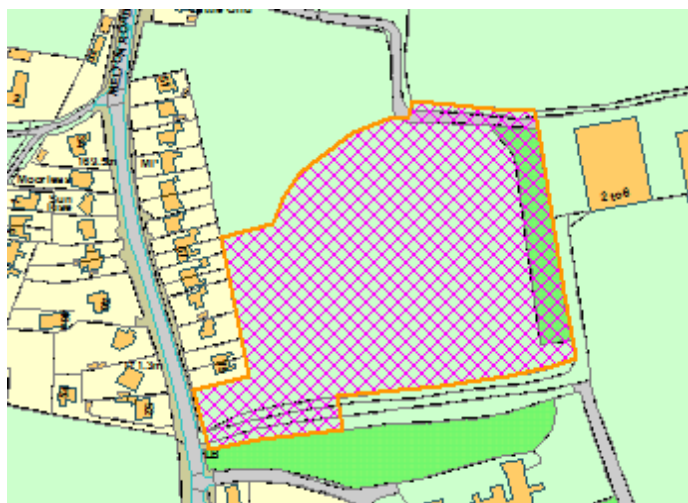


Reference: 16/00847/OUT
Date submitted: 11.11.2016
Applicant: K & A Watchorn & Sons - Mr M Watchorn
Location: Fair Farm, 33 Melton Road, Waltham On The Wolds
Proposal: Residential development of up to 60 new dwellings, together with new areas of public open space, landscaping, access and drainage infrastructure.



Proposal :-

This application seeks **outline planning permission for up to 60 dwellings** (including 22 affordable: 37%). The site is approximately 2.9 hectares and lies outside of the village envelope for Waltham on the Wolds. Residential properties lie to the west and an open field with outline planning permission for up to 45 dwellings (15/01011/OUT) lies to the north. To the east of the site is Fairfield Industrial Park and Waltham Hall Nursing Home lies to the south. The proposal incorporates a new vehicular access via an upgrade to the existing Fairfield Industrial Estate access on Melton Road. The site is considered to be greenfield site with no presumption in favour of development

The application is in outline with all matters reserved

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

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area**
- **Impact upon residential amenities**
- **Sustainable development**
- **Traffic and access issues**

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

History:-

There is no history relevant to this site however, phase 1 of this development which lies directly to the north of the site was granted planning permission:-

15/01011/OUT - Residential development of up to 45 new dwellings, together with new areas of public open space, access, landscaping and drainage infrastructure – Permit with a S106 on 18.07.16.

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 H11: planning permission will not be granted for residential development of 15 or more dwellings unless it makes provision for playing space in accordance with the Councils standards at Appendix 6 of this Local Plan (on developments of 50 or more dwellings, every dwelling must be within a 5 minutes walk (240m straight line distance) of a LEAP (Local Equipped Area for Play).

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

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

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

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

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

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

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside

- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

On Specific issues it advises:

Promoting sustainable transport

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

Delivering a Wide choice of High Quality Homes

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

Require Good Design

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

Conserving and enhancing the natural environment

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

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

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: No objection. The residual cumulative impacts of development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF, subject to the Conditions and Contributions as outlined in this report.</p> <p><u>Site Access</u> The site access is proposed off an existing business park access, which connects to the A607 Melton Road. As the access is not to be considered at this</p>	<p>This is an outline application for a residential development of up to 60 dwellings, with all matters including access reserved at this stage.</p> <p>Whilst access is reserved at this stage, the location of proposed points of access have been identified. A point of access onto Melton Road is gained via the existing access to Fairfields Industrial Estate, along with a second point of access to the north into the adjacent scheme (15/01011/OUT).</p>

