of flooding in Long Clawson. The site is a greenfield site and therefore drainage of the surface water run off rate will have to mimic or improve upon the greenfield run of rates.</p> <p>All rooftops and the access road will require formal surface water drainage. It is proposed to make use of an attenuation system throughout the site to store water before releasing the surface water into the drainage ditch to the south of the site and then finally into the small watercourse.</p> <p>Currently, the surface water from the site flows towards Melton Rd and crosses it under a culvert linking to watercourses on the east side. It is proposed to withhold water on the site in attenuation features and when the drainage ditch reaches capacity (and therefore overland flow is expected across Melton Road), surface water from the site will be stored on site and released once overland flow has stopped. This mechanism could be achieved by the use of a flap valve on the attenuation storage system outlet set at a level just below that of Melton Road.</p> <p>The maximum discharge rate from the total attenuation will target QBAR, 5.0l/s in this case, to mitigate the impact of increased runoff volume. At the point at which the flow in the drainage ditch reaches the flow capacity of the pipe beneath Melton Road (120l/s), discharge from the site will stop until flow in the drainage ditch falls below this point again. This mitigation measure would ensure the peak flow within the drainage ditch and small watercourse in times of flood would not increase.</p> <p>Bore holes have revealed that the site is not suitable for infiltration methods due to the heavily clay. . It is recommended that an interception ditch is incorporated into the southern boundary of the site diverting surface water towards the drainage ditch passing beneath Melton Road to the south of the site. The creation</p> |

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| | <p>of new impermeable areas has the potential to increase runoff from the site. This risk will be mitigated by a strategy of attenuation, discharging water to the small watercourse via a drainage ditch to the south of the site. There is an opportunity for further betterment and water quality treatment by making use of SuDS components for storage and conveyance.</p> <p>It is concluded that the proposed development is appropriate for the flood risk and is not expected to increase the flood risk elsewhere.</p> |
| <p>Lead Local Flood Authority:</p> <p>No objection subject to conditions.</p> <p>Receiving watercourse and associated catchments (Condition) Based on the topography of the surrounding land, it is indicated that the proposed swale will intersect the natural drainage route for the adjacent field; the detailed design of this swale should demonstrate that it has sufficient capacity for both the proposed discharge from the site and the greenfield runoff from the remaining catchment. Furthermore, details and calculations should also be submitted demonstrating that the ditches to the west and east of Melton Road are suitable to accommodate the additional volume of surface water runoff from the proposed development.</p> <p>Some of the information within the submitted FRA concerns a development proposal that has somewhat changed as a result of amended plans being submitted, in particular; SuDS features and the method in which surface water runoff is conveyed to the off-site ditch. As a result of the revised proposal, the site area, including impermeable area, may have also changed. Therefore the LLFA would expect the applicant to submit details demonstrating greenfield runoff rates and proposed surface water runoff rates of the revised site plan as part of the detailed design.</p> <p>Condition recommended as follows: No development approved by this planning permission shall take place until such time as a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of at least 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</p> | <p>The application is accompanied by a Flood Risk Assessment that examines water flow and calculates the flow from drainage that the development would produce.</p> <p>It recognises that water currently crosses the site and that the land has very poor infiltration capability and therefore formal arrangements are required. It recommends a SuDS comprising an attention pond that would prevent water flowing of the site (into the system that runs through the village) at a rate any greater than at present, and calculates that this would need to be 250 m³ in capacity.</p> <p>Other recommendations are:</p> <ul style="list-style-type: none"> • Raise buildings in line with normal building practice (two brick courses above adjacent ground) and allow space for overland flow routes to pass between buildings. • Incorporate regular checks and maintenance of the pipe beneath Melton Road into the site management plan. • Create a surface water interception ditch along the southern boundary of the site to divert surface water towards the drainage ditch passing beneath Melton Road. <p>The application seeks outline consent and conditions can be imposed to ensure appropriate drainage methods are incorporated within the reserved matters application alongside proposals for their future maintenance, as recommended by the LLFA (see comments opposite).</p> |

