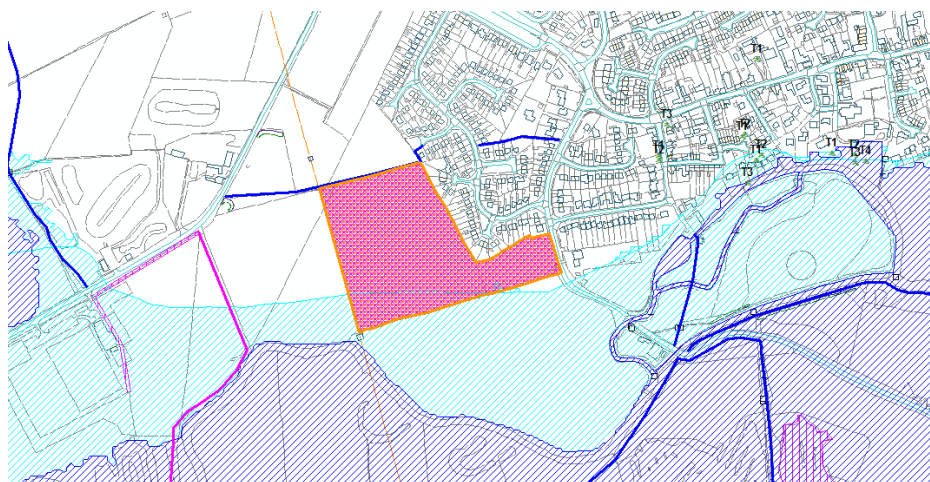


Reference: 16/00373/REM
Date submitted: 20.06.16
Applicant: Davidsons Developments Ltd
Location: Field Number 0070, Station Road, Asfordby
Proposal: Proposed residential development for 100 no. units including all matters relating to appearance, layout and scale



Proposal :-

In May 2016 outline planning permission was granted for residential development of up to 100 dwellings and associated infrastructure, with all matters reserved except access. **This application seeks permission for the details of that development. These include the design and appearance of 60 market dwellings , 40 affordable dwellings and associated layout . Landscaping has not been submitted for approval at this stage.**

The site is land falling outside of the village envelope for Asfordby. It consists of two parcels of land which are considered to be greenfield land, not having been previously developed. The first of the fields accessed from Station Lane contains ancient ridge and furrow whilst the other is an arable field.

Amended plans have been submitted which :

- Replace 8 of the houses with 8 bungalows (4 market and 4 affordable)
- Propose that the LEAP (Local Equipped Area of Play – larger play area with a range of equipment) in the existing adjacent play area is upgraded, rather than being provided on site – this amendment would require a clause in the section 106 to be changed
- Provide detailed highways design details

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

- **Compliance or otherwise with the Development Plan**
- **The layout and design of the development**
- **Impact upon residential amenities**
- **Road safety and transportation**
- **Provision of suitable housing mix**

The application is required to be presented to the Committee due to the level of public interest and the need to amend the section 106 agreement .

History:-

14/00980/OUT Outline planning permission for residential development (up to 100 dwellings) and associated infrastructure ,with all matters except access reserved for subsequent approval 03.05.16

Planning Policies:-

Melton Local Plan (saved policies):

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

Policy 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 H11: requires developments of 15 or more dwellings to make provision for playing space in accordance with standards contained in Appendix 6 (requires developments of 15 or more dwellings to include a LAP within 1 minute walk (60m straight line distance) of dwellings on the site and extend to a minimum area of 400 sq m.

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.

Policy BE11 – Planning permission will only be granted for development which would have a detrimental effect on archaeological remains of county or district significance if the importance of the development outweighs the local value of the remains. If planning permission is given for the development which would affect remains of county or district significance, conditions will be imposed to ensure that the remains are properly recorded and evaluated and, where practicable, preserved.

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It 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

- all developments that generate significant amounts of movement to be supported by a Transport Assessment or Statement; development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.
- Developments that generate significant movements are located where the need to travel will be minimised and use of sustainable transport modes can be maximised.

