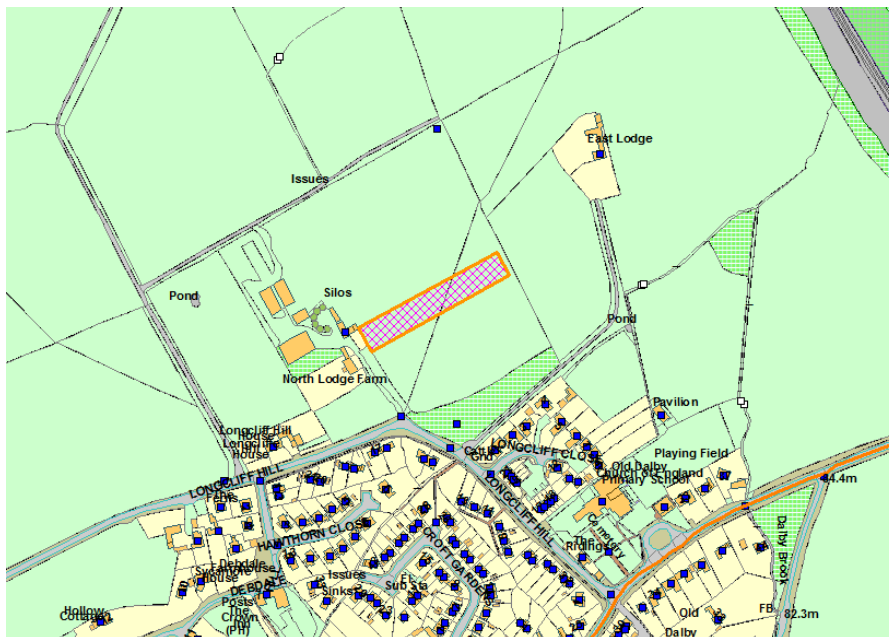


Reference: 16/00911/OUT
Date submitted: 5 December 2016
Applicant: Mr J T Orson
Location: North Lodge Farm, Longcliff Hill, Old Dalby
Proposal: Outline planning approval the extension of the approved residential development to provide an additional 8 dwellings.



Proposal :-

This application seeks **outline planning permission for the extension of the approved residential development to provide an additional 8 dwellings**. Permission has been granted under application reference 16/00184/OUT for up to 20 dwellings (including 8 affordable: 37%).

The site occupies land at the northern edge of the village adjacent to an open paddock. The site fall outside of the previously designated village envelope and access to the site is proposed directly from Longcliff Hill. The site is a greenfield site on the edge of Old Dalby.

The application is in outline with only access considered at this time.

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

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

The application is required to be presented to the Committee due to the level of public interest. It should also be noted that the applicant is a Member of Melton Borough Council.

History:-

13/00514/FUL – Two storey dwelling and attached garage to replace an existing dwelling – approved 08.11.2013

16/00184/OUT – Outline planning approval for the development of 20 dwellings – approved January 2017

Planning Policies:-

Melton Local Plan (saved policies):

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

Policy OS3: The Council will impose conditions on planning permissions or seek to enter into a legal agreement with an applicant under section 106 of the Town and Country Planning Act 1990 for the provision of infrastructure which is necessary to serve the proposed development.

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

Policy H10: planning permission will not be granted for residential development unless adequate amenity space is provided within the site in accordance with standards contained in Appendix 5 (requires developments of 10 or more dwellings to incorporate public amenity space for passive recreation with 5% of the gross development site area set aside for this purpose).

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

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

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

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

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

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

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

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

On Specific issues it advises:

Promoting sustainable transport

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

Delivering a Wide choice of High Quality Homes

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

Require Good Design

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

Conserving and enhancing the natural environment

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

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

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: No objection, subject to conditions</p> <p>The County Highway Authority advice is that, in its view 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 as outlined in this report.</p>	<p>The application is in outline with all matters reserved except access.</p> <p>The site lies in close proximity but not connected to the edge of Old Dalby and would be accessed from Longcliff Hill via the access currently serving North Lodge Farm and that serving the</p>