<p>stage it has not been checked in detail, however appropriate visibility splays can be achieved.</p> <p><u>Off-Site Implications</u></p> <p>The submitted TRICS data is considered to be acceptable. Trip generation has been based on the Phase 1 application which was considered acceptable. Should the phase 1 and 2 developments be linked via appropriately designed routes, the CHA is also satisfied that both accesses could cater for the overall development traffic.</p> <p><u>Internal Layout</u></p> <p>As the internal layout is not to be determined as part of this application, the residential road layout and parking arrangements have not been checked in detail. The road layouts shown on the submitted illustrative layout however would not conform to an adoptable standard.</p> <p>It is noted that the submitted illustrative masterplan, which includes the layout for both Phase 1 and Phase 2 shows a 'through route' connecting the two sites and both access points. While the CHA would not resist the sites being linked as this is likely to distribute traffic between the two accesses, the following two points would need to be addressed should an internal road layout including a through route be put forwards for adoption:</p> <ol style="list-style-type: none"> 1. The access road to phase 1 would need to be widened in order for the access to cater for the additional traffic generated by the Phase 2 development. 2. An appropriate section of the existing business park access would need to be adopted. <p>Should both points not be achievable, the CHA advises the applicants to sever the through route between the phase 1 and 2 sites.</p> <p><u>Transport Sustainability</u></p> <p>Waltham on the Wolds is considered to be a sustainable location in transport terms and supports a village shop, school, church, village hall, doctor's surgery and pub.</p> <p>Bus service no. 8, which is an hourly service Monday – Saturday between Loughborough, Melton and Grantham, runs past the site along Melton Road with bus stops within a 400m walk from the site.</p>	<p>There are considered to be no grounds to resist permission based on highways issues subject to the suggested conditions.</p>
<p>LCC Rights of Way Officer</p> <p>Public Footpath F1 runs diagonally across the site from Melton Road. Welcome the indication that the Public Footpath will be accommodated on its existing line within the development.</p> <p>No objection to the application subject to a</p>	<p>Noted. The application seeks outline consent and the layout is not yet developed.</p> <p>However it is evident that the site is capable of development incorporating the footpaths with the appropriate treatment as advised opposite.</p>

<p>condition requiring a scheme for the treatment of the Public Footpath to be submitted and approved. The following is expected in line with this condition:-</p> <ul style="list-style-type: none"> - Footpath F1 should be provided with a 2m wide tarmaced surface with a minimum of 1m wide verges on either side. - The existing stile at Melton Road becomes redundant and should be removed. - Safety measures in place during construction 	
<p>LCC Ecology – No objection, subject to conditions securing mitigation.</p> <p>The updated survey (FPCR, September 2016) confirms the results of the earlier survey on the site.</p> <p>The application site appears to comprise improved grassland, with existing buffer planting to the eastern edge of the site. Great Crested Newts were recorded in ponds nearby, with evidence of a small breeding population recorded. The proposed mitigation for GCN is proportionate to the findings and would request that, should planning permission be granted, the applicant is required to follow these recommendations as a condition of the development.</p> <p>The bat surveys indicate that the site is used by bats, with the majority of the bat activity being present to the north of the application site. We are also satisfied with the proposed bat mitigation, and would request that the proposed layout is adjusted to retain a buffer between the development and the boundary at the east of the site.</p> <p>Consideration should also be given to enhancing the biodiversity value of the site throughout the development. All new boundary hedgerows are to be planted with locally native species (particularly those immediately adjacent to the countryside). Native, species-rich, planting should also be included in the proposed water attenuation area.</p>	<p>Mitigation measures have been proposed for newts and bats and a condition can be imposed to safeguard the potential onsite presence of Great Crested Newts.</p> <p>The Ecology report has been independently assessed and raises no objection from the County Council Ecologist, subject to mitigation as proposed.</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</p>	<p>Noted.</p> <p>The proposal was accompanied with a Flood Risk Assessment which did not highlight any known risks</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>under either of the above categories, and therefore do not wish to comment further on these proposals.</p>	
<p>Lead Local Flood Authority:</p> <p>No objection subject to the following conditions:</p> <ol style="list-style-type: none"> 1. 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. 2. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority. 3. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority. 4. A detailed ground investigation and permeability testing shall be provided as part of the first Reserved Matters application. The information shall be approved by the Local planning authority prior to or as part of any determination on the layout or detailed drainage design to ensure that the possibility of infiltration drainage has been thoroughly assessed. 	<p>The application is accompanied by a Flood Risk Assessment (FRA). The FRA concludes that the site is not vulnerable to flooding and is in ‘flood zone 1’.</p> <p>The Drainage proposals shown on the Illustrative masterplan are based upon Sustainable Urban Drainage (SUDS) principles and as such satisfy the requirements of the Framework to create sustainable development and not contribute to flooding.</p> <p>The application seeks outline consent and conditions can be imposed to ensure appropriate drainage methods are incorporated within the reserved matters application. Details of future maintenance also needed.</p>
<p>Parish Council: no comments received to date</p>	<p>Any comments received will be reported.</p>
<p>Developer Contributions: s106</p> <p>Highways:</p> <p>To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:</p> <ul style="list-style-type: none"> • Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). • 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be 	<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 transport contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</p>