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| <p>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 by the LPA.</p> | |
| <p>Severn Trent Water Authority: No objection subject to conditions requiring details of foul and surface water disposal.</p> | <p>Noted.</p> |
| <p>Parish Council: Objects</p> <p>The Parish Council objects to this application because of the increased flooding risk from water running off the site into substandard drainage infrastructure, joining the water which runs down Melton Road from the hill.</p> | <p>Please see comments above on drainage. Suitable drainage can prevent water from running off 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>Developer Contributions: s106</p> <p>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 £827 (to the nearest pound).</p> <p>The contribution is required in light of the proposed development and was determined by assessing which Civic Amenity Site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity facilities. The increased need would not exist but for the proposed development. The nearest Civic Amenity Site to the proposed development is located at Melton Mowbray and residents of the proposed development are likely to use this site.</p> <p>The existing Civic Amenity Site serves a large number of households, the level of the amount reflects the proportional impact of the contribution and is therefore likely to be pooled but for the particular (Melton Mowbray) Civic Amenity Site which would serve the proposed development.</p> <p>The developer contribution would be used on project reference MEL004 at the Melton Civic Amenity Site. Project MEL004 will increase the capacity of the Civic Amenity Site at Melton by:-</p> <ul style="list-style-type: none"> • New open topped containers 2015. <p>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 MEL004.</p> | <p>The County Council consider the Civic Amenity contribution is justified and necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contributions are to be used for the purpose of providing the additional capacity at the nearest Civic Amenity Site (Melton Mowbray) to the proposed development.</p> <p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>It is considered that the waste contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</p> |

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| <p>Libraries –The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.</p> <p>The proposed development on Melton Road, Long Clawson is within 8km Melton Mowbray Library on Wilton Road, being the nearest local library facility which would serve the development site. The library facilities contribution would be £300 (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 use from the proposed development.</p> <p>Education - The site falls within the catchment area of Long Clawson C of E Primary School. The School has a net capacity of 105 and 122 pupils are projected on the roll should this development proceed; a deficit of 17 pupil places (of which 14 are existing and 3 are created by this development). There are currently no pupil places at this school being funded from S106 agreements for other developments in the area.</p> <p>There are no other primary schools within a two mile walking distance of the development. A claim for an education contribution is therefore justified.</p> <p>In order to provide the additional primary school places anticipated by the proposed development the County Council would request a contribution for the Primary School sector of £29,037.62.</p> <p>This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Long Clawson C of E Primary School.</p> <p>If the school, reaches a stage that it cannot accommodate further pupils, the LEA will provide education by transporting them to others nearby where capacity exists.</p> | <p>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.</p> <p>The contributions requested for mitigation against waste and libraries are a tariffed style requests that will be ‘pooled’. Under CIL Reg. 123(3) no more than five contributions can be pooled for any singular infrastructure project. The request for improvements to the civic amenity site has been allocated to a specific project and will provide new open top containers that will increase the capacity at the site. It is therefore considered appropriate for inclusion in a S106 agreement.</p> <p>Long Clawson village school is already over capacity and this development would increase the deficit by a further 3 places. A short term solution could be a two storey modular building which could increase the net capacity by a further 30 places but S106 funding would be required.</p> <p>It is considered that the request is proportionate with the proposed development and is considered to be necessary and specific to the increase in pupils the proposal would bring and is therefore considered compliant with CIL Regulation 122. The contribution will be used to mitigate against the increase in pupils and whilst it will be pooled this is the first request of its kind for the Long Clawson School and therefore compliant with CIL Regulation 123(3)</p> |
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Representations:

Site notices were posted and neighbouring properties consulted. As a result **73 letters of objection have been received from 65 separate households** the representations are detailed below.

| Representations | Assessment of Head of Regulatory Services |
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| Impact upon the Character of the Area | It is considered that the approach to Long Clawson is currently unsightly, the rear gardens |