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

- Contribute to and enhance the natural and local environment.
- Aim to conserve and enhance biodiversity

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

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>LCC Highways – Highways & Transportation – raised concerns about details of the layout and requested that they be addressed by the submission of an amended plan.</p>	<p>The Highway Authority was concerned about some aspects of the detailed layout. These were the size of speed tables; internal footway design; details of turning heads; the location of some of the parking spaces; bend widths and the gradients of internal roads.</p> <p>The applicants have submitted amended plans which address all of these points and the final comments of the Highway Authority will be reported at the Committee.</p> <p>It should be noted the details of the site access from Station Road were approved with the principle of development and the Highway Authority’s comments only relate to the internal road layout.</p>
<p>LCC Access Officer, Rights of Way</p> <p>No comments on the detailed layout</p>	<p>The proposal will provide connectivity through and within the site to the existing public rights of way; Public Footpath H36 and Public Bridleway H37 which are in the vicinity of the site.</p>
<p>LCC Ecology</p> <p>Pleased that layout provides ecological buffers and note that request for a management scheme is still relevant .</p> <p>Latest ecology survey in 2014 needs updating to ensure that mitigation is still appropriate.</p>	<p>Noted – addressed by condition in outline planning permission.</p>
<p>LCC Archaeology</p> <p>Applicant must comply with archaeological condition attached to outline planning permission .</p>	<p>Noted – addressed by conditions in outline planning permission.</p>
<p>Severn Trent Water Authority</p> <p>No objections subject to compliance with outline conditions .</p>	<p>Noted - addressed by condition in outline planning permission.</p>
<p>Lead Local Flood Authority</p> <p>Acceptable if advice about development phasing is applied alongside condition 11 of the outline planning permission .</p>	<p>The LLFA seek to ensure that surface water drainage is managed during the construction of development . This can be addressed when details are submitted to discharge condition 11 (surface water drainage scheme) .</p>
<p>Developer Contributions and Section106</p> <p>The applicants have considered the requests of the Parish Council and want to support them</p>	<p>When the outline application was being determined the applicants suggested that it would</p>

<p>wherever possible. They propose that the on-site LEAP should be removed and that they pay an off-site play space contribution of £18,000 towards facilities at Glendon Close and/or Jubilee Park. The LAP (Local Area of Play – smaller play area with no equipment) and other open space would remain on the site.</p> <p>The current Section 106 Agreement would have to be amended to reflect this change .</p> <p>The CCG (NHS) have requested a contribution of £61,817 to provide additional car parking at the Asfordby branch surgery site.</p>	<p>be logical if the play area at Glendon Close, which abuts the northern boundary of the site, was improve, rather than provide a new LEAP on the application site. At that time the Parish Council stated that they would prefer to see a LEAP on the application site. The permission was granted on that basis.</p> <p>After further consideration the Parish Council state that they would now prefer the contribution to be used to upgrade the LEAP on Glendon Close. This adjoins the application site and would be an acceptable way of providing this facility in this case. The layout indicates that this would be integrated in to the proposed and existing pedestrian routes, including the public footpath ,which cross and run alongside the application site.</p> <p>It is noted that the smaller LAP would continue to be provided on the application site.</p> <p>No objection to proposed minor amendment to the section 106 Agreement.</p> <p>The CCG have been advised that this request should have been made when the substantive planning application was being considered . This application only relates to the details .They have recently initiated new procedures for commenting on planning applications and accept that on this occasion this request can not be considered.</p>
<p>Asfordby Parish Council</p> <p>No consideration given to the needs of Asfordby Parish or the Neighbourhood Plan – -request for 30% affordable housing ; 12% bungalows and adequate separation from Klondyke Way.</p> <p>No dialogue with Parish Council</p> <p>No consideration of traffic flow report dated 14th February 2014; need for provision of footpaths and safety concerns about heavy vehicles.</p> <p>Requests for improvements to infrastructure have been ignored in the Section 106 which has been agreed . Request differs from that at the outline stage and is:</p> <ul style="list-style-type: none"> • £8,000 to LEAP on Grendon Close • £10,000 for external adult well-being facility on Jubilee Park • £20,000 to provide all weather parking at Hoby Road allotments • £5,000 for electronic speed indicating 	<p>This application is for the reserved matters of an outline planning permission .It is not an opportunity to re-visit the principle of the decision; it is only to consider the merits of the specific details which have been submitted at this stage.</p> <p>All highways matters were satisfactorily resolved when outline planning permission was granted.</p> <p>In summary, and as stated by the Parish Council, these requests only differ slightly from the original request for contributions which was made when the outline application was determined by this committee. At that time it was considered that the requests were not ' CIL compliant ' . That position has not changed,</p>

<p>device.</p> <p>Various highway improvements - traffic light controls on either side of the two bridges on Station Lane; hard kerbs at vulnerable points and straighten blind bend leading to the two bridges.</p> <p>Suggest that this would be funded by reducing affordable housing to 30%,only providing one new bus shelter and not providing the LEAP on site.</p>	<p>All highways matters were satisfactorily resolved when outline planning permission was granted.</p> <p>Noted , but in accordance with the outline permission and to ensure that local needs are met it is recommended that the percentage of affordable housing is not reduced.</p>
--	--

Representations:

Site notices were posted and neighbouring properties consulted. As a result **letters of objection have been received from 5 separate addresses**, the representations are detailed below.