<p>supplied through LCC at (average) £360.00 per pass).</p> <ul style="list-style-type: none"> • New/Improvements to 1 nearest bus stops (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263.00 per stop. • Information display cases at 1 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120.00 per display. • Bus shelters at 2 nearest bus stops; to provide high quality and attractive public transport facilities to encourage modal shift. At £4908 per shelter. • A contribution of £30,000 towards a scheme to reduce vehicle speeds and improve pedestrian crossing facilities on the A607 within the vicinity of Waltham on the Wolds Primary School. <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 £4960 (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 developer contribution would be used on project reference at the Melton Civic Amenity Site. Project MEL010 will increase the capacity of the Civic Amenity Site at Melton by:-</p> <ul style="list-style-type: none"> • Mobile plant compaction attachment to compact waste stored in open topped containers to increase the sites capacity. <p>There are two 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 MEL010.</p> <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>It is considered that the Civic Amenity and Library contributions are 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 and Library(Melton Mowbray) to the proposed development.</p> <p>The request for improvements to the civic amenity site and libraries have been allocated to specific projects that will increase capacity at the facilities commensurate to the scale of this development, There are not 5 other contributions for these projects and it is therefore considered appropriate for inclusion in a S106 agreement.</p> <p>It is considered that the waste and library 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>The proposed development on Melton Rd, Waltham on the Wolds is within 7km of Melton Mowbray Library on Wilton Rd being the nearest local library facility which would serve the development site. The library facilities contribution would be £1,810 (rounded to the nearest £10).</p> <p>It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for audio visual materials i.e. dvd's, talking books, etc. to account for additional use from the proposed development. It will be placed under project no. MEL004. There are currently four other obligations under MEL004 that have been submitted for approval.</p> <p>Education – The site falls within the catchment area of Waltham on the Wolds C of E Primary School. The School has a net capacity of 100 and 111 pupils are projected on the roll should this development proceed; a deficit of 11 pupil places after taking into account 15 pupils generated by this development. There are currently no pupil places at this school being funded from S106 agreements for other developments in the area. There are no other primary schools within a two mile walking distance of the development. The 15 pupil places generated by this development can therefore be partly accommodated at nearby schools but a claim for an education contribution of 11 pupil places in the primary sector is justified. 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 £133,089.11. This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Waltham on the Wolds C of E Primary School.</p> <p>This site falls within the catchment area of Bottesford Belvoir high School. The School has a surplus of 79 places, including accounting for this development.</p> <p>The site falls within the catchment area of Melton Vale Post 16 Centre. The College has a surplus of 188 pupil places, including accounting for this development.</p>	<p>The method of calculating Section 106 education contributions is based on the net capacity of the catchment school and the availability of places at any other primary school within a 2 mile available walking route of the development.</p> <p>It is considered that the education contribution relates appropriately to the development in terms of its nature and scale, and as such is an appropriate matter for an agreement and complies with CIL Reg. 122.</p>
<p>LCC Archaeology</p> <p>No objection subject to conditions The Leicestershire and Rutland Historic</p>	

Environment Record (HER) notes that the site lies outside and to the south of the medieval and post-medieval historic settlement core of Waltham on the Wolds (HER ref. MLE9114). The field in question contains well preserved earthworks ('ridge and furrow') of the former open field system, with perhaps as many as three separate furlongs coinciding within the development area. Two probable headland ridges, define the northern and southern site boundaries. In the event that permission for the current scheme is granted, provision for the recording of these well preserved earthwork remains in advance of any development impact should be secured by condition.

It is highly likely that the current development area contains buried archaeological remains, which, given the absence of recent cultivation, will be well preserved and of at least local significance. The proposed scheme envisages comprehensive development of the application area, with a combination of housing, access roads, and landscaping (notably the two attenuation ponds) likely to truncate or remove the surviving archaeological remains.

In accordance with National Planning Policy Framework (NPPF), paragraph 129, assessment of the submitted development details and particular archaeological interest of the site, has indicated that the proposals are likely to have a detrimental impact upon any heritage assets present. NPPF paragraph 141, states that developers are required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact of development.

In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, commencing with an initial topographic survey of the ridge and furrow earthworks, followed by a stage of exploratory trial trenching to inform the scope and character of the necessary archaeological excavation. The latter will target those archaeological remains likely to be affected by the development scheme.