<p>The applicant has submitted an amended Plan: 7081-P-10 Rev B which the LPA received on 16 February 2017.</p> <p>In the event that the applicant would want to construct the additional 8 dwellings prior to the 20 dwellings approved as part of LPA reference 16/00184/OUT the CHA would ask that an appropriate worded condition is included to ensure the main vehicular access to the development site is upgraded.</p> <p><u>Conditions</u></p> <p>1. Before first occupation of any of the 8 dwellings hereby permitted the main vehicular access to the site as approved and conditioned under planning permission 16/00184/OUT where it meets the adopted highway at Longcliff Hill shall be provided to the satisfaction of the LPA.</p> <p>2. The proposed private access drives serving Plots 21-24 and 25-28 shall have an effective width of a minimum of 4.25 metres and once provided shall be so maintained at all times.</p> <p>3. Before first occupation of any dwelling hereby permitted the access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) and shall be so maintained at all times.</p> <p>4. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway including private access drives, and thereafter shall be so maintained.</p> <p>5. No development shall commence on the site until such time as a construction traffic/site traffic management plan has been submitted to and approved in writing by the Local Planning Authority.</p>	<p>previously approved 20 dwellings.</p> <p>The indicative layout plan shows a single point of access from Longcliff Hill with cul-de-sac access points to serve the additional dwellings.</p> <p>The Highway Authority have not expressed concern over the suitability of Longcliff Hill leading to the proposed access and have suggested conditions requesting additional details to further ensure its suitability</p> <p>The proposal could be conditioned to be built alongside the previously granted permission and not separated from the approval in order to ensure requested works are carried out accordingly.</p> <p>There are considered to be no grounds to resist permission based on highways issues.</p>
<p>Parish Council: Objects</p> <p>The PC discussed the above application at their recent meeting and had a number of objections to the plans. We would ask that the following points be considered when assessing the application.</p> <p>1. The original planning permission provided for 37% affordable housing (7.4 units) this has been reduced to 6 units. This is contrary to Melton Borough Policy and even more importantly this is a <u>reduction of the figure offered in the planning application documents supplied.</u> (Should an additional 8 units be given planning permission we would ask that the total number of affordable units be increased to reflect the 37% requirement).</p>	<p>16/00184/OUT made the following obligation with regards to affordable housing</p> <p><i>Total dwellings – 20</i> <i>Affordable Housing contribution at current Local Plan level – 40% = 8</i> <i>Affordable/intermediate/social rented – c. 80% (6 dwellings)</i> <i>Starter Homes – c. 20% (2 dwellings)</i></p>