These comments all relate to the original application .The consultation period for the amended plans expires on 28th November 2016. Any additional comments will be reported to the committee.

Representations	Assessment of Head of Regulatory Services
<p>Traffic generation and road safety</p> <p>The site will generate additional traffic which the bridge on Station Lane will be unable to accommodate.</p>	<p>The principle of development, together with associated traffic generation, the detailed design of the vehicular access and the capacity of the local road network have already been considered in the determination of the outline planning application .</p>
<p>Layout</p> <p>There are too many dwellings on the site .</p>	<p>The outline planning permission relates to up to 100 dwellings; the details show 100 dwellings.</p> <p>Adequate open space and landscaping would be provided .</p>
<p>Residential Amenity</p> <p>The development would result in a loss of privacy for neighbours.</p> <p>There would be overlooking and loss of light.</p> <p>The development would produce increased light pollution and create disturbance from traffic and noise from general increased activity .</p> <p>Loss of views and outlook.</p> <p>Request a buffer to provide privacy .</p>	<p>The development will change the outlook of neighbours and there will be some additional activity on the site . But back to back distances should ensure that loss of privacy remains within acceptable standards..</p> <p>The layout includes a substantial planted buffer on the boundary with existing development .In addition ,the amended plans include the following:</p> <ul style="list-style-type: none"> - Bungalows have replaced houses on eight of the plots backing onto part of Klondyke Way ,which will help to minimise the impact of the development. - The northern gable of plot 6 is shown as blank to address part of the specific concerns of a neighbour on South View. <p>The layout shows acceptable standards of amenity space and privacy for residents of the</p>

	new dwellings.
<p>Other Matters</p> <p>The drainage of the site is unsatisfactory .</p> <p>The layout should respect the line of the permissive footpath which crosses the site. Boundary treatment</p>	<p>Technical infrastructure such as drainage must meet the requirements of the relevant statutory undertaker. That infrastructure has been designed in accordance with those specifications and improvements will be provided where necessary .</p> <p>The layout does not formally define or demark this route which cuts across the north-western corner of the site . It is across a public open space and can continue to be used. Other informal paths are proposed, as well as links to public rights of way.</p>

Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<p>Planning Policy</p> <p>The site lies outside the designated village envelope for Asfordby It is within open countryside abutting the boundary of the village envelope.</p> <p>Asfordby Neighbourhood Plan and the Melton Local Plan</p> <p>The Asfordby NP contains policies specifically for this site and also for housing mix and affordable housing provision The site specific policy is as follows:</p> <ul style="list-style-type: none"> • A around 12% of the new homes should be bungalows. These should be located so as to reduce the impact of development on existing properties on Klondyke Way; • the development shall provide mainly for family housing; • Existing footpaths shall be retained and new links, including cycleways, created: <ul style="list-style-type: none"> i) between the development and the Glendon Close recreational area; ii) between the development and the Hoby Road allotments and wildflower meadow; iii) alongside the River Wreake between part footpath/part bridleway H37 and Station Lane. • a landscaping scheme should be implemented to provide for an improvement in biodiversity and include: <ul style="list-style-type: none"> i) the retention of important ponds, trees and hedgerows; ii) additional planting along the boundary of 	<p>The principle of the development has been accepted by the outline planning permission which was granted in 2015. There has been no material change in policy or circumstances since that decision.</p> <p>The only matters to be considered at this stage are the appearance, layout and scale of residential development.</p> <p>These are both at a more advanced stage than when the application for outline planning permission was considered in 2015 and as such attract more weight. However, that permission established the principle of development. This application is only considering the details of that permission and is not re-assessing the principle.</p> <p>The Asfordby NP has now been submitted to the Local Planning Authority and is out to consultation. The amended plans go a significant way to meeting the policy though is not completely in compliance. In view of the current status of the Neighbourhood Plan it is considered that the level of compliance is acceptable.</p> <p>On both housing mix and the provision of affordable housing, there is more up to date information relating to need (the NP itself recognises a need for this to be kept under review (Policy A17) which is considered to be a better guide for assessment of these aspects. These are addressed in greater detail below.</p> <p>The Melton Local Plan proposes to allocate this site for housing of the quantity proposed and as such is a consideration that weighs in favour of</p>