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| <ul style="list-style-type: none"> - The development will ruin the Melton Rd entrance to Long Clawson. It will be out of character to the village. - A green hillside view will be replaced with ‘bricks and mortar | <p>of Coronation Avenue and the houses themselves forming a somewhat ‘harsh’ village edge.</p> <p>This development would be less intense and offers to opportunity for planting which would ‘soften’ this edge and improve the appearance on this approach.</p> |
| <p>Impact upon Highway Safety:</p> <ul style="list-style-type: none"> - Traffic speeds along Melton Rd into and from Long Clawson and the new junction would add to this hazard. - Vehicles are up to 60 mph when passing Coronation Avenue - The road network could not cope with the additional traffic this development would generate - HGV’s will damage the road - Already traffic movements within the village coupled with ever increasing through traffic is potentially a serious accident waiting to happen. - The road network in the village is constrained by 90 degree bends and obstructions. Other villages have a better road infrastructure. - The proposed entrance is in a short section of Melton Rd that already has 6 entrances. As such it is dangerous. - HGV’s associated with the Dairy are often inconsiderate - traffic calming will also impede recently installed access and visibility splays | <p>Following a survey of traffic speeds along Melton Road the findings showed that the speeds are excessively high. Therefore off-site improvements have been proposed which involved traffic calming measures along Melton Road. The Highways Authority have no objection to the access off Melton Road and consider that the traffic calming measures would have wider community benefits but will be subject to formal consultation.</p> <p>Concerns about road safety travelling through the village have featured prominently in the objections received. However none has provided information regarding accidents and/or the extent of delays and, crucially, none has explained how the traffic from this proposal (bearing in mind its limited scale) will cause or exacerbate them.</p> <p>Accordingly, whilst genuinely held, it is considered that the concerns registered cannot be substantiated with evidence and as such cannot form reasons for refusal.</p> |
| <p>Impact upon residential Amenities</p> <ul style="list-style-type: none"> - Residents will be affected by noise and disturbance during construction - Loss of privacy to existing residents - the proposed development, with particular regard to public access areas, would have a dominating impact on residents and their right to quiet enjoyment of their property (with reference to Human Rights Act Protocol 1 Article1) - Loss of light and overshadowing from the 2 storey dwellings | <p>A degree of noise and disturbance is inevitable whenever building works take place. However Environmental Pollution legislation exists to ensure it is within reasonable limits.</p> <p>It is considered that the houses are sufficiently separated from those on Coronation Avenue to prevent unacceptable levels of overlooking and any overshadowing.</p> <p>The proposals does not physically infringe on properties on Coronation Avenue and as such do not affect ownership rights or those conveyed by the Human Rights Act.</p> |
| <p>Play Facilities</p> <ul style="list-style-type: none"> - There is no need for an additional play area in the village - Who would be responsible for maintenance of the play area | <p>The exiting play area in the village is some distance from this location. New sites are required to provide play facilities in close proximity, for the benefit of the new residents.</p> <p>The application is in outline seeking to establish only the principle of development at this stage. Details of future maintenance would be required at ‘reserved matters’ stage.</p> |

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| <p>Drainage</p> <ul style="list-style-type: none"> - There is an existing problem with run off from the field to the houses on Coronation Avenue, which will be worsened by this proposal. - The field floods every year and affects nos. 5, 7 and 9. - Sewerage and waste facilities cannot cope and will create a health hazard - Who is responsible for maintaining the SUDS system for ever? - Who pays for the inspection and maintenance of the SUDS system (4 inspections per year plus maintenance work)? Will this be a burden on the rate payers for ever? - Will village residents and farmers be compensated for damage caused by flooding due to lack of maintenance of the developments SUDS scheme? - Due to council reported budget cuts it is possible that the department responsible for SUDS inspections will have less money and resources for this work, is this correct? - The runoff pipe from the 7 Swales is shown crossing the Melton Road onto a neighbouring property (Mr E Greaves) then the runoff water must flow downhill and enter the watercourse that flows through the culvert at the bottom of Claxton rise which has a history of flooding. - Has this watercourse and culvert at Claxton Rise been risk assessed for an increase in flooding risk due to: 1. climate change with the new development SUDS system operating. 2. Failure of the new SUDS system due to lack of maintenance? - The 7 swales with 1m high banks are close to the play area, has a risk assessment been carried out to identify and mitigate the potential hazard to small children (risk of drowning)? | <p>The application is accompanied by a Flood Risk assessment that includes a drainage strategy, recommending flood protection and water attenuation on site.</p> <p>The Environment Agency and Lead Local Flood Authority have been consulted and raise no objections to these proposals, but recognise further work is required to develop their precise specification (by means of condition).</p> <p>As the site is mainly a greenfield site the surface water run off can be no greater than the existing runoff rate and surface water drainage will need to be provided on site. This will be conditioned and form part of the reserved matters application. The FRA submitted describes how water will be retained on the site in attenuation ponds when the culvert under Melton Rd is at capacity. This is an improvement on the current circumstances, where water has flowed across land towards the watercourses further east where there are known problems.</p> <p>The application is in outline seeking to establish only the principle of development at this stage. Details of future maintenance would be required at 'reserved matters' stage.</p> |
| <p>Impact upon Ecology/Conservation</p> <ul style="list-style-type: none"> - The site is a haven for wildlife - The results of the wildlife survey are challenged : Great Crested Newts have been seen in the pond on the site and it links to ponds nearby - The wildlife study should be independently reassessed. | <p>The Ecology surveys submitted with the proposal have been independently assessed.</p> <p>Comments regarding the presence of Great Crested Newts accord with the records held by ecological advisors and as a result a scheme for protection to safeguard the protected species has been requested, despite the findings of the survey.</p> <p>The mitigation scheme has also been independently reviewed and has found to be adequate.</p> |