If planning permission is granted the applicant must obtain a written scheme of Investigation (WSI) for each of the above phases of archaeological investigation. The WSIs must be prepared on behalf of the developer by an appropriately experienced organisation acceptable to the planning authority and must be submitted to the planning authority and HNET, as archaeological advisors to your authority, for approval before their implementation. They should comply with the relevant Chartered Institute for

It is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, commencing with an initial topographic survey of the ridge and furrow earthworks, followed by a stage of exploratory trial trenching to inform the scope and character of the necessary archaeological excavation. The latter will target those archaeological remains likely to be affected by the development scheme.

<p>Archaeologists “Standards” and “Code of Practice”. They should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.</p>	
<p>Police and Crime Prevention No objection based upon the Secured By Design (SBD) criteria and NPPF paragraph 58. The key comment is that parking should be close to dwellings and surveillance of these areas should be possible from ‘active’ (living) rooms within houses. Recommend that these homes are built to the highest levels of security and that Secured by Design should be considered.</p>	<p>Noted. The application seeks outline consent and the layout is not yet developed.</p>
<p>MBC Environmental Health No objection subject to conditions. The public health issues for this site are noise, contaminated land and to a lesser extent odour. No objection subject to satisfactory mitigation/remediation schemes at the reserved matters stage.</p>	<p>A noise and a phase 1 contaminated land report have been submitted with the application. The reports recommend various mitigation measures. The application is in outline and it is considered that conditions can be imposed to mitigate against potential adverse noise and contamination.</p>

Representations:

Site notices were posted and neighbouring properties consulted. As a result **26 letters of objection have been received;** the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>Impact upon the Character of the Area</p> <p>This latest proposal appears to be the second phase of a large housing estate of 105 dwellings. This is out of scale and out of character with the conservation village of Waltham on the Wolds.</p> <p>Overdevelopment of the site which is out of keeping with the style and pattern of Waltham as a village. The development would not contribute to the sense of place and reflect the identity of local surroundings</p> <p>Being contrary to the conservation status of the village. Much effort has gone in over the years to preserve this quality and status. This is inconsistent with the emerging trend embodied in the current planning applications to increase significantly the size of the village, establishing large pockets of new houses on the fringes of the village, towards a dormitory status.</p> <p>This application (when combined with the existing adjacent planning permission) would create a large housing estate on the edge of an historic village. This could result in new residents feeling cut off from the centre of the village.</p>	<p>An illustrative layout has been developed by the agent following consideration of the constraints and opportunities identified in the accompanying technical reports.</p> <p>This makes provision for adequate parking and public open space in accordance with the Council’s standards to achieve a well-designed development meeting the needs of future occupiers. Perimeter hedgerows and planting are retained/improved where possible to ensure the site is well screened.</p> <p>Waltham as a whole displays housing of varying character including more modern layouts in parts. This site is some distance and separated from the historic core and Conservation Area and would also be viewed and experienced separately from its surroundings so as to avoid creating a stark contrast, or visually conflict; a clear appreciation of its character would only be obtained if entering the development itself.</p> <p>For similar reasons, the scale of the development would not be readily apparent to users of Melton Rd and visitors to other parts of Waltham and it is not considered that it would overwhelm the village or affect those parts of it that display strong and valuable character.</p>

	<p>There are views of the site from public vantage points provided by footpaths. However these similarly do not offer views of the site in the context, or against, of the historic core of the village and are considered acceptable.</p> <p>The development achieves a net housing density of 28 dwellings per hectare. This density generally reflects that of the adjacent residential area and is considered to be appropriate to the edge of setting location.</p>
<p>Impact upon Highway Safety: Increase of traffic movements and turning of traffic on the A607 that is already used by high volumes of traffic resulting in the increased risk of accidents and detrimental to road safety, and noise pollution caused by traffic.</p> <p>Melton Road is already an extremely busy road where drivers regularly abuse the speed limit. There is an urgent need for traffic calming on the Melton Road, not an increase of traffic that the new development will bring.</p> <p>The additional residents will bring further congestion to the High Street to access the post office and shop.</p> <p>Traffic is a major concern in the village, both to road users and pedestrians alike, and there have been many near misses in recent years. The High Street, presents particular challenges, with many local residents and farm vehicles already struggling to negotiate this heavily congested street. The additional number of vehicles travelling through the villages roads which would be created by the new development, at times when children are walking to and from School or the School bus, is of great concern.</p> <p>Waltham was built for a much smaller population than now being proposed, at a time when vehicle ownership was far lower than today. The result is that the village roads and lanes are conspicuously congested with cars, both parked and moving. This is already a hazard to Waltham's young and old.</p>	<p>There is good visibility for vehicles travelling north to observe those turning right on Melton Rd into the site if they are stationary, and no reason to expect the development will lead to greater occurrence of the accidents described.</p> <p>The transport statement submitted confirms that the existing road network is capable of accommodating the increase in traffic movements associated with the proposed development. The Highway Authority have no objections to the proposal on Highway safety grounds.</p>
<p>Drainage Insufficient drainage, especially after Fair Field estate was developed.</p> <p>The sewerage system is already a problem on Melton Road near the school after heavy rain.</p> <p>The mains water pressure frequently drops now, what effect will another 60 houses, (plus 60 already having planning permission) have on the supply? What upgrades on the sewerage system</p>	<p>The application is accompanied by a Flood Risk Assessment and drainage strategy that recognise that infiltration (soakaways) would not be suitable as the primary means of disposal of surface water runoff from the proposed development and disposal into the exiting drainage system would need to be managed and controlled. It therefore proposes a drainage strategy which comprises of retention ponds on the site that would be of sufficient size</p>

<p>will there be to cope with more occupants, as the present system seems to be struggling.</p> <p>Although water balancing areas are proposed, the ridge and furrow field usually has standing water throughout the winter months and has flooded a neighbours property</p>	<p>(calculated, with 40% allowance for climate change) which would only be released when capacity was available.</p> <p>A new connection into the existing Severn Trent Water combined sewer in Melton Road is proposed. It is considered that the topography of the site should allow for the foul drainage to drain via gravity without the need for pumping. A sewer capacity assessment is being undertaken to understand the impact the proposed development will have on the existing sewerage infrastructure and any risks can be identified and mitigated.</p> <p>All means of flood risk at the site have therefore been assessed and it has been demonstrated that the site is not at risk of flooding, nor would it pose a risk to adjacent land following development subject to the recommendations in the reports being adhered to.</p> <p>Severn Trent and the Lead Local Flood Authority have been consulted and raise no objections to the proposal. This can be conditioned and form part of the reserved matters application to ensure the designs will be effective.</p>
<p>Impact upon Environment Environmental impact of another housing development on loss of green fields & wildlife habitats.</p> <p>The site is on ridge and furrow land</p>	<p>The Ecology surveys submitted with the proposal have identified the presence of protected species and these have been addressed by mitigation schemes. The Ecology report has been independently assessed and raises no objection from the County Council Ecologist, subject to mitigation as proposed.</p> <p>LCC Archaeology have been consulted and recommends that provision for the recording of these well preserved earthwork remains in advance of any development impact should be secured by condition.</p>
<p>Schooling With the other housing development already approved in Waltham, this (and other applications submitted) would increase pupil numbers well beyond the practical and on-paper capacity of Waltham-on-the-Wolds CE Primary School.</p> <p>As a small rural school there are areas of the site and buildings that would require development if the numbers on roll were to increase above the schools capacity, in order to maintain the high quality teaching and learning that currently exists.</p>	<p>The planning application for consideration will contribute towards the school to enable further school places for the new residents. The site falls within the catchment area of Waltham on the Wolds C of E Primary School. The LEA advise that the School has a net capacity of 100 and 111 pupils are projected on roll should this development proceed; a deficit of 11 pupil places after taking into account the 15 pupils generated by this development. However they advise that this can be overcome by improving, remodelling and enhancing the existing facilities at Waltham on the Wolds C of E Primary School.</p>
<p>Infrastructure The current infrastructure cannot sustain an increase in population. The school and Dr's</p>	<p>Waltham has a range of facilities which it is considered renders it a sustainable location for</p>