<p>the site with properties on Klondyke Way, to protect the amenities of existing residents;</p> <p>iii) planting along the southern boundary of the site to provide a soft, landscaped edge to the southern entrance to Asfordby Village;</p> <p>iv) an appropriately designed, constructed and maintained sustainable drainage system.</p> <ul style="list-style-type: none"> Land to the south of the development, bounded by Station Lane and the River Wreake, shall be laid out and made available for informal recreation. 	<p>the proposal, but is also limited due to its stage of advancement.</p>																														
<p>Housing Mix</p> <p>The Melton Housing Needs Study –August 2016</p> <p>The study provides us with informed analysis of the housing needs of the borough at a detailed ward level. It will be used as part of the evidence base for the Local Plan and as a basis to provide the housing consultation comments for planning applications and as a material consideration in determining planning applications for relevant development.</p> <p>The study builds on existing research (particularly the 2014 Strategic Housing Market Assessment (SHMA)) and seeks to provide additional information at detailed ward level, rather than repeating or updating information already available to the Council .</p> <p>The tables below indicate the mix of dwellings which are proposed on this site compared with the estimated need for market and affordable housing in Asfordby.</p> <p>Table 1 – Market Housing</p> <table border="1" data-bbox="240 1391 780 1615"> <thead> <tr> <th>Size of dwllg</th> <th>Mix on this site</th> <th>Estimated need – Asfordby</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>None</td> <td>2%</td> </tr> <tr> <td>2 bed</td> <td>23%</td> <td>36%</td> </tr> <tr> <td>3 bed</td> <td>52%</td> <td>54%</td> </tr> <tr> <td>4 bed</td> <td>25%</td> <td>8%</td> </tr> </tbody> </table> <p>Table 2 – Affordable Housing</p> <table border="1" data-bbox="240 1675 780 1899"> <thead> <tr> <th>Size of dwllg</th> <th>Mix on this site</th> <th>Estimated need – Asfordby</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>None</td> <td>30%</td> </tr> <tr> <td>2 bed</td> <td>55%</td> <td>51%</td> </tr> <tr> <td>3 bed</td> <td>45%</td> <td>18.4%</td> </tr> <tr> <td>4 bed</td> <td>None</td> <td>0.6%</td> </tr> </tbody> </table> <p>Paragraph 50 of the National Planning Policy Framework states that we should plan for a supply of housing that meets the needs of our population, both now and moving into the future. The development of this site would provide an</p>	Size of dwllg	Mix on this site	Estimated need – Asfordby	1 bed	None	2%	2 bed	23%	36%	3 bed	52%	54%	4 bed	25%	8%	Size of dwllg	Mix on this site	Estimated need – Asfordby	1 bed	None	30%	2 bed	55%	51%	3 bed	45%	18.4%	4 bed	None	0.6%	<p>The 60 market houses are a mixture of house types and sizes. There are 2, 3 and 4 bedroom terraced, semi-detached and detached houses . There are also four semi-detached 2 bedroom bungalows. Table 1 (opposite) indicates the extent to which this meets the identified need for market dwellings in Asfordby .</p> <p>The provision of bungalows is material consideration in the determination of this development.</p> <p>The Melton Housing Needs Study –August 2016 analysed older persons housing needs. It highlights the need for housing to meet the requirements of an ageing population in the Borough. It considered specialist accommodation, such as care homes, as well as the contribution that bungalows make to meeting the needs of older persons. There is demand for bungalows to be part of new developments, but often they are not delivered due to viability and the larger site area which is generally required for these dwellings</p> <p>Bungalows provide flexible, single level accommodation which is well suited, but not exclusively so, to older persons and downsizers.</p> <p>When compared to the estimated need (see Table 1) this development is underproviding 2 bedroom dwellings and overproviding 4 bedroom dwellings. However, that must be balanced against the contribution that bungalows make to the mix.</p> <p>It is considered that, whilst not a perfect match of the identified need, the market housing provides a good mix and significant provision is some of the categories where needs are greatest, and as such is considered to be acceptable.</p>
Size of dwllg	Mix on this site	Estimated need – Asfordby																													
1 bed	None	2%																													
2 bed	23%	36%																													
3 bed	52%	54%																													
4 bed	25%	8%																													
Size of dwllg	Mix on this site	Estimated need – Asfordby																													
1 bed	None	30%																													
2 bed	55%	51%																													
3 bed	45%	18.4%																													
4 bed	None	0.6%																													

<p>opportunity to meet identified local need.</p> <p>Affordable Housing: This application offers a 40% affordable housing contribution.</p>	<p>Saved policy H7 of the Melton Local Plan requires affordable provision ‘on the basis of need’ and this is currently 40%. This proportion has been calculated under the same processes and procedures which have previously set the threshold and contribution requirements for affordable housing within the Melton Borough.</p> <p>The submitted layout indicates the provision of 40 affordable dwellings, which is 40% of the total number of dwellings on the site.</p> <p>The affordable housing is a mixture of 2 and 3 bedroom terraced and semi-detached houses and four semi-detached 2 bedroom bungalows.</p> <p>When compared to the estimated need (see Table 2) this development is underproviding 1 bedroom dwellings and overproviding 3 bedroom dwellings. However, that must be balanced against the contribution that bungalows make to the mix.</p> <p>The need for bungalows and flexible accommodation, especially for older persons, is equally important in the affordable housing sector.</p> <p>The developers had offered to provide more bungalows, but due to viability this would have resulted in a reduction of affordable being from 40% to 30%.</p> <p>It is considered preferable to maximise the percentage of affordable housing with a reasonable number of bungalows, with some compromises in other areas to provide a reasonable mix of market and affordable housing.</p>
--	--

Conclusion

Outline planning permission was granted on the basis that the advantages were judged to outweigh the disadvantages, particularly the contribution that the development would make to housing supply, both in the market and affordable sectors.

This development brings forward a reasonable mixture of housing which would contribute to identified needs and provides the full 40% of affordable housing.

The detailed layout shows a well designed development laid out with separate groups of dwellings, many of which take advantage of views over landscaped or public spaces. The landscaped areas incorporate SUDS schemes and areas of buffer planting . The amendment to add bungalows has improved the mix of dwellings and will help to reduce the impact upon neighbours. There is space around the site to sustain wildlife habitats and provide good levels of privacy and amenity for neighbours and the occupiers of the new dwellings.

It is recommended that the submitted details should be approved.

Recommendation: RESERVED MATTERS APPROVAL subject to:

**A. Completion of an amendment to the Section 106 Agreement for off-site play area contribution
B. the following conditions:**

1. The proposed development shall be carried out strictly in accordance with the following drawings:
 - i. Revised Site Layout J77 PO3 Revision D
 - ii. All Proposed House and Garage Types received 27th May 2016
 - iii. All Proposed Bungalow Types shown on drawings J77 P36 and J77 P37
2. Notwithstanding the details submitted, the proposed access road serving the site shall be designed and constructed in accordance with Leicestershire County Council standards for adoption, as contained in its design guidance "6Cs Guide" (Htd) at www.leics.gov.uk/htd.
3. 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 before development commences.
 - a. Note: Your attention is drawn to the requirement contained in the Highways Authority's current design guide to provide Traffic Calming measures within the new development.
4. Before first occupation of any dwelling within the site, a footway shall have been provided to the satisfaction of the Highway Authority from existing footways on Station Lane to the point of the new access to serving the site off Station Lane.
5. For the period of the construction of the development within the site, vehicle wheel cleansing facilities shall be provided within the site and all vehicles exiting the site shall have all tyres and wheels cleaned, as may be necessary, before entering the highway, unless another method has been agreed in writing with the Local Planning Authority, which will ensure that Station Road is kept clean of deleterious material.
6. Before the development commences, details of the routing of construction traffic shall be submitted to and approved by the Local Planning Authority together with measures that the developer will take to ensure compliance with the approved route by contractors, including the nature and circumstances for the use of enforcement penalties if necessary. During the period of construction, the developer shall advise all contractors and suppliers of the agreed route for construction vehicles of particular sizes, and to erect signage to direct vehicles exiting from the site
7. For the period of the construction of the development, vehicle parking facilities shall be provided within the site and all vehicles associated with the development shall be parked within the site.

The reasons for the conditions are:

1. For the avoidance of doubt
2. To ensure adequate visibility at the access junction
3. To ensure that the highways are constructed to an acceptable standard.
4. In the interests of pedestrian safety.
5. In the interests of the safety of road users

6. In the interests of the safety of road users and the amenity of neighbours.
7. In the interests of highway safety and the amenity of neighbours.

Officer to contact: **Mr P Reid**

Date: 18th November 2016