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| <p>Archaeology</p> <ul style="list-style-type: none"> - The site is important ridge and furrow that will be destroyed - Development will destroy buried archaeological remains - Long Clawson is rich in archaeology, being originally a bronze age settlement | <p>The site has been investigated and ‘trial trenching’ undertaken, which has not revealed any significant archaeology.</p> |
| <p>Schooling</p> <ul style="list-style-type: none"> - The school is already up to capacity | <p>The applicant has agreed to provide funding for the expansion of the school at a scale commensurate to the development (Please see comments above from the Education Authority).</p> |
| <p>Medical Facilities</p> <ul style="list-style-type: none"> - The Surgery causes massive parking problems in surgery hours - The Surgery could not cope with the extra demand and will reduce the level of care provided to existing patients | <p>Consultation has been made with the Surgery and comments on its capacity are awaited.</p> |
| <p>Planning Policy</p> <ul style="list-style-type: none"> - The site is outside the village envelope and would protrude out into open countryside - The proposed development is outside the village envelope and contrary to the saved policies of the Melton local plan, Policy OS2, Policy H8. Policy BE1. | <p>The proposal is contrary to the local plan policy OS2 (village envelope). However, 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>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.</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>Neighbourhood and Local plan</p> <ul style="list-style-type: none"> - There is a need for a holistic plan for the development in the village before any schemes go forward, taking into account facilities, drainage and the needs of businesses - The application should not be determined until there is a Neighbourhood Plan | <p>The new Local Plan is in progress and ‘Preferred Options’ are intended for consultation this Winter. .</p> <p>The Planning Practice Guidance provides advice on the matter of prematurity (i.e. proposals coming forward whilst a plan is in development) and whether a refusal of development proposal can be justified on those grounds. The advice given is that “in the context of the Framework and in particular the presumption in favour of</p> |

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| | <p>sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:</p> <p>a) <i>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>b) <i>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 Long Clawson Neighbourhood Plan is at its very initial stage, being submitted as a proposition on 5th November 2015. It has not yet reached the stage where it is ready for submission and the subsequent rounds of formal consultation and examination.</p> <p>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.</p> |
| <p>Housing need and mix</p> <ul style="list-style-type: none"> - There is demand for bungalows and downsizing but this site is a long way from village facilities - There is no need for additional housing - There are already Council/Housing Association houses lying empty within the village. - By May 2017 when it is predicted that the new Local Plan is will be adopted (22 months time) it will be possible to show a 10 year supply of developable housing land. So in the mean time Long Clawson | <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. 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.</p> |