<p>2. The revised scheme shows 8 units accessing properties on foot via a shared drive with no footpath at all. (8 properties of the original 20 access from a 450mm wide service margin resulting in only 12 units being able to use a full footpath construction when leaving their private pathway.) The Manual For Streets, which the Gov't state all councils should work towards, requires that pedestrians be given more rights than motorist due to safety concerns.</p> <p>3. The area of the original SHLAA was to provide 20 units at a density of 30HA. This was the density set by Melton Borough as an acceptable density in rural areas. Whilst the PC is aware that this is an outline application we are of the opinion that the indicative plan shows the density for this site is too high.</p> <p>4. This application states that there is in effect, a land swap from left over SHLAA land at the North West section of the site, and placing it to the narrower North East part of the site. This area though when added on to the North East seems to have increased by around 50%.</p> <p>5. Although this application seeks an additional 8 units added to the previous approved application, some 40% increase, the Open Amenity land area has remained the same size and has not increased to reflect the additional number of residents.</p> <p>6. The junction with Longcliff Hill shows a very limited amount of footpath adjacent the existing highway. There is a crossing point shown to full footpath construction on the opposite side of the road. The footpath should, in the interests of safety, be of full footpath construction on both sides at least to the junction of Longcliff Hill and Longcliff Close. School children will be expected to cross Longcliff Hill when exiting the site and then crossing back over Longcliff Hill further up to reach the primary school. Longcliff Hill is the main through road for all farm traffic travelling onwards and back from Nether Broughton due to the hill incline being less than Main Road. This makes the footpath issue a highly important one. There is currently no up to date safe route to school for any resident past Longcliff close going</p>	<p>The Section 106 for this application was agreed in November 2016, one of the clauses to this agreement is that an affordable housing scheme is submitted to the LPA prior to commencement of the development. The s106 will be required to supplement, or amend, that existing in order to extend the %age provision to the whole site formed by the former permission and this application.</p> <p>The County Highway Authority and County Footpath Officer have both been consulted on the proposal and wish to raise no objections.</p> <p>The proposal is in outline and therefore the layout is only indicative at this time, an agreed amount of open space formed part of the Section 106 agreement for application 16/00184, an increase to this would be considered should application 16/00911 be approved.</p> <p>Noted. The application needs to be considered on its own merits regardless of the basis on which it has been configured.</p> <p>The proposal is in outline and therefore the layout is only indicative at this time. Details would need to be included in a reserved matters application, if outline planning permission is obtained.</p> <p>The Highway Authority has been consulted on the proposal and wish to raise no objections.</p> <p>The crossing points described are not considered to be intrinsically unsafe if normal road safety observations are followed and supervision is adequate. Similar crossing are carried out by children from most parts of the village because the school is situated at its eastern edge.</p>
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<p>northwards along Longcliff Hill on the right hand side.</p> <p>7. The overall area of the Detention pond has not increased with the increase in house number (40%). The site is underlain with stiff impermeable clay and sits at the foot of a station which will be buried to the area just north of the pond and could cause the pumping station to pump rain water contaminated with road oils/diesel and cause untold damage. It could also flood the land owned by others to the west of the pond resulting in nuisance for the land owner.</p> <p>8. The footpath which borders the south and west of the site should be re routed once construction is completed to make use of the estate roads and exit on the point furthest North West on the approved SHLAA drawing. This then brings the site into current Building For Life principles and will not impact on the footpath being flooded when the detention pond overflows. The could benefit the developer and the wider community; it would save land and costs for the developer which could be used on the estate roads, increase garden size or the upsizing of the open amenity area and detention pond. Less lighting close to houses would reduce light pollution and the footpath should feel more open/safer, would better integrate the community and could possibly reduce the problem of dog fouling due to its openness. Finally, there would be no ongoing maintenance issues for a separate footpath and so no need for increase to PC precept, or County Council spending on grass cutting.</p>	<p>The proposal is in outline and therefore the layout is only indicative at this time. Details would need to be included in a reserved matters application, if outline panning permission is obtained.</p> <p>Footpaths will be designed and constructed in accordance with Leicestershire County Council design standards, as referenced earlier the application is at outline stage and therefore no actual design details have been offered at this stage.</p>
<p>Local Lead Flood Authority: No objection, subject to conditions</p> <p>As the proposed extension will form part of the previously conditioned drainage network (16/00184/OUT), updated information and calculations are required to show its ability to accept the increased flows which may occur as a result of this additional development.</p> <p>Note to applicant: the outline drainage plan conditioned as part of application 16/00184/OUT had a discharge rate of 5 l/s – this rate should be applied as the practical minimum for the combined development of 28 dwellings. This will require the submission of updated drainage calculations and an indicative drainage strategy showing revised greenfield runoff rates and storage requirements based on the increased impermeable area across both sites.</p> <p>The increase in impermeable area and subsequently higher runoff volumes may require alterations to the sizing of the currently proposed</p>	<p>Noted: The application is in outline form but drainage is considered as a material planning consideration as part of this outline application, revised calculations and information can be secured by way of condition should the proposal be approved.</p>

<p>22m³ detention basin, which may necessitate a redesign of the previously conditioned drainage network.</p> <p>In the event that this proposed network is conditionally approved, the new submission should supersede that previously conditioned as part of application 16/00184/OUT and apply to both applications.</p>	
<p>Trent Valley Internal Drainage Board: No Objections.</p> <p>The site is outside of the Trent Valley Internal Drainage Board district but within the Board's catchment.</p> <p>There are no Board maintained watercourses in close proximity to the site.</p> <p>Surface water run-off rates to receiving watercourses must not be increased as a result of the development.</p> <p>The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.</p>	<p>Noted.</p>
<p>Severn Trent Water Ltd: No objections subject to conditions.</p> <p>The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flood</p>	<p>Noted.</p>
<p>Access Officer, Leicestershire County Council: No objection subject to condition.</p> <p>Please refer back to comments on the approved application 16/00184. I note that condition 10 in the Decision Notice for that site seeks a scheme for the treatment of Public footpath G89 which runs around the perimeter of the site. I would expect the same condition to be extended to this site.</p>	<p>Noted. Condition 10 of application 16/00184 can be replicated should the application be approved.</p>
<p>Ecology: No objections subject to condition</p> <p>The ecology survey submitted in support of the application (CBE Consulting, January 2016) was completed at a sub-optimal time of year for assessing the quality of habitats. However, the species recorded and the supporting photographs are satisfactory to support the assessment of</p>	<p>Noted: Conditions relating to buffers between plot boundaries and existing hedgerows can be conditioned as per the previous approval 16/00184.</p>