<p>Surgery will not cope.</p> <p>There are not sufficient facilities for so many people as could live here in the possible developments.</p> <p>There is only one public house, one small shop and a post office.</p> <p>Such an application is over development which is unnecessary and will result in excessive strain on village resources, traffic congestion and damage the rural character of the village.</p> <p>Very little consideration is being given to looking at the big picture, and the totality of the detrimental impact on our village if all this over development is given permission to go ahead. Waltham is a small, picturesque village located in a conservation area with very limited local amenities, and an infrastructure that is only just managing, yet will be at breaking point if these developments go ahead. The village simply cannot cope with the level of development that is being sought.</p>	<p>residential development. This has been reflected in recent decision making.</p> <p>The research undertaken for the Pre Submission version of the Local Plan identifies Waltham on the Wolds in its settlement hierarchy as a ‘Service Centre’ which offers a range of services. Service centres are second in the hierarchy to Melton and are where the majority of new development is to be directed.</p> <p>No evidence has been provided to demonstrate that facilities could not accommodate the additional demand arising from the proposal and, in the case of the Primary School. It is indicated by the LEA that it is capable of expansion of its capacity. Other services, such as the shop, pub etc can only stand to benefit from greater potential patronage arising from the proposals.</p>
<p>Planning Policy</p> <p>This application is unwelcome development in a small village which already has building approvals or completed homes to meet the required housing needs of the pending Melton Plan.</p> <p>The number of dwellings proposed for Waltham is far in excess of the quantity indicated in the final draft of the Melton Local plan.</p> <p>The local need for these houses must be questioned.</p> <p>We feel that the development is unnecessary as there has already been planning granted for 45 houses in this field on Melton Road and also planning permission given for a development on the High Street.</p> <p>Waltham has an existing establishment of some 450 homes. Acknowledging the county's requirement for extra capacity, a need for a further 90 or so houses has been identified, an increase of 20%. This is being incorporated into the Local Plan. Planning permission has already been given to all but 20 houses of this requirement. There are three further applications currently under consideration, 16/00793, 16/00847 and 16/00971, totalling an additional 229 homes. This is far in excess of what has been identified and targeted, by almost 50% of the existing village size.</p>	<p>The Draft Local Plan Emerging Options set out a minimum of 100 dwellings to be built in Waltham on the Wolds during the plan period, this development would aid the achievement of the minimum development target set out. However the Local Plan (including the apportionment it suggests for Waltham) is still in development and cannot be taken as adopted policy at present (see additional details below).</p>

A Further 3 letters have been received in support of the proposal stating the following reasons:-

<p>This development is well placed for access. Access directly on to the A607 has got to be preferable to access to or leading onto, the already at times congested and narrow, High Street.</p> <p>Waltham has a requirement through the draft plan to allow developments and this application allows new areas of public open space, landscaping, access and drainage infrastructure.</p> <p>Of all the sites proposed within the village, this one to me makes most sense.</p>	<p>Noted.</p>
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Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<p>Neighbourhood Plan</p>	<p>National Planning Policy Guidance states that :</p> <p><i>a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and</i></p> <p><i>b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”</i></p> <p>It goes on to advise that “ <i>Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period</i>”</p> <p>Where refusal of planning applications are made on the grounds of prematurity the authority needs to indicate clearly how planning permission would prejudice the outcome of the plan-making process.</p> <p>The Waltham Neighbourhood Plan is still in development and has not made any proposals or consulted upon them.</p> <p>It is considered that the NP is not in the position to which the National Guidance advises ‘prematernity’ 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 type</p> <p>The configuration and Housing mix provided</p>	<p>Housing Mix:</p> <p>Although in outline, the application proposes a range of house types and sizes. These are considered to reflect identified needs.</p> <p>Affordable Housing</p> <p>The application proposes 22 affordable units,</p>

	<p>details of which would follow at reserved matters stage.</p> <p>This equates to 37% which is the percentage identified by the most up to date evidence (the 2016 Housing Needs Study)</p>
<p>Impact on Residential Amenities</p>	<p>The application is in outline with the layout illustrative. The site is sufficient to allow development with normally expected levels of separation and boundary treatment where necessary. Similarly, the house positions illustrated are not 'fixed' and would be assessed for privacy impacts at reserved matters stage.</p>
<p>Application of Planning Policy</p>	<p>Waltham is considered to perform well in sustainability terms owing to its community facilities and transport links. Recent decisions made by the Council and on appeal by the Secretary of State have described it as a sustainable location for housing for these reasons and there have been no material changes to this position in the interim. It is therefore considered that it could be impossible to refuse the application on the basis of the sustainability of the location.</p> <p>However, sustainability also takes into account economic and environmental factors and it is recognised that the site is 'greenfield' without a presumption for development. This is considered to weigh against the proposal. However, the land is not identified by any study or policy as important to the setting of Waltham nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it 'special' status. Accordingly it does not meet the types of location that the NPPF requires to be protected and accordingly only limited weight can be afforded to this aspect.</p> <p>5 year land supply issues:</p> <p>The application is required to be considered against the Local Plan and other material considerations. 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.</p> <p>The Council's most recent analysis shows that there is the provision of a 5 year land supply and as such the relevant housing policies are applicable.</p>

	<p>However, the 1999 Melton Local Plan is considered to be out of date and as such, under para. 215 of the NPPF can only be given limited weight.</p> <p>This means that the application must be considered under the ‘presumption in favour of sustainable development’ as set out in para 14 which requires harm to be balanced against benefits and refusal only where “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”.</p> <p>Furthermore, a recent appeal decision (APP/Y2430/W/16/3154683) in Harby made clear that ‘a supply of 5 years (or more) should not be regarded as maximum.’ Therefore any development for housing must be taken as a whole with an assessment of other factors such as access, landscape and other factors...”</p>
<p>The (new) Melton Local Plan – Pre submission version.</p> <p>The Pre Submission version of the Local Plan was agreed by the Council on 20th October and has recently undergone a period of consultation from 8th November – 19th December 2016.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> ● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); ● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and ● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). <p>The Pre Submission version of the Local Plan identifies Waltham on the Wolds in its settlement hierarchy as a ‘Service Centre’ which offers a range of services. Service centres are second in the hierarchy to Melton and are where the majority of new development is to be directed. It is proposed that Waltham is allocated 91 new homes.</p> <p>The pre-submission Local Plan also identifies site allocations. This site forms part of a wider allocation WAL2, the remainder of which is the land to the north which already has consent for</p>	<p>Whilst the Local Plan has progressed by advancing to Pre-submission stage, it remains in preparation and as such can be afforded only limited weight. This is also reduced by the fact that the consultations received have not yet been considered and addressed. We therefore need to consider the application in accordance with paragraph 215 of the NPPF which states due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).</p> <p>It is therefore considered that it can attract weight but this is quite limited at this stage.</p> <p>Waltham is identified as a service centre and the application site is identified as part of proposed allocation WAL2. The proposals are therefore consistent with the Council’s strategy for growth.</p>

<p>residential development (15/01011/OUT).</p> <p>Policy WAL2 states that development of the site will be supported provided:-</p> <ul style="list-style-type: none"> • The layout takes into consideration the two public footpaths E99 and F1 that cross the site and secure connectivity to the wider public footpath network; • Mitigation is provided for the Great Crested Newts occupying the ponds at the site; • Compensation for loss of habitats will be required and biodiversity enhancements incorporated into the final layout and design; • Appropriate flood and drainage assessments proposing mitigation effective to deal with the scale of the impacts identified. 	
<p>Noise</p>	<p>A noise assessment has been undertaken to examine the impact of Fairfield Industrial Estate and road traffic noise on the proposed development. In relation to the Industrial Park, the assessment concludes that an adverse impact could occasionally occur. The report recommends mitigation measures for those properties along the eastern boundary in the form of screening and enhanced glazing and ventilation. The impact of road traffic noise on the proposed development is considered to be negligible. The application is in outline and it is considered that a condition can be imposed to mitigate against potential adverse noise.</p>

Conclusion

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

The Borough is deficient in terms of housing 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.

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

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 highway safety.

The Local Highway Authority do not consider that the proposal would lead to severe harm to highway safety. In terms of character of the area, the submitted application is in outline stage only and the applicant has undertaken a detailed appraisal of the character of the settlement including a landscape assessment. The site is not covered by any specific designation however the proximity to the Conservation Area to the north is noted.

Full details of appearance, layout and scale will be a matter for subsequent reserved matters applications where matters of design and impact can be fully assessed.

Contributions to provide additional capacity at the nearest Civic Amenity site and library are of a tariffed style request that will be ‘pooled’ under CIL Regulation 123 (3) whereby no more than five contributions can be pooled for any single infrastructure project. As stated above the request for improvements to the civic amenity site and library has been allocated to a specific projects that will increase the capacity at the site. The education

contribution would be used for the provision, improvement, remodelling or enhancement of education facilities at schools in the locality of the development which the residents of the development would usually be expected to attend. They are therefore all considered appropriate for inclusion in a Section 106 agreement.

Outline consent has been granted for residential development to the north of the application site (15/01011/OUT) and therefore the principle of residential development in this location has been established. The further technical studies submitted in support of this application have demonstrated that an additional 60 dwellings can be accommodated without any unacceptable impacts.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from this proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be development of a greenfield site.