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| <p>is in danger of becoming a victim of opportunistic developers.</p> <ul style="list-style-type: none"> - 15% of the new homes this would be split equally between the 4 villages, this would mean proximately 200 house to be built in each of 4 villages over the next 20 years: Long Clawson will have to accept 200 new houses over the next 20 years the same as Bottesford, Asfordby and Waltham – a 36% increase in the village - The classification of Long Clawson as sustainable is flawed along with its designation in the emerging local plan as a Rural Service Centre. | <p>The emerging Local pan does not seek to allocate housing equally across the 4 rural service centres, but balance them on a basis informed by their relative sizes and past development rates.</p> <p>This application does not form part of the Local plan process.</p> |
| <p>Other Considerations</p> <ul style="list-style-type: none"> - The granting of this permission will create a precedent for further development adjacent to this proposed site. - This will also be against the wish of the vast majority, if not all, local residents and neighbours. - There has not been any pre-application consultation with the local community - The development will ruin views and result in reduced house values - Other locations have better access arrangements. | <p>Each application must be determined on its own merits and the decision on this application will have no bearing on any other.</p> <p>Noted.</p> <p>Noted, but there are no such requirements for an application of this scale. House values and private views are not material planning considerations. They are private matters, not ‘public interest’ issues with which planning decisions are concerned. The relative merits of other locations is not material to the acceptability, or otherwise, of this proposal.</p> |
| <p>Support: This development would provide an appropriate scale and location for development in a village like Long Clawson, and includes valuable traffic control measures on a main road on which the speed limit is rarely respected by drivers. This area is a residential zone with a lot of children and is currently very dangerous. I would like to see the council commit to helping the school cope with a potential increase in pupil numbers, but I feel this is a concern with or without this development. This development would enhance this part of the village and would demonstrate that, as a village, we accept our social responsibility to be open to APPROPRIATE levels of development in suitable locations.</p> | <p>Noted.</p> |

Other Material Considerations, not raised through representations:

| Consideration | Assessment of Head of Regulatory Services |
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| <p>Planning Policies and compliance with the NPPF</p> <p>The application is required to be considered against the Local Plan and other material considerations.</p> | <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</p> |

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| | <p>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>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.</p> <p>However this <u>on its own</u> is not considered to weigh in favour of approving development where harm is identified, such as being located in an unsustainable location.</p> <p>The site is a greenfield site where there is no presumption in favour of development however the harm attributed by the development are required to be considered against the benefits of allowing the development in this location.</p> <p>The provision of up to 10 dwellings, including 40% affordable units with the house types that meet the identified housing needs is considered to offer public benefit that weighs in favour of allow development in this location. The proposal due to its site characteristics is not considered to unduly adversely affect the countryside due to its siting adjacent the built up area of the village to the north which currently provides a stark contrast on approach to the village. The proposal because of the density proposed and landscaping proposals, offering net biodiversity benefits, would seek to assimilate the development and ‘soften’ the edge off the village to the benefit of the area.</p> <p>It is considered that development in this location would assist in boosting housing supply in a sustainable location.</p> <p>The land is not good grade agricultural land and is undeveloped pasture land. Planning policies seek to develop brown field sites over greenfield but does not prohibit development on greenfield.</p> |
| <p>Density and Layout</p> | <p>The proposal seeks to provide ten dwellings of a type and mix to meet the local housing needs and includes 40% Affordable Housing. The development site area is approximately 0.85 hectares with an additional 0.39 hectares being used as green infrastructure to provide the net biodiversity gains. This would allow a relative low density of around 12 dwellings per hectare which is much lower than the development elsewhere within the village.</p> <p>The layout plan shows a layout that responds to the linear form of Coronation Avenue but</p> |

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| | <p>provides a softer approach to the built edge of the village in order to respond to the edge of village location, assisted by landscaping to the south of the development.</p> <p>All matters relating to the design and appearance would require further approval in the form of the reserved matters application.</p> |
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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 of the appropriate quantity, in proportion with the development and of a type to support the local market housing needs. Long Clawson is considered to be a sustainable location having access to employment, health care facilities, primary education, local shops, and a regular bus services. It is considered that there are material considerations that weigh in favour of the application.

There are a number of other positive benefits of the scheme which include biodiversity enhancement, surface water management in the form of a sustainable drainage, developer contributions to mitigate impacts upon local services. There are also significant benefits arising from the proposed traffic calming on Melton Rd.

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, and concerns regarding traffic.

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, and the Highways Authority have identified the traffic calming as having benefit beyond that of the application itself.. The balancing issues – development of a greenfield site and traffic generation—is considered to be of limited harm due to the small scale of the proposal and the nature of the land concerned (low grade agricultural), and the absence of any landscape designation. The site benefits from a range of services in the village centre which mitigate the extent to which travel is necessary and limits journey distance, and the proposal provide potential for sympathetic design, careful landscaping and bio diversity opportunities.