<p>improved grassland and no further surveys are required at this stage.</p> <p>Note that an eDNA Survey has been completed to determine the presence of absence of Great Crested Newts (GCN) in the suitable pond nearby. This returned a negative result, indicating that GCN are absent. No further survey for this species is required.</p> <p>Welcome the proposed buffer between the plot boundaries and the existing hedgerows on site. We would request that this buffer is managed as an area of semi-natural</p>	
<p>Developer Contributions: Section 106</p> <p>Highways:</p> <p>No further contributions requested.</p> <p>Waste</p> <p>The nearest Civic Amenity Site to the proposed development is located at Melton and residents of the proposed development are likely to use this site. The Civic Amenity Site at Melton will be able to meet the demands of the proposed development within the current site thresholds without the need for further development and therefore no contribution is required on this occasion.</p> <p>Library</p> <p>No claim required for library services. Taking into account application 2016/0184/06, the proposed eight dwelling development would not have an additional adverse impact on current stock provision at the nearest library at Melton Mowbray.</p> <p>Education</p> <p>Primary</p> <p>The site falls within the catchment area of Old Dalby C of E Primary School. The School has a</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>Please note following the approval of application 16/00184/OUT the contributions that formed part of the agreed Section 106 have been reviewed to take into account the development of up to 28 dwellings not just the initial 20.</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>The method of calculating Section 106 education contributions is based on the net capacity of the</p>

<p>net capacity of 147 and 158 pupils are projected on the roll should this development proceed; a deficit of 11 pupil places (of which 9 are existing and 2 are created by this development). There are currently no pupil places at this school being funded from S106 agreements for other developments in the area.</p> <p>There are no other primary schools within a two mile walking distance of the development. A claim for an education contribution is therefore justified.</p> <p>In order to provide the additional primary school places anticipated by the proposed development the County Council would request a contribution for the Primary School sector of £23,230.10.</p> <p>The contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Old Dalby C of E Primary School. The contribution would be spent within five years of receipt of final payment.</p> <p>Secondary</p> <p>For 11 to 16 education in Melton Mowbray there is one single catchment area to allow parents greater choice for secondary education. There are two 11-16 secondary schools in Melton Mowbray, these are The Long Field School and John Ferneley College.</p> <p>The schools have a total net capacity of 1900 and a total of 1967 pupils projected on roll should this development proceed; a deficit of 67 pupil places.</p> <p>A total of 4 pupil places are included in the forecast for these schools from S106 agreements for other developments in this area and have to be discounted. This reduces the total deficit at these schools to 63 pupil places (of which 61 are existing and 3 are created by this development). A claim for an education contribution in this sector is therefore justified.</p> <p>In order to provide the additional 11-16 school places anticipated by the proposed development, the County Council requests a contribution for the 11-16 school sector of £23,954.07.</p> <p>This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at John Ferneley College and Long Field Academy.</p> <p>TOTAL REQUIREMENT £47,184.17</p>	<p>catchment school and the availability of places at any other primary school within a 2 mile available walking route of the development.</p> <p>The approach to the calculation of this contribution is considered acceptable and satisfies the requirements of the CIL Regulations set out above.</p>
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<p>Affordable Housing</p> <p>The extra 8 dwellings equates to an extra 3.2 AH dwellings.</p> <p>Therefore the 0.2 should be a commuted sum payment.</p> <p>For the 3 dwellings, to be in line with the existing mix for the site the dwellings should include</p> <p>1 x 2 bed bungalow 1 x 2 bed house 1 x 3 bed house</p>	<p>Noted. These additional requirements can form part of a variation to the Section 106 or added by way of condition.</p>
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Representations:

A Site notice was posted and neighbouring properties consulted. **Please note the application is still under consultation until 25.04.2017, below are comments received to the date of report being written, further comments if received will be presented verbally to the committee.**

To date **3 letters of objection have been received;** the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>Impact on Character of Area</p> <p>The further 8 dwellings would greater encroach onto open countryside</p> <p>The application is already a loss to tranquil country village.</p> <p>Loss of even more green space</p>	<p>The proposal sits directly behind and is linked to a previous approval of 20 dwellings, the additional 8 dwellings are intrinsically linked to the previous approval and cannot be developed independently, therefore the addition of these dwellings would appear neutral in form.</p>
<p>Highways</p> <p>Access to the original 20 is on a very dangerous and narrow bend and adding 8 more properties is only going to exacerbate the already difficult traffic flow and parking in this area.</p>	<p>The Local Highway Authority have reviewed the application and make no objection subject to conditions. Their comments are based on the cumulative impact of 28 dwellings and are reported above.</p>
<p>Sustainability</p> <p>Lack of facilities, parking, regular buses etc</p>	<p>Old Dalby is considered to perform reasonably 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 with particular reference to Land North of Old Dalby Lane, (West of Marquis Road) Queensway Old Dalby 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 of the basis of the sustainability of the location.</p> <p>However, sustainability also takes into account economic and environmental factors and it is</p>

	<p>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 Old Dalby nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it ‘special’ status.</p> <p>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>Other Matters</p> <p>Further building proposals just confirms earlier fears that the first application was a “thin edge of the wedge”.</p> <p>Object to the piecemeal way the developer is adding to this site</p> <p>Would like to see the applicant contribute to the community in 2 ways through the 106 scheme. The development of 28 houses on Longcliff will make a significant impact on traffic movement in that area. Access to the site needs to be made very safe.</p> <p>More houses means more demands on the village school. The developer could be invited to contribute to the inevitable costs involved in providing extra facilities for more children.</p> <p>MBC has already exceeded its building targets for this area.</p>	<p>Each proposal is considered on its own merit and a balanced used to identify what harm there would be by the additional development, in this instance the additional 8 is not considered such a significant number that the proposal will have a detrimental impact sitting behind a previous approval.</p> <p>For the purpose of the Section 106 contribution, the application has been reviewed along with the previous contribution requests of planning permission 16/00184.</p> <p>Additional contributions have been requested by the Education Authority which are summarised above. The Local Highway Authority have not requested any additional contributions and raise no objection to the proposal subject to conditions.</p>

Other Material Considerations not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<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, including bungalows and some smaller units. These are considered to reflect identified needs, particularly the smaller and single storey units.</p> <p>Affordable Housing</p> <p>The application has been assessed in line with the 20 previously approved dwellings and the number of affordable housing units requested is based on a total of 28 dwellings being created.</p> <p>The proposed affordable housing requirement equates to 37% and is considered the requisite amount as identified by the most up to date evidence (the SHMA 2014 and Housing Needs</p>

	Study 2016).
<p>Planning Policy</p>	<p>The application is required in law to be considered against the Local Plan and other material considerations. The proposal is contrary to the local plan policy OS2 however as stated above the NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>The 1999 Melton Local pan 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>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 can demonstrate a five year land supply however this on its own is not considered to weigh in favour of approving development that is contrary to the local plan where harms are identified, such as being located in an unsustainable location. 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 site is a greenfield site. It also lies within open countryside being located outside of the village of Old Dalby. However the harm attributed by the development are required to be considered against the benefits of allowing the development in this location. The provision of affordable units with the house types that meet the identified housing needs is considered to offer some benefit, along with the promoting housing growth.</p> <p>The proposal would provide both market and affordable housing in the Borough and would contribute to land supply. There would be some impact upon the appearance of the area and technical matters which require mitigation. The form of development is considered be acceptable and the benefits of</p>

	<p>the proposal outweigh these concerns. It is therefore considered to be in accordance with the core planning principles of the NPPF.</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 was subject to consultation which ended on 16th December 2016. It is due to be reported to Council before formal submission.</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 Old Dalby as a ‘Service Centre’,</p> <p>Service centres are villages that act as a local focus for services and facilities in the rural area. They have the essential services and facilities (primary school, access to employment, fast broadband, community building) and regular public transport, as well as a number of other important and desirable services such that they are capable of serving basic day to day needs of the residents living in the village and those living in nearby settlements. These villages should have all four of the Essential services and a good range of important and other facilities.</p>	<p>Whilst the Local Plan remains in preparation it can be afforded only limited weight.</p> <p>It is therefore considered that it can attract weight but this is quite limited at this stage.</p> <p>The proposal is in accordance with the emerging local plan in terms of its location (see applicable policy opposite) which it is considered adds to the issues that add weight in support of the proposal.</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.

Affordable housing provision remains of the Council’s key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application represents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the local market housing needs. Old Dalby is considered to be a reasonably sustainable location where primary education and other services can be assessed. It is considered that there are material considerations of **significant weight in favour** of the application.

There are a number of other positive benefits of the scheme which include surface water management in the form of a sustainable drainage along with developer contributions to mitigate impacts upon local services.

Though by no means “optimum”, the site is considered to perform reasonably well in terms of access to facilities and transport links: those in the immediate vicinity and the added benefit of a modest range of additional services in Neither Broughton and Long Clawson nearby. However there remain deficiencies, most obviously in relation to secondary/higher education, shops, health care and leisure/recreation.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its green field state and the impact on the character of the rural village with a detachment from the existing g built form of the village.

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

This is because, In this location, the site benefits from a range of services in the immediate vicinity and nearby which mitigate the extent to which travel is necessary and limits journey distance, the character of the site provides potential for sympathetic design, careful landscaping, biodiversity and sustainable drainage opportunities.

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

Recommendation: PERMIT, subject to:-

(a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:

- (i) Contribution for education provision.
- (ii) Contribution to maintenance of open space in the event it is proposed to be adopted.
- (iii) 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 buildings, Layout, Scale 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. 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.
6. 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.

7. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.

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

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

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenario's for the 1 in 1, 1 in 30 and 1 in 100 year + climate change. Where discharging to a sewer, this should be modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.

8. No development approved by this planning permission shall take place until such time as an assessment of the watercourse capacity for the 1 in 100 year flow plus and appropriate to, and approved in writing by, the local planning authority.

The assessment should identify the capacity of the watercourse, and the flow from the upstream catchment, during the 1 in 1 year, 1 in 30 year and 1 in 100 year + climate change events and demonstrate that flows can be retained within the watercourse, if flows cannot be contained a hydraulic model should be produced to identify the area of flood risk and appropriate mitigation identified.

The assessment should identify what equipment will be required for regular and occasional maintenance and the minimum access requirements for this equipment.

9. No development approved by this planning permission shall take place until such time as a plan identifying the minimum internal floor levels as identified within the FRA and associated external ground levels has been submitted to, and approved in writing by, the local planning authority.

Information should also be included to demonstrate the overland flow routes through the site, in the event of exceedance flows or overland flow from adjacent land.

10. 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 and landscaping.

11. No development shall take place until a programme of archaeological work, informed by with an initial phase of trial trenching, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

- The programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme)
- The programme for post-investigation assessment

- Provision to be made for analysis of the site investigation and recording
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - Provision to be made for achieve deposition of the analysis and records of the site investigation
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
12. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 11
 13. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 11 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
 14. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
 15. Before first occupation of any of the 8 dwellings hereby permitted the main vehicular access to the site as approved and conditioned under planning permission 16/00184/OUT where it meets the adopted highway at Longcliff hill shall be provided to the satisfaction of the LPA.
 16. The proposed private access drives serving Plots 21-24 and 25-28 shall have an effective width of a minimum of 4.25 metres and once provided shall be so maintained at all times.
 17. Before the first occupation of any dwelling hereby permitted the access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) and shall be so maintained at all times.
 18. Before the first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway including private access drives, and thereafter shall be so maintained.
 19. No development shall commence on the site until such time as a construction traffic/site traffic management plan including routing of construction traffic, 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 hereafter be carried out in accordance with the approved details and timetable.
 20. Development shall not commence on site until Reserved Matters have been granted in relation to application 16/00184/OUT.

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 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.
6. To provide a reasonable period for the replacement of any planting.

7. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.
8. To ensure that properties are not located at risk of flooding for the ordinary watercourse, and to ensure that the sufficient access is retained to maintain the watercourse capacity and flow route.
9. To ensure that no properties are at risk of flooding from overland flow routes during exceedance events.
10. In the interests of amenity, desirability, safety and security of users of the Public Footpath
11. To ensure satisfactory archaeological investigation and recording
12. To ensure satisfactory archaeological investigation and recording
13. To ensure satisfactory archaeological investigation and recording
14. To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollutions.
15. In the interest of highway safety and to ensure that vehicles entering and leaving the site may pass each other clear of the highway.
16. To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway.
17. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)
18. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to highway users.
19. To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
20. The proposal would otherwise be an isolated development within the open countryside.

Officer to contact: **Ms Louise Parker**

Date: 18th April 2017