The issue of development a greenfield site is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value.

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 for the improvement to libraries.
- (iii) Contribution to the local Primary School
- (iv) Contribution to sustainable transport options
- (v) Contribution to maintenance of open space
- (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 mixed of types and sizes of dwellings that will meet the area's local market housing need.
4. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
6. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately

occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.

7. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.
8. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.
9. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
10. A detailed ground investigation and permeability testing shall be provided as part of the first Reserved Matters application. The information shall be approved by the Local planning authority prior to or as part of any determination on the layout or detailed drainage design to ensure that the possibility of infiltration drainage has been thoroughly assessed.
11. The development shall be carried out in accordance with the measures set out in the mitigation plan for protection of Great Crested Newts and Bats (FPCR Sept 2016 Section 4) submitted as part of the application.
12. No development shall take place until a scheme for treatment of the Public Footpath has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Such a scheme shall include provision for surfacing, width, structures, signing, landscaping and safeguarding.
13. 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.
14. Notwithstanding the details submitted, all details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing, lining and visibility splays and be submitted for approval by the local Planning Authority before development commences.

(Note: Your attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development).

15. Prior to the submission of Reserved Matters details a Programme of Archaeological Mitigation (to be informed by the submitted Heritage Statement and Geophysical survey (Stratascan 2015 ref.J8318)), and to include detailed Written Schemes of Investigation for topographic survey, trial trenching and targeted area excavation) shall be submitted to and approved by the Local Planning Authority in writing. The Programme shall include a statement of significance and research objectives, and:
 - The timetable and methodology of site investigation, recording, a detailed environmental sampling strategy and consideration of appropriate analytical methods to be utilised;
 - Provision for public outreach and dissemination (to include provision for public site visits, school visits, information signage (e.g. on site boundaries, public access routes, etc.) internet/social media dissemination, public lectures, etc.);
 - The programme for post-investigation assessment and subsequent analysis;
 - Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and
 - Nomination of competent person(s) or organisation(s) to undertake the agreed work.

For land and/or structures included within the Programme, no demolition, development or related ground disturbance shall take place other than in accordance its provisions.

16. The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.
17. No development shall take place until a scheme for protecting the occupants of the proposed development from noise from /associated with the Fairfields Industrial Estate and the A607 Melton Road has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the development and shall thereafter be retained.
18. In order to minimise noise disturbance to the occupiers of adjacent residential property, construction work, demolition work and deliveries to the site should only be permitted between the following hours. Any deviation from this requirement shall be with the prior approval of the Environmental Health department of Melton Borough Council.

07:00 – 19:00 Monday to Friday

08:00 – 13:00 Saturdays

No works to be undertaken on Sundays or bank holidays

19. No development shall take place until a phase 1 / desktop study investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site and to identify and control any unacceptable risks to human health or the environment taking into account the sites actual or intended use, whether or not the contamination originates on the site. The phase 1 / desk top study shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced.

The investigation and risk assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and must be undertaken by competent persons and a written report of the findings must be produced and submitted to the Local Planning Authority. The written report is subject to the approval in writing of the Local Planning Authority.

20. If during the development any contamination is identified that has not been considered previously, then other than to make the area safe or prevent environmental harm, no further work shall be carried out in the contaminated area until additional remediation proposals for this material have been submitted to the Local Planning Authority for written approval - this would normally involve an investigation and an appropriate level of risk assessment. Any approved proposals shall thereafter form part of the Remediation Method Statement.
21. In the event that it is proposed to import soil onto site in connection with the development the proposed soil shall be sampled at source such that a representative sample is obtained and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme or another approved scheme. The results shall be submitted to the Planning Authority for consideration. Only the soil approved in writing by the Local Planning Authority shall be used on site.

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 prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
8. To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.
9. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.
10. To demonstrate whether or not the site is suitable for use of infiltration as part of the drainage strategy and that the drainage strategy is compliant with the drainage hierarchy as outlined within Planning Practice Guidance Paragraph: 080 Reference ID: 7-080-20150323
11. To ensure protected species are adequately protected.
12. In the interests of amenity, safety and security of users of the Public Footpath.
13. In the interests of highway safety.
14. In the interest of highway safety.
15. To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.
16. To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.
- 17 – 21. To ensure a satisfactory standard of residential amenity

Officer to contact: **Mrs Kirsty McMahon**

Date: 8th February 2017