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that permission can be granted.

Recommendation: PERMIT, subject to:-

- (a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:**
 - (i) Contribution for the improvement to civic amenity sites.
 - (ii) Contribution to Education
 - (iii) Contribution to travel packs
 - (iv) Contribution to maintenance of open space
 - (v) Sustainable transportation
 - (vi) 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 type and size of dwellings that will meet the area's local market housing need.
4. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
6. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
7. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority. It should be noted that some of the proposed buildings are located within the updated Flood Map for Surface Water (see attached), as such the a suitable risk assessment with mitigation measures should be undertaken to ensure that there is no risk to the development or increased risk to adjacent land. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to help improve water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off onsite up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

8. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use
9. The development shall be carried out in accordance with the mitigation plan for protection of Great Crested Newts (HSSP (6883-03-010) submitted as part of this application.
(NB: an EPS licence is likely to be required, for which detailed surveys at the optimal time of year are likely to be required. Should the mitigation required for the EPS licence vary from that agreed within the planning system, the LPA should be contacted to establish if a variation of condition application is required).
10. Development shall not begin until details of design for off-site highway works being the traffic calming and gateway treatment have been approved in writing by the local planning authority; and no

dwelling within the development dwelling shall be occupied until that scheme has been constructed in accordance with the approved details.

11. 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 20 metres behind the highway boundary and shall be hung so as not to open outwards.
12. 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 and lining (including that for cycleways and shared use footway/cycleways) and visibility splays and be submitted for approval by the local Planning Authority in consultation with the Highway Authority before development commences.
Note: Attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development.
13. No walls, planting or fences shall be erected or allowed to grow on the front boundary of each property exceeding 0.6 metres in height above the level of the adjacent carriageway.
14. The gradient of the access drive(s) shall not exceed 1:12 for the first 5 metres behind the highway boundary.
15. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway including private access drives, and thereafter shall be so maintained.
16. 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. The turning area so provided shall not be obstructed and shall thereafter be permanently so maintained.
17. Before first use of the development hereby permitted, a footway shall be completed to the satisfaction of the Highway Authority from existing footways on Melton Road just to the north of the site to the point of the new access as shown generally on the submitted plans, including the provision of a pedestrian crossing point over the new access road.
18. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
19. Before the development commences, details of the routing of construction traffic shall be submitted to and approved by the Local Planning Authority (LPA) in consultation with the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.
20. 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.
21. Before first occupation of any dwelling hereby permitted, the proposed access road serving the site from Melton Road shall have been surfaced in tarmac, concrete or similar hard bound material (not loose aggregate) for a distance of at least 20 metres behind the highway boundary and shall be so maintained at all times.
22. Before first occupation of any dwelling, its access drive/parking space shall be surfaced with tarmac, concrete or similar hard bound material (not loose aggregate) for a distance of at least its first 7 metres behind the back edge of carriageway fronting the property.

23. Before first occupation of any dwelling, minimum of 1.0 metre by 1.0 metre pedestrian visibility splays shall be provided on both sides of its access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway in accordance with the current standards of the Highway Authority and shall be so maintained in perpetuity.
24. The shared access road serving the development shall be a minimum of 4.8 metres wide for at least the first 20 metres behind the highway boundary and have a drop crossing of a minimum size as shown in Figure DG20 of the 6CsDG at its junction with the adopted road carriageway. The access drive shall be provided before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained.

NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

Reasons:

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To ensure that the housing needs of the borough are met.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
5. To provide a reasonable period for the replacement of any planting.
6. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
7. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
8. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site, and ensuring that there is no increase to flood risk as a result of this development.
9. In the interest of safeguarding protected species.
10. In the interests of highway safety.
11. 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.
12. To ensure a satisfactory form of development and in the interests of highway safety.
13. To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.
14. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.
15. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to highway users.
16. To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.

17. The highway fronting the site has no separate facility for pedestrians and the proposal would lead to an increase in pedestrian movement along the highway. The footway is therefore required for the safety of pedestrians.
18. To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
19. To ensure that construction traffic associated with the development does not use unsatisfactory roads to and from the site.
20. 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.
21. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)
22. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc)
23. In the interests of pedestrian safety.
24. To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway.

Officer to contact: **Mrs Denise Knipe**

